

Findings

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received during the public review process. The proposed project, as conditioned, will not have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 The Planning Commission finds that through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with the corresponding permit monitoring requirement, is hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 1.4 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of the Development Services at 2850 Fairlane Court, Placerville, CA.

2.0 GENERAL PLAN FINDINGS

- 2.1 The project is consistent with the High Density Residential (HDR) land use designation of the subject site as defined by General Plan Policy 2.2.1.2. The project consists of a zone change to R1A-PD, which is consistent with General Plan Table 2.4 and a tentative map creating 28 single-family residential lots for 28.18 acres, with a gross density of 1 unit per acre, which is consistent with the five units per acre standard for HDR.
- 2.2 The project is consistent with all applicable Policies of the General Plan. As conditioned, the proposal is consistent with the intent of the following Policies:
 - 2.2.1 Policy 2.2.1.2 (HDR definition) because it meets density standards. The project proposes 28 single-family residential lots ranging in size from 20,004 to 43,572square feet. Those 28 lots for the 28.18 total acres, a gross density of to 1 unit per acre which conforms to the General Plan land use designation;

- 2.2.2 2.2.5.3 (rezone criteria) because the project was analyzed for water and wastewater capacity, critical flora and fauna areas, wetland impacts, transportation, existing land use pattern and historical and archeological resources;
- 2.2.3 2.2.5.21 (compatibility with surroundings) because the project provides larger sized parcels and setbacks designed to provide a more efficient transition from the MDR designated lots to the west and the LDR designated lots to the east;
- 2.2.4 5.1.2.1 (adequate utilities and public services), 5.2.1.2 (water for emergency), 5.2.1.4 (available domestic water), 5.7.1.1 (adequate emergency water and related facilities), because review of the El Dorado Irrigation District Facility Improvement Letter, Preliminary Onsite/Offsite Sewer Exhibit, and El Dorado Hills Fire Department recommended conditions of approval have demonstrated there are adequate water and sewer facilities to support the project;
- 2.2.5 6.2.3.2 (adequate emergency vehicle ingress/egress) because the project must adhere to the approved Wildland Fire Safe Plan, and conditions have been added as recommended by the El Dorado Hills Fire Department to assure adequate emergency vehicle ingress/egress;
- 2.2.6 Policy 6.5.1.3 and 6.5.1.8 (noise barriers to achieve acceptable noise levels) because the submitted Environmental Noise Assessment determined that the required masonry wall sound barrier will reduce noise impacts to levels consistent with these policies;
- 2.2.7 7.3.3.4 (impacts to wetlands) because an open space lot and 50-foot setback have been included to reduce impacts to Dutch Ravine;
- 2.2.8 7.4.1.5 (rare, threatened, endangered species) because the Special Status Plant Surveys have demonstrated there were no rare, threatened, endangered species found within the project site and a mitigation measure has been included to protect migratory bird and nesting raptor species;
- 2.2.9 7.4.4.4 (impacts to oak canopy) because the project has demonstrated it can meet the requirements of Option A onsite by replanting within Lot B and as conditioned that planting will be compliant with the Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.4.4.4 (Option A).

As conditioned and mitigated, the project provides adequate access and site design that ensure compatibility with surrounding land uses, and is consistent with the General Plan policies identified above.

3.0 ZONING FINDINGS

- 3.1 The project is consistent with the El Dorado County Zoning Ordinance Development Standards. With an approved rezone to R1A-PD, and an approved Development Plan

approving the Modified R1A, R-20,000 and “Unless Otherwise Noted” setbacks as shown on the Tentative Map, the 28 lots substantially conform to zoning and development standards required of the R1A and R20,000 Zone Districts, Chapters 17.02 and 17.04, Planned Developments, as well having the space to comply with the parking requirements of two spaces not in tandem per dwelling unit pursuant to Section 17.18.060.

4.0 ADMINISTRATIVE FINDINGS

4.1 Tentative Subdivision Map Findings

- 4.1.1 The proposed Tentative Subdivision Map, including design and improvements, is consistent with the General Plan policies and land use map because as proposed, and modified by the Mitigations and Conditions of Approval, the map conforms to the High Density Residential General Plan land use designation and applicable General Plan policies including land use compatibility, lot size, fire safe access and emergency water supply, noise, and mitigation for indigenous oak tree canopy, and threatened species, as set forth in the General Plan Findings, Section 2.0.
- 4.1.2 The site is physically suitable for the type and density of development proposed because the site contains sufficient developable areas to accommodate the proposed residential use and proposed gross density of approximately 1 unit per acre.
- 4.1.3 The design of the subdivision and proposed improvements as conditioned will not cause significant environmental damage or injure fish and wildlife habitat because potential environmental impacts for the subdivision have been minimized by the lot designs and inclusion of open space lots. The loss of indigenous oak tree canopy will be mitigated by replanting in compliance with the Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.4.4.4 (Option A). The wetlands will be further protected from impacts by a permanent setback line. The potential for erosion during grading activities will be minimized by adherence to Best Management Practices required during grading.
- 4.1.4 The subdivision will have adequate access to accommodate the proposed density because the project has been conditioned to comply with El Dorado Transportation Division and El Dorado Hills Fire Department requirements to assure adequate access.
- 4.1.5 The subdivision will not create serious public health and safety problems or unacceptable fire risk to future occupants to adjoining properties because the map will adhere to Fire Safe and Fire Code standards and the approved Fire Safe Plan which will ensure that the project does not create serious public health and safety problems or unacceptable fire risk to current and future occupants of adjoining properties.

5.0 DESIGN WAIVER APPROVAL FINDINGS

- 5.1 Reduce Lot R right-of-way widths from 50 feet to 30 feet. The support for the design waiver is based on the following findings:
- 5.1.1 There are special conditions for circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver. The "Lot R" roads are not proposed to be available for through traffic. The reduction allows the project to meet the Planned Development requirement for 30 percent open space, preserve all but two existing oak trees, while still being adequate to contain the necessary infrastructure improvements.
 - 5.1.2 Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property. The 50-foot right-of-way widths are an unnecessary hardship because the 30-foot width has been determined by the El Dorado County Transportation Division (Transportation) and El Dorado Hills Fire Department (Fire Department) to be adequate. The reduction would result in larger lots with the ability to preserve the majority of the existing oak trees.
 - 5.1.3 The adjustment or waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public. The proposed right-of-way width meets the requirements of the Fire Department and Transportation.
 - 5.1.4 This waiver would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division because the project has been conditioned to meet all applicable County Codes.
- 5.2 Reduce cul-de-sac right-of-way radii from 60 to 50 feet. The support for the design waiver is based on the following findings:
- 5.2.1 There are special conditions for circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver. The reduction allows the project to meet the Planned Development requirement for 30 percent open space, preserve all but two existing oak trees, while still being adequate to contain the necessary infrastructure improvements.
 - 5.2.2 Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property. The 60-foot cul-de-sac right-of-way radii are an unnecessary hardship because the reduced width has been determined by Transportation and the Fire Department to be adequate.
 - 5.2.3 The adjustment or waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public. The proposed reduction in radii width meets the requirements of the Fire Department and Transportation.

- 5.2.4 This waiver would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division because the project has been conditioned to meet all applicable County Codes.
- 5.3 Reduce roadway width from 28-foot 101B width to a modified 101C 22-foot CF/CF asphalt paved with Type E AC Dike and three-foot shoulder as shown. The support for the design waiver is based on the following findings:
- 5.3.1 There are special conditions for circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver. The project site is surrounded by existing roadways of a similar width that were built with A.C. Dikes and over-side drains and the Design Improvement Standards Manual (DISM) 101B Standard Plan, Note 10 makes allowances if the project is connecting to existing A.C. facilities.
- 5.3.2 Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property. The larger lot sizes were found to be adequate to support the proposal and to require interior road widths of 28 feet and dikes that do not match the existing surrounding ones is an unnecessary hardship and is out of character with the surroundings. The Fire Department has conditioned the project for no parking on the interior roads and there is no proposed thru-traffic circulation, nor required sidewalks for this gated subdivision.
- 5.3.3 The adjustment or waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public. The proposed road widths, as conditioned, meet the requirements of the Fire Department and Transportation.
- 5.3.4 This waiver would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division because the project has been conditioned to meet all applicable County Codes.
- 5.4 Reduce cul-de-sac Lot R from 60 feet to 50 feet top back of mountable dike at 47 feet, 50 feet to hinge point; 3-foot shoulder designed to support a 40,000 lb. load. The new connector may be installed with an AC Dike in lieu of Type 2 Curb and Gutter with Transportation approval pursuant to Note 10 on Design Plate 101B. The support for the design waiver is based on the following findings:
- 5.4.1 There are special conditions for circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver. The project site is surrounded by existing roadways that were built with A.C. Dikes and over-side drains and the Design Improvement Standards Manual (DISM) 101B Standard Plan, Note 10 makes allowances if the project is connecting to existing A.C. facilities.
- 5.4.2 Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property. The larger lot sizes were found to be adequate to support the proposal and to require dikes that do not match

the existing surrounding ones is an unnecessary hardship and is out of character with the surroundings.

- 5.4.3 The adjustment or waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public. The proposed cul-de-sac radii and A.C. dikes meet the requirements of the Fire Department and Transportation.
- 5.4.4 This waiver would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division because the project has been conditioned to meet all applicable County Codes.

Conditions of Approval

- 1. This Rezone, and Tentative Subdivision Map is based upon and limited to compliance with the project description, the Conditions of Approval set forth below, and the following Exhibits:

- Exhibit ETentative Map; August 2014
- Exhibit F.....Preliminary Grading and Drainage Plan, and Tree Preservation Plan; July 2014
- Exhibit G.....Fence Exhibit; August 2014
- Exhibit H.....Zoning Map (rezone); August 2014

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 approval shall include the following and applies to the parcels identified by Assessor's Parcel Numbers 126-070-22, -23, -30:

- a. Rezone to change from One-Acre Residential (R1A) to One-Acre Residential-Planned Development (R1A-PD) and Open Space-Planned Development (OS-PD); and
- b. Tentative Subdivision Map and Development Plan to create 28 single-family lots ranging in size from 20,004 to 43,572 square feet in size and the following, as shown on the Tentative Map dated August 2014:
 - 1. One interior private road lot (Lot R) to provide primary access to one exterior road "Lot A, New Connector" road to Green Valley Road;
 - 2. Installation of the "Lot A," the "New Connector" with a fully constructed intersection to Green Valley Road up to and including the interior roadway;

3. A fire access road built to an interim roadway grade of less than 20 between the private access connection and Malcolm Dixon Road with a controlled access that consists of a locked gate at each end with a Knox lock for the Fire Department;
4. A secondary right out only access to Malcolm Dixon Road from the "Lot R" interior roadway with an emergency only right in for the benefit of the Fire Department;
5. Two lettered lots (B and C) for open space, drainage and waterlines;
6. Two twenty-foot wide utility easements located; and
7. Lots with Modified R1A (designated with an "A"), R-20,000 (designated with a "B"), and "Unless Otherwise Noted" setbacks as shown on the Tentative Map.

c. Approval of the following Design Waivers:

1. Reduce Lot R right-of-way widths from 50 feet to 30 feet;
2. Reduce cul-de-sac right-of-way radii from 60 to 50 feet;
3. Reduce roadway width from 28-foot 101B width to a modified 101C 22-foot CF/CF asphalt paved with Type E AC Dike and three-foot shoulder as shown; and
4. Reduce cul-de-sac Lot R-1 from 60 feet to 50 feet top back of mountable dike at 47 feet, 50 feet to hinge point; 3-foot shoulder designed to support a 40,000 lb. load.

All lots will be served by public water and sewer. The map may be recorded in phases, subject to Development Services Director review.

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 must be submitted for review and approval and shall be implemented as approved by the County.

Conditions from the Mitigated Negative Declaration

The following Mitigation Measures are required as a means to reduce potential significant environmental effects to a level of insignificance:

2. **Air Quality 1:** In order to reduce long-term operational impacts to air quality, the following shall be required of all future residences:
 - a. Wood-burning devices: The installation of open hearth wood-burning fireplaces or woodstoves shall be prohibited in favor of more energy-efficient and less polluting

heating devices using cleaner burning fuels such as natural gas, propane or electricity. If fireplaces are desired, “natural-gas or propane only” fireplaces with flues/chimneys designed to only accommodate natural gas /propane burning shall be permitted.

- b. Electric Vehicle Charging: All private garages or parking stalls reserved for residents shall include at a minimum a Level 1 (110V AC) electrical outlet near the vehicle for charging of plug-in electric vehicles (PEV). These outlets shall be on their own separate circuit to facilitate the future installation of Level 2 PEV charging infrastructure.
- c. Exterior Electrical Outlets: Electrical outlets shall be provided along the front and rear exterior walls of residential homes to allow for the use of electric landscape maintenance tools.

Monitoring Responsibility: Planning Services and El Dorado County Air Quality Management District (AQMD).

Monitoring Requirement: The applicant shall record a Notice of Restriction (NOR) requiring that each new parcel owner shall include the provisions of a-c above in the building plans for their building permit. Planning Services shall review each building permit for the inclusion of those provisions. The AQMD shall review and approve the language of the NOR prior to recordation, and recordation shall occur with the recording of each final map.

3. **BIO-1:** If construction begins outside the 1 February to 31 August breeding season, there will be no need to conduct a preconstruction survey for active nests. If construction is scheduled to begin between 1 February and 31 August then a qualified biologist shall conduct a preconstruction survey for active nests at the construction site. In order to avoid take (FGC § 86) of protected birds and raptors (FGC § 3503, 3503.5, 3511, and 3513), a pre-construction bird and raptor nest survey shall be conducted within 10 days prior to the beginning of construction activities by a California Department of Fish and Wildlife (CDFW) approved biologist in order to identify active nests in the project site vicinity. The results of the survey shall be submitted to CDFW. If active raptor nests are found, a quarter-mile (1320 feet) initial temporary nest disturbance buffer shall be established. If active passerine nests are found, a two hundred foot (500 feet for special status species) initial temporary nest disturbance buffer shall be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then an on-site biologist/monitor experienced with the species’ behavior shall be retained by the project proponent to monitor the nest, and shall along with the project proponent, consult with the CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed to proceed within the temporary nest disturbance buffer if birds/raptors are not exhibiting agitated behavior such as defensive flights at intruders, getting up from a brooding position, or flying off the nest. The designated on-site biologist/monitor shall be on-site daily if necessary while construction related activities are taking place and shall have the authority to stop work if birds/raptors are exhibiting agitated behavior. In consultation

with the CDFW and depending on the behavior of the birds/raptors, over time it may be determined that the on-site biologist/monitor may no longer be necessary due to the birds/raptors' acclimation to construction related activities.

Monitoring Responsibility: Planning Services.

Monitoring Requirement: The applicant shall conduct all construction activities outside the nesting season or perform a pre-construction survey and obtain all necessary permits prior to initiation of construction activities. This requirement shall be placed on all grading plans. Planning Services shall review the surveys prior to issuance of a grading permit and/or removal of any trees within the entire project parcel.

4. **Bio-2: No Disturbance Buffer:** A 50-foot setback line shall be shown on the Final Map that begins at all high-water marks or the outer boundary of any adjacent wetlands identified in the Jurisdictional Delineation, dated January 2009, and as determined by the Corps of Engineer's verified wetland delineation of waters of the United States. No development shall occur within the setback area. The setback shall be shown on the Final Map.

Monitoring Responsibility: Planning Services

Monitoring Requirement: Prior to filing of the Final Map, Development Services shall verify that the setback is shown on the Final Map. The setback lines shall be shown on any development plan submitted to Development Services Department. The Department shall verify that no development occurs within the setback prior to issuance of any development permit.

5. **Cultural Resources 1:** During the course of grading activities within the perimeter of the Charles Dixon Farm Site as defined by Figure 1 of the Phase 1 Archeological Study of the Wilson Estates Project, dated January 2011, archeological monitoring shall occur. If previously unidentified or subsurface archeological sites or features are discovered, work shall stop at that location and the discovery shall be examined for its potential significance and removed if deemed of scientific value, after which work can proceed once again.

Monitoring Responsibility: Planning Services

Monitoring Requirement: A note shall be placed on the grading plans for this particular area of the project. Planning Services shall confirm that the mitigation has been included on the plans prior to issuance of any grading permit for this particular area of the project.

6. **Cultural Resources 2:** An interpretive sign shall be designed in consultation with the El Dorado County Historical Museum to commemorate the location of the Charles Dixon

Farm and the Live Oak School. The sign shall be located in an appropriate location near the site and along Malcolm Dixon Road.

Monitoring Responsibility: Planning Services and Applicant

Monitoring Requirement: The applicant shall provide Planning Services with proof this has been completed prior to approval and recordation of the final map.

7. **Noise 1:** A six-foot masonry block sound wall shall be constructed and located as shown in the Fence Exhibit G, dated August 2014, and shall not result in the removal of oak trees.

Monitoring Responsibility: Planning Services and Applicant

Monitoring Requirement: Planning Services shall review the final development plan for the construction of the wall prior to issuance of the building and/or grading permit. Planning Services shall confirm that the wall has been constructed in compliance with this mitigation measure prior to building permit final, which shall occur prior to approval and recordation of the final map.

El Dorado County Planning Services

8. **Notice of Restriction:** A Notice of Restriction shall be recorded with, and noted on, the final map that states that Lots B and C are for open space, landscaping, drainage, and retaining walls and that they shall not be utilized for residential development.
9. **Fencing/Walls:** The project shall construct the following fencing, as shown on the Fence Exhibit; August 2014 (Exhibit G):
 - a. A six-foot tall solid wood screening fence around the Tentative Map perimeter of Lots 1 and 25-28;
 - b. A six-foot tall solid wood or ornamental iron fence around the Tentative Map perimeter along the "New Connector" road and Malcolm Dixon Road right-of-ways adjoining Lots 1-14.
10. **Oak Woodland:** The project shall mitigate for the loss of 0.06 acre of oak tree canopy as shown on Tentative Map dated August 2014, and the Preliminary Grading, Drainage, and Tree Preservation Plan map dated July 2014, provided as Exhibits E and F at a 1 to 1 ratio within Lot B, in compliance with the Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.4.4.4 (Option A). The final oak tree planting plan shall be substantially consistent with the Tentative Map, and shall be reviewed and approved by Planning Services prior to issuance of any grading or building permit for the masonry wall/Lot B area. Said final oak tree planting plan shall indicate that all on-site replacement oak trees be of 15-gallon size.

Prior to recording any final map, building envelopes shall be designated for each parcel as shown on the Tentative Map dated August 2014. The building envelopes shall be designed to avoid disturbance of any tree not shown on the Tentative Map as being removed as part of the subdivision grading improvements. The envelopes shall be recorded with the Final Map.

11. **Map Time Limits:** The map shall remain in effect for three years from the date of approval. If the map has not been recorded within this timeframe, an extension may be requested prior to expiration of the map. The required application fees shall be paid to process the time extension.
12. **Compliance with Conditions:** At the same time of a filing of a Final Map, and at submittal of any grading permit authorized by this permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval that applies at each said stage. Planning Services shall verify compliance prior to issuance of the road improvement grading permit and concurrent with the filing of a Final Map.
13. **Processing Fees:** Prior to filing of the Final Map, Development Services shall verify that all Development Services Department fees have been paid.
14. **California Fish and Wildlife Fee:** The applicant shall submit to Planning Services a \$50.00 recording fee and a \$2,181.25 Department of Fish and Wildlife fee prior to filing of the Notice of Determination by the County. No permits shall be issued until said fees are paid.
15. **Water Meter Award Letter:** A water meter award letter from El Dorado Irrigation District or similar assurance from the water purveyor, guaranteeing water service upon demand to each of the lots created, shall be submitted to Development Services at the time of Final Map filing.
16. **Park In-lieu Fees:** Pursuant to Section 16.12.090, the project is responsible for parkland dedication which shall be satisfied by park in lieu fees. The applicant shall submit a request for Park-in-Lieu fee appraisal to Planning Services, with a check for \$150.00 made out to the El Dorado County Assessor. Upon completion of appraisal, the applicant shall pay the park fee, to the El Dorado Hills Community Services District, and shall submit the receipt to El Dorado County Development Services with the Final Map.
17. **Liens for Assessment or Bonds:** Prior to filing the Final Map, if the subject property is subject to liens for assessment or bonds, pursuant to the provisions of Government Code Section 66493, the owner or subdivider shall either: (a) Pay the assessment or bond in full, or (b) File security with the Clerk of the Board of Supervisors, or (c) File with the Clerk of the Board of Supervisors the necessary certificate indicating provisions have been made for segregation of bond assessment responsibility pursuant to Government Code Section 66493 (d).

18. **Archeological Resources:** The following shall be incorporated as a note on the grading/improvement plans:

In the event archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a “unique archeological resource”, contingency funding and a time allotment sufficient to allow recovering an archeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archeological mitigation takes place.

If the find is determined to be a “unique archeological resource”, the archaeologist shall determine the proper method(s) for handling the resource or item in accordance with Section 21083.2(b-k). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken or the site is determined a “nonunique archeological resource”.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

19. **Human Remains:** The following shall be incorporated as a note on the grading/improvement plans:

In the event of the discovery of human remains, all work shall cease and the County coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the

scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

20. **HOA and CC&RS:** A Homeowner's Association (HOA) shall be formed that shall be responsible for enforcement of the Covenants, Conditions, and Restrictions (CC&Rs) which shall be recorded for each parcel. Said CC&Rs shall, at a minimum, include the following provisions:

- a. Responsibility for the protection and maintenance of oak trees, ongoing maintenance and monitoring of the shared private road easement area, as well as Open Space Lots B and C, that are entirely within the subdivision boundary as shown on TM14-1515, Exhibit E, as well as the associated drainage facilities, and fire safety management of those areas in accordance with the approved Fire Safe Plan dated September 2, 2011 as updated by the Wilson Estates Amendment A Fire Safe Plan addendum dated May 28, 2014. The ongoing maintenance and monitoring Lots B and C may become the responsibility of a future Landscaping and Lighting Assessment District, if one is established. The ownership deeds to the Open Space Lots B and C shall be held by the HOA and shall remain commonly-held open space for their mutual use, not to be utilized for residential uses.
- b. Responsibility for the ongoing maintenance, and access rights for, any fences and walls constructed on the subdivision's perimeter property lines, as well as the six-foot tall masonry sound wall within Lot B, and the other fences described above in Condition 9, and shown in Exhibit H.
- c. Ensuring that no construction or grading of any kind shall occur within the non-building setback areas shown on the Final Map 50-feet on both sides of Dutch Ravine.
- d. Providing to El Dorado Hills Community Services District (EDHCSD) a copy of any landscape and streetscape designs for any HOA projects, for EDHCSD records.
- e. Development of accommodations to store a minimum of three waste and recycle material containers in an area not visible from the street, on each residential lot in consideration of the EDHCSD mandatory waste management services requirements.

- f. Development, implementation, and maintenance of the Wildland Fire Safe Plan, William Draper, Registered Professional Forester #898, dated September 2, 2011, as updated by the Wilson Estates Amendment A Fire Safe Plan addendum dated May 28, 2014, that is approved according to State Fire Safe Regulations and shall address the homes that back up to the open wildland areas that surround this project.
- g. Language that restricts any future modifications by the HOA of County required provisions without prior County approval.

The Covenants, Conditions and Restrictions (CC&Rs) shall be submitted to Development Services for review, and County approval, prior to filing of the Final Map.

- 21. **Hold Harmless Agreement:** In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the Government Code.

The subdivider shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

County shall notify the subdivider of any claim, action, or proceeding and County will cooperate fully in the defense.

El Dorado County Transportation Division (TD)

- 22. **Road Design Standards:** The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM), as shown in Table 1. The improvements shall be completed to the satisfaction of the County or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map: (the requirements outlined in Table 1 are minimums)

Table 1				
ROAD NAME	DESIGN STANDARD PLAN	ROAD WIDTH* / SHOULDER WIDTH	RIGHT OF WAY**	EXCEPTIONS/ NOTES
Lot "R" – Interior Roads	Std Plan 101C (Modified) Structural section to	22 ft / 3 ft	30 ft	Two 11 foot wide lanes, Type "E" HMA dike plus 3' shoulders.

	be determined by Geotech Report		No Curb, gutter or sidewalk. 25 MPH Design Speed.
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* Road widths are measured from curb face to curb face or edge of pavement to edge of pavement if no curb (traveled way). Curb face for rolled curb and gutter is 6" from the back of the curb.
 ** Non-exclusive road and public utility easements included.

23. **Offer of Dedication, Interior Roads:** Developer shall irrevocably offer to dedicate in fee, a 30 foot wide road and public utilities easement as determined by TD, and for all other onsite roadways, prior to the filing of the map. Slope easements shall be included as necessary. This offer will be rejected by the County.
24. **Area of Benefit Improvements:** The Subdivider shall construct the following improvements necessary to serve the project, consistent with the Malcolm Dixon Area Traffic Circulation Plan, to the satisfaction of the County prior to filing of the final map:
 - a. New Connector Road from Station 10+00 to Station 13+32;
 - b. Left Turn Pocket on Green Valley Road at the New Connector Road intersection;
 - c. Temporary 20-foot wide emergency access roadway along the alignment of the New Connector Road from Station 13+32 to Station 15+44.
25. **Multi-Project Area of Benefit:** In the event that the Malcolm Dixon Road Area of Benefit financing district is formed, and the Improvements are constructed by another interest prior to the final map being recorded for this project, the subdivider shall participate in the Area of Benefit and pay their fair share towards the financing district costs based on the pro-rata share of residential lots or equivalent share basis.
26. **Offer of Dedication, New Connector Road between Malcom Dixon Road and Green Valley Road:** The applicant shall irrevocably offer to dedicate, in fee, 60 feet of right of way for the on-site portion of the New Connector Road, and any slope easements necessary to accommodate construction of the New Connector Road prior to or concurrent with filing the final map. This offer will be accepted by the County upon construction of the improvements.
27. **Offer of Dedication, Malcom Dixon Road:** The applicant shall irrevocably offer to dedicate, in fee, right of way for the on-site portion of Malcom Dixon Road as shown on the tentative map concurrent with or prior to filing the final map. In addition, the applicant shall irrevocably offer to dedicate Slope easements (where necessary) to contain cut / fill slopes, plus 2 feet beyond tops / toes, for Area of Benefit improvements to Malcolm Dixon Road. These offers will be accepted by the County.
28. **Offer of Dedication, Green Valley Road:** The applicant shall irrevocably offer to dedicate, in fee, the necessary right of way to measure 50 feet from the center line north for the on-site portion of Green Valley Road along the entire property frontage as shown on the tentative map, prior to filing the map. In addition, the applicant shall irrevocably

offer to dedicate Slope easements (where necessary) to contain cut / fill slopes, plus 5' beyond tops / toes, for area of Benefit improvements to Green Valley Road. These offers will be accepted by the County.

29. **New Connector Road Profile:** The profile of the New Connector Road shall be designed to accommodate the future widening of Green Valley Road in accordance with the County's General Plan Exhibit TC-1. If Exhibit TC-1 is amended by County, prior to construction of the New Connector Road, the profile shall be set to accommodate the amended configuration of Green Valley Road.
30. **Project Site Grading:** The project site grading will be designed to accommodate the construction of the Area of Benefit Roadway Improvements without retaining walls or slope easements in excess of those previously anticipated by the preliminary designs for the Area of Benefit Roadway Improvements.
31. **Gates, Location:** Pursuant to Article 2, Section 1273.11 of the SRA Fire Safe Regulations, all gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road. Gate entrances shall be at least two feet wider than the width of the traffic lane(s) serving that gate.
32. **Gates, Turnarounds:** All Gates shall be designed and constructed with turnarounds acceptable to the County and Fire Department.
33. **Encroachment Permit(s):** The applicant shall obtain an encroachment permit from County and shall construct the roadway encroachment access onto Malcom-Dixon Road to the provisions of County Design Standard Plan 103C modified as shown on the tentative map. The access improvements connection to Malcolm Dixon Road and the New Connector Road shall be the responsibility of the Homeowners Association to Maintain.
34. **Road Improvement Agreement:** The applicant shall obtain a road improvement agreement for construction of the left turn pocket on Green Valley Road.
35. **Turnaround:** The applicant shall provide a turnaround to the provisions of County Design Standard 114 as modified by any Design Waivers approved with the project, or as otherwise required by local fire district.
36. **Off-site Easements:** Applicant shall provide all necessary recorded easements for the drainage, slope and road improvements crossing the property line prior to approval of the improvement plans.
37. **Maintenance Entity:** The proposed project must form an entity for the maintenance of any shared or common: private roads, parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping, signs, and drainage facilities of the current project. County shall

review the document forming the entity to ensure the provisions are adequate prior to filing of the map.

38. **Subdivision Improvement Agreement & Security:** The developer shall enter into a Subdivision Improvement Agreement (SIA) with the Transportation Division for all onsite roadway, drainage infrastructure, grading, etc. The developer shall complete the improvements to the satisfaction of County or provide security to guarantee performance of the SIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the final map.
39. **Improvement Surety:** For improvements not completed, the subdivider shall provide a 100 percent performance surety and a 50 percent labor and materialmens surety by separate bond, cash deposit, assignment, or letter of credit from a financial institution. For improvements which have been completed, the subdivider shall provide a ten percent maintenance surety in any of the above-mentioned forms. Verification of construction, or partial construction, and cost of completion shall be determined by the County.

Transportation Standard Conditions

40. **Improvement Plans and Cost Estimate:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Transportation Division, and pay all applicable fees prior to filing of the final map.
41. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
42. **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Transportation Division prior to the filing of the map. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
43. **Common Fence/Wall Maintenance:** The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).
44. **Water Quality Stamp:** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.
45. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00

a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.

46. **DISM Consistency:** The developer shall obtain approval (as modified by these conditions herein) of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (dated May 1986, revised May 1990), from the County Transportation Division, and pay all applicable fees prior to filing of the final map.
47. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
48. **Grading Permit / Plan:** If more than 250 cubic yards of earth movement are required for improvements, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Transportation Division for review and approval. The plan shall be in conformance with the County of El Dorado "Design and Improvement Standards Manual", the "Grading, Erosion and Sediment Control Ordinance", the "Drainage Manual", the "Off-Street Parking and Loading Ordinance", and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of County prior to occupancy clearance.
49. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Transportation Division. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Transportation Division shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
50. **RCD Coordination:** The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Transportation Division. The Transportation Division shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
51. **Soils Report:** At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for

such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Transportation Division. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.

52. **Drainage Study / SWMP Compliance:** The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Transportation Division.

The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:

- The site can be adequately drained;
- The development of the site will not cause problems to nearby properties, particularly downstream sites;
- The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
- The ultimate drainage outfall of the project.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. A Scoping Meeting for the required drainage study between County staff and the engineer shall occur prior to the first submittal of improvement plans. The engineer shall bring a watershed map and any other existing drainage system information to the Scoping Meeting. The improvements shall be completed to the approval of the Transportation Division prior to the filing of the final map or the applicant shall obtain an approved improvement agreement with security.

53. **Drainage (Cross-Lot):** Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the final map

54. **Drainage Easements:** Pursuant to Section 4.D of the DISM, the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and / or on the final map.
55. **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
56. **Storm Water Drainage BMPs:** Storm drainage from on-and off-site impervious surfaces (including roads) shall be collected and routed through specially designed water quality treatment facilities (BMPs) for removal of pollutants of concern (e.g. sediment, oil/grease, etc.), as approved by EDCDT. This project is located within the area covered by El Dorado County's municipal storm water quality permit, pursuant to the National Pollutant Discharge Eliminated System (NPDES) Phase II program. Project related storm water discharges are subject to all applicable requirements of said permit. BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) storm water runoff in accordance with Section E.12 of El Dorado County's NPDES Municipal Storm water Permit (State Water Resources Control Board NPDES General Permit No. CAS000004).

With the Improvement Plans, the applicant shall verify that the proposed BMPs are appropriate to treat the pollutants of concern from this project. A maintenance entity of these facilities shall be provided by the project applicant. EDCDT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the final map.

57. **Off-site Improvements (Security):** Prior to the filing of a final map or parcel map, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required offsite improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in the amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.
58. **Off-site Improvements (Acquisition):** As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the applicant's expense and

within 120 days of filing the Final Map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map, the applicant shall submit the following to the Transportation Division Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20% contingency:

- a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
- b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
- c. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements.

In addition to the agreement the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

59. **Electronic Documentation:** Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to TD with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
60. **TIM Fees:** Prior to issuance of building permits for the lots created by the project, the building permit applicant shall pay the traffic impact mitigation fees in effect at the time the building permit application is deemed complete.

El Dorado County Air Quality Management District

61. **Fugitive Dust:** The project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM₁₀) in the form of dust. The project shall adhere to the regulations and mitigation measures for fugitive dust emissions during the construction process. In addition, a Fugitive Dust Mitigation Plan (DMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction. (Rules 223 and 223.1)
62. **Paving:** Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).
63. **Painting/Coating:** The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.

64. **Open Burning:** Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only vegetative waste materials may be disposed of using an open outdoor fire (Rule 300 Open Burning).
65. **Construction Emissions:** During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at ARB's website here: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>. An applicability flow chart can be found here: http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf. Questions on applicability should be directed to ARB at [1-866-634-3735](tel:1-866-634-3735). ARB is responsible for enforcement of this regulation.
66. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be under permit from the California Air Resources Board (CARB). A copy of the current portable equipment permit shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, daily hours of operations of each piece of equipment.

El Dorado Hills Fire Department

67. The potable water system with the purpose of fire protection for this residential development shall provide a minimum fire flow of 1,000 gallons per minute with a minimum residual pressure of 20 psi for a two-hour duration. This requirement is based on a single family dwelling 6,200 square feet or less in size. All homes shall be fire sprinklered in accordance with NFPA 13D and Fire Department requirements. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval.
68. This development shall install Mueller Dry Barrel fire hydrants or any hydrant approved by the El Dorado Irrigation District for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 500 feet. The exact location of each hydrant shall be determined by the Fire Department.
69. In order to enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and State Fire Safe Regulations.
70. In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in

service prior to combustibles being brought onto the site as specified by the Fire Department, Standard B-003.

71. This development shall adhere to the Wildland Fire Safe Plan dated 11/2/11, as updated by the Wilson Estates Amendment A Fire Safe Plan addendum dated May 28, 2014 to reflect the 28 lot subdivision layout.
72. Lots that back up to wildland open space shall be required to use non-combustible type fencing. Non-combustible type fencing is required.
73. This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump/dip section of roadway.
74. Driveways shall be 12 feet wide. The maximum grade of a driveway shall not exceed 20 percent when paved, 16 percent if unpaved.
75. Any gate shall meet the El Dorado Hills Fire Department Gate Standard B-002.
 - a. The gate at the Malcom Dixon will be constructed so that both sides of the gate open when triggered by fire apparatus opticom, remote or Knox key.
 - b. The gates on the 20' wide temporary fire access shall be equipped with Knox padlocks.
76. No parking will be allowed on any street. All streets will be signed or marked every 25 feet "no parking fire lane" this shall be white letters on a red background.
77. This project may be phased so long as dead end roads do not exceed 800 feet or 24 parcels; whichever comes first.

El Dorado County Surveyor

78. All survey monuments must be set prior to the filing the Final Map or the developer shall have surety of work to be done by bond or cash deposit. Verification of set survey monuments, or amount of bond or deposit to be coordinated with the County Surveyors Office prior to the filing of the Final Map.
79. The roads serving the development shall be named by submitting a completed Road Name Petition, with the County Surveyors Office, prior to filing the Final Map with the Board of Supervisors. Proof of any signage required by the Surveyor's Office must also be provided prior to filing the Final Map. All associated fees will be the responsibility of the applicant.

CONDITIONS OF APPROVAL

Tentative Subdivision Map Time Extension TM05-1401-E/Malcolm Dixon Road Estates Planning Commission/July 27, 2017

(The following are the original Conditions of Approval for Malcolm Dixon Road Estates Tentative Subdivision Map, as approved by the Board of Supervisors on June 15, 2010)

1. This Tentative Map and Zone Change approval is based upon and limited to compliance with the project description, hearing Exhibits E-I, 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 includes a request for a Zone Change from Exclusive Agriculture (AE) to Estate Residential Five-Acre (RE-5). A Tentative Map to create 8 lots ranging in size from 5.0 acres to 5.6 acres. Access to the proposed subdivision would be from a proposed roadway connection to the south at the existing Malcolm Dixon Road extending further off-site to the south providing an additional connection to Green Valley Road. The project proposes to use public water and individual septic systems. In order for the project to be eligible for public water and fire services the property would be require annexation by LAFCO into the local water and fire districts. No Design Waivers have been requested.

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 (Tentative Subdivision Map, Preliminary Grading and Drainage Plan, Slope Map, and Oak Canopy Map) must be submitted for review and approval and shall be implemented as approved by the County.

2. Prior to issuance of a building permit or commencement of any use authorized by this permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services prior to issuance of a building permit for verification of compliance with applicable conditions of approval.

CONDITIONS FROM THE MITIGATED NEGATIVE DELECRATION

The following mitigation measures are required as a means to reduce potential significant environmental effects to a level of insignificance:

3. To avoid take of active raptor nests, pre-construction surveys shall be conducted by a qualified biologist no more than 30 days prior to initiation of proposed development activities. Survey results shall then be submitted to CDFG. If active raptor nests are found on or immediately adjacent to the site, consultation shall occur with CDFG to determine appropriate avoidance measures. If no nesting is found to occur, necessary tree removal could then proceed.

Monitoring Responsibility: Planning Services

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

4. Special status plant surveys to determine presence or absence of these species should take place in May or June. Vegetation surveys will follow protocol guidelines issued by the California Department of Fish and Game. These guidelines state that surveys for special status plants be done at the appropriate times of the year, and that all individuals observed be identified to the extent necessary to determine whether it is a special status species.

Monitoring Responsibility: Planning Services

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

El Dorado Hills Fire Department

5. The project applicant shall provide potable water for fire protection.
6. The developer shall install Muller Dry Barrel fire hydrants conforming to the El Dorado Irrigation District specifications for the purposes of providing water for fire protection. The spacing between hydrants for this development shall not exceed 500 feet. The exact location of each hydrant shall be determined and approved by the Fire Department.
7. Each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations to enhance nighttime visibility.
8. All access roadways and fire hydrant systems shall be installed and in service prior to filing the Final Map of any combustible members as specified by the El Dorado Hills Fire Department Standard 103.
9. Lots that back up to Wildland Open Space shall construct fences composed of non-combustible material, with a three foot wide gate located in accordance with Fire

- Department requirements to allow emergency access into the open space areas prior to finaling any building permit.
10. Driveways serving the project shall be designed to a maximum of 20% grade. Driveways exceeding the 20% grade shall install fire sprinklers per the NRPA 130 standards within the dwelling unit prior to finaling any building permit.
 11. Any type of traffic calming device that utilizes a raised bump section of roadway is prohibited.
 12. Lots shall have a minimum setback of a minimum of 30 feet, as required by the Fire Safe Regulations.
 13. Proper roadway access and circulation shall be provided to allow access to the site. Roadways shall be coordinated with other proposed developments in the area and designed in accordance with the Fire Department regulations.
 14. No access control devices that obstruct traffic circulation shall be installed, per State Fire Regulation Section 1273.
 15. A Fire Safe Plan, approved by the El Dorado Hills Fire Department, is required to be developed and implemented prior to occupancy prior to filing the Final Map.

LAFCO

16. Prior to Final Map filing, the applicant shall complete the annexation process into El Dorado Irrigation District (EID) through LAFCO and submit evidence of the satisfaction of this condition to Planning Services upon completion.
17. Prior to Final Map filing, the applicant shall complete the annexation process into El Dorado Hills Fire Department (El Dorado Hills County Water Agency) through LAFCO and submit evidence of the satisfaction of this condition to Planning Services upon completion.

Planning Services

18. The applicant shall provide to Planning Services, a Meter Award Letter or similar document from El Dorado Irrigation District, prior to filing the Final Map.
19. The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. The applicant shall pay all fees at the time of filing the Final Map.
20. The subdivider shall pay a \$150.⁰⁰ appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.

21. Prior to issuance of a grading permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services if deemed necessary prior to issuance of a grading permit for verification of compliance with applicable conditions of approval.
22. This Tentative Subdivision Map shall expire in 36 months from date of approval unless a timely extension has been filed.
23. At time of final map filing, CC & R's shall be submitted and reviewed by Planning Services.
24. Construction activities shall be limited to the hours of 7 a.m. to 7 p.m. during weekdays and 8 a.m. to 5 p.m. on Saturday. Exceptions are allowed if it can be shown that construction beyond these times is necessary to alleviate traffic congestion and safety hazards. Planning Services shall verify this requirement is placed on the Grading Plans prior to issuance of a grading permit.
25. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the Government Code.

The subdivider shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

County shall notify the subdivider of any claim, action, or proceeding and County will cooperate fully in the defense.

26. All Development Services fees shall be paid prior to recording the Final Map.

Surveyor's Office

27. All survey monuments must be set prior to the presentation of the Final Map to the Board of Supervisors for approval; or the developer shall have the surety of work to be done by bond or cash deposit. The project applicant shall ensure that verification of set survey monuments, or amount of bond or deposit are acceptable to the County Surveyor's Office.
28. The applicant shall file a completed road name petition for roads serving the development with the County Surveyor's Office prior to filing the Final Map.

El Dorado County Resource Conservation District

29. Prior to grading operations, the developer shall contact the District for review of an erosion control plan. The erosion control plan must be approved by the District prior to issuance of a grading permit.
30. Revegetation of all disturbed soils will be accomplished with approved amounts and types of vegetative species, mulch, and fertilizer materials per the “El Dorado County Erosion Control Requirements and Specifications – MLRA18.” The applicant shall include these specifications as a part of the engineering drawings for the project.
31. The applicant shall analyze the downstream drainage areas for the capacity of existing structures to adequately handle runoff created by the proposed development and problems related to erosion control. The applicant shall complete this as part of the erosion control plan.
32. The applicant shall perform a hydrological analysis to assure the downstream drainage systems are adequate. The applicant shall complete this as part of the erosion control plan.

California Regional Water Quality Control Board

33. The applicant shall obtain a permit for the project under the National Pollutant Discharge Elimination System (NPDES). The applicant shall obtain the General Permit to cover this project prior to issuance of a grading permit.
34. The project applicant shall obtain a 401 Water Quality Certification prior to issuance of a grading permit.

El Dorado County Department of Environmental Health

35. Project applicant shall adhere to Rules 223, 223.1, and 223.2 during construction. The applicant shall submit a Fugitive Dust Plan Application with appropriate fees to and receive approval by the District prior to the issuance of a grading permit.
36. Project construction shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
37. Burning of wastes on-site requires the applicant contact the District prior to the commencement of any burning for necessary burn permit requirements. Only vegetative waste materials are permitted to be disposed of using an open outdoor fire. Project construction shall adhere to District Rule 300 Open Burning.
38. The project construction shall adhere to District Rule 215 Architectural Coatings.

El Dorado County Department of Transportation

PROJECT-SPECIFIC DOT CONDITIONS:

39. **Road Design Standards:** The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM), as shown in Table 1. The improvements shall be completed to the satisfaction of the Department of Transportation (DOT) or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the Final Map: (the requirements outlined in Table 1 are minimums)

ROAD NAME	DESIGN STANDARD PLAN	ROAD WIDTH*/ SHOULDER WIDTH	RIGHT OF WAY**	EXCEPTIONS/ NOTES
Chartraw Road <i>(onsite)</i>	Std Plan 101C Maintenance Entity	24ft / 2 ft	50ft	Two 12 foot wide lanes and 2 foot wide shoulder per Exhibit X. 3"AC/8"AB section or as recommended in Soils report. 25 MPH Design Speed
Chartraw / Diamante Road Widening <i>(offsite)</i> From STA: 21+70 <i>(New Connection)</i> to Chartraw southern boundary line.	Std Plan 101C Maintenance Entity	24ft Including slope easements. EP to EP	50ft	Two 12 foot wide lane and 2 foot wide shoulder per Exhibit X. 3"AC/8"AB section or as recommended in Soils report. Road width is measured EP to EP. 25 MPH Design Speed.

*Road width is measured edge of pavement to edge of pavement.

40. **Multi-Project Area of Benefit:** Upon the applicant’s request, the County will form and implement, at the applicant’s expense, a public improvement financing district for funding or reimbursement of the costs of off-site public improvements to be constructed as identified in the Exhibit X entitled Malcolm Dixon Area Traffic Circulation Plan. The applicant shall prepare and submit for County’s approval and adoption a proposed Area of Benefit and supporting Engineers Estimate and Report for the purpose of financing and reimbursement of required off-site land acquisitions, widening and (re-) construction of public improvements as may be appropriate. The proposed Area of Benefit shall include but not be limited to parcels APN: 110-020-12, 126-100-18, 19, 23, & 24. The Area of Benefit Engineer’s Report shall be prepared and submitted and the proposed public financing district formed prior to the filing of the Final Map. For development projects within the proposed public financing district Area of Benefit, County shall require consent by the land owner to the public financing district and participation in the funding or reimbursement and/or construction of the off-site public improvements for Malcolm Dixon Area Traffic Circulation Plan on a pro rata share of residential lots or equivalent share basis as a

condition of approval. For development projects which may derive benefit from the public improvements to be constructed as part of the Malcolm Dixon Area Traffic Circulation Plan, County shall require participation in the funding and reimbursement and/or construction of the off-site public improvements for Malcolm Dixon Area Traffic Circulation Plan on a pro rata share of residential lots or equivalent share basis as a condition of project approval.

41. **Area of Benefit Improvements:** The following Area of Benefit Improvements are required of all projects party to the Area of Benefit. This project’s proportional share and financial responsibility for these improvements shall be determined by the Engineer’s Report. These improvements shall be completed to the satisfaction of DOT prior to filing of the Final Map.

Table 2			
ROAD NAME		ROAD WIDTH	EXCEPTIONS/NOTES
AREA OF BENEFIT Off-Site Malcolm Dixon Road Widening From STA:10+00 to STA:28+20	Std Plan 101B County Maintained System	24ft (50ft R/W) EP to EP	Two 12 foot wide lanes and 3 foot wide shoulder per Exhibit X. 2”AC overlay over existing section. No vertical profile change. 3”AC/8”AB section for pavement extension or as recommended in Soils report.
AREA OF BENEFIT Off-Site Malcolm Dixon Road Reconstruction From STA:28+20 to STA: 40+51	Std Plan 101B County Maintained System	24ft (50ft R/W) Including slope easements. EP to EP	Two 12 foot wide lanes, AC dike and 3 foot wide shoulder per Exhibit X. Omit shoulders at (e) Box Culvert location. 3”AC/8”AB or as recommended in Soils report. For design speed see Exhibit X.
AREA OF BENEFIT New Connection Reconstruction portion From STA: 20+20 to STA: 21+70.	Std Plan 101B County Maintained System	24ft (50ft R/W) Including slope easements. EP to EP	Two 12 foot wide lanes, AC dike and 2 foot wide shoulder per Exhibit X. 3”AC/8”AB section or as recommended in Soils report. For design speed see Exhibit X.
AREA OF BENEFIT Off-Site New Connection From STA:10+00 to STA:15+44	Std Plan 101B County Maintained System	36ft (60ft R/W) Including slope easements. FC to FC	36 foot travel way, curb, gutter and 6 foot wide shoulder per Exhibit X. 3”AC/8”AB section or as recommended in Soils report. For design speed see Exhibit X. 36 feet will accommodate two 11-foot travel lanes and a 10-foot striped turn pocket if necessary and 2-foot gutter pans on each side.

42. **Offer of Dedication, Interior Roads:** Developer shall irrevocably offer to dedicate in fee, a 50 foot wide road and public utilities easement that extends from the southern boundary line to the northern boundary line (to provide access to development beyond) as determined by EDC DOT, and for all other onsite roadways, prior to the filing of the map. Slope easements shall be included as necessary. This offer will be rejected by the County.
43. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment from the access roadway onto Malcolm-Dixon Road to the provisions of County Design Std 103D. The improvements shall be completed to the satisfaction of the Department of

Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the Final Map.

44. **Off-site Access Easements:** The applicant shall provide proof of access to the project site from a State or County maintained road. Said proof shall guarantee access for this site to use the proposed offsite roadways to the south and east and shall be provided by and through a “Map Guarantee” which shall be submitted to the County Surveyor’s Office with the first map check for the map.
45. **Reciprocal Access Agreement:** The applicant shall provide a reciprocal access agreement, signed by the adjoining property owners, guaranteeing access for this site to use the proposed off-site roadways from this project to Salmon Falls Road, prior to the filing of the map. This agreement shall also allow the adjoining landowners to use the onsite roads to access Malcolm Dixon Road.
46. **Turnaround:** The applicant shall provide a turn around at the end of the onsite roadways to the provisions of County Standard Plan 114 or approved equivalent. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the Final Map.
47. **Roadway Slopes:** Pursuant to DISM Sec 3.B.9 and Design Std Plan 101B, the gradient of any street shall not exceed 15%. Roadway slopes shall be indicated on the improvement plans to show compliance with this requirement.
48. **Off-site Easements:** Applicant shall provide all necessary recorded easements for the drainage, slope and road improvements crossing the property line prior to approval of the improvement plans.
49. **Maintenance Entity:** The proposed project must form an entity for the maintenance of any shared or common: private roads, parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping, signs, and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the Final Map.
50. **Driveway Cuts:** Subdivision improvements shall include rough grading of driveways for all lots with street cuts or fills along the frontage of six feet or more difference in elevation, or as found necessary for reasonable access by the County Engineer. Construction of said driveways shall conform to the Design and Improvements Standards Manual and the Encroachment Ordinance. Attention should be given to the minimum required sight distance at all driveway encroachments. As an alternative, a Notice of Restriction shall be filed against all downhill lots with fill in excess of 6 feet which allows structural driveway access only.

51. **Performance Bond:** The construction of all required improvements shall be completed with the presentation of the final map to the Planning Director before presentation of the final map to the Board of Supervisors for its approval. For improvements not completed, the subdivider shall provide a 100 percent performance surety and a 50 percent labor and materialmen surety by separate bond, cash deposit, assignment, or letter of credit from a financial institution. For improvements which have been completed, the subdivider shall provide a ten percent maintenance surety in any of the above-mentioned forms. Verification of construction, or partial construction, and cost of completion shall be determined by the County Department of Transportation. The developer shall pay the traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.

DOT STANDARD CONDITIONS

52. **Improvement Plans and Cost Estimate:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the Final Map.
53. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
54. **Road & Public Utility Easements:** The applicant shall provide a 50 foot wide non-exclusive road and public utility easement for the on-site access roadway prior to the filing of the map. Slope easements shall be included as necessary.
55. **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Department of Transportation prior to the filing of the map. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
56. **Common Fence/Wall Maintenance:** The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).
57. **Water Quality Stamp:** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.
58. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.

59. **DISM Consistency:** The developer shall obtain approval (as modified by these conditions herein) of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (dated May 1986, revised May 1990), from the County Department of Transportation, and pay all applicable fees prior to filing of the Final Map.
60. **Road Improvement Agreement & Security:** The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the Final Map.
61. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
62. **Grading Permit / Plan:** If more than 50 cubic yards of earth movement are required for improvements, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado “Design and Improvement Standards Manual”, the “Grading, Erosion and Sediment Control Ordinance”, the “Drainage Manual”, the “Off-Street Parking and Loading Ordinance”, and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of DOT prior to occupancy clearance.
63. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
64. **RCD Coordination:** The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The

Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.

65. **Soils Report:** At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
66. **Drainage Study / SWMP Compliance:** The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.

The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:

- a. The site can be adequately drained;
- b. The development of the site will not cause problems to nearby properties, particularly downstream sites;
- c. The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
- d. The ultimate drainage outfall of the project.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. A Scoping Meeting for the required drainage study between County staff and the engineer shall occur prior to the first submittal of improvement plans. The engineer shall bring a watershed map and any other existing drainage system information to the Scoping Meeting. The improvements shall be completed to the approval of the Department of Transportation prior to the filing of the final map or the applicant shall obtain an approved improvement agreement with security.

67. **Drainage (Cross-Lot):** Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other

- entity acceptable to the County. Any variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the Final Map.
68. **Drainage Easements:** Pursuant to Section 4.D of the DISM, the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and / or on the Final Map.
69. **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a “Notice of Intent” (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
70. **Off-site Improvements (Security):** Prior to the filing of a final map or parcel map, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required offsite improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in the amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.
71. **Off-site Improvements (Acquisition):** As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the applicant’s expense and within 120 days of filing the Final Map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map, the applicant shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20% contingency:
- a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.

- b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
- c. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements.

In addition to the agreement the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

- 72. **Electronic Documentation:** Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
- 73. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.

Findings

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

FINDINGS FOR APPROVAL

1.0 CEQA Findings

- 1.1** El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2** The County finds that through feasible conditions and mitigation measures placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3** Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 1.4** The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 General Plan Findings

- 2.1** The proposed use and design conforms to the Low Density General Plan Land Use Designation. The project area is located outside a Community Region, the proposed use and developmental density are consistent with both land use designation and floor area ratio policies as well as the natural resources on site being protected pursuant to General Plan Policies 2.2.1.2 regarding land use designations, 2.2.4.1 regarding density bonus, 2.2.3.1 regarding planned developments, 2.2.1.5 regarding building intensities, 2.2.5.3 regarding general policies for evaluating zone changes, 2.2.5.21 regarding incompatibility with surrounding land uses, 5.2.1.2 regarding adequate water supply, 5.7.1.1 regarding fire protection, 7.3.3.4 regarding special setback for riparian areas, and 7.4.4.4 regarding oak woodlands.
- 2.2** In accordance with State law and pursuant to General Plan Policy 2.2.5.3, the County has evaluated the subject Zone Change request based on the requirements of the General Plan

relating to minimum parcel size or maximum allowable density and to assess whether changes in conditions are present that would support a higher density Zone District. The 19 specific criteria found within General Plan Policy 2.2.5.3 have been analyzed with regards to the above-referenced Zone Change request. Based on this analysis and the conclusions reached in the staff report, the site is found to be suitable to support the proposed density.

- 2.3** The proposed project is consistent with policies 2.1.5.1 regarding building densities, 2.2.5.21 regarding compatibility with adjoining land uses, 5.2.1.2 regarding adequate water supplies, 5.2.1.3 regarding connecting to a public water system, 5.7.1.1 regarding adequate water for fire protection, 7.3.3.4 regarding buffers and setbacks for wetlands and streams, and 7.4.4.4 regarding oak woodland preservation and mitigation.

3.0 Administrative Findings

3.1 Tentative Subdivision Map

3.1.1 The site is physically suitable for the proposed type and density of development after rezone.

As shown on the Tree Preservation Plan (Exhibit H), adequate building areas for each lot are available considering the required wetland setbacks, tree canopy retention, zoning setbacks, and fire safe standards. As such, the site is physically suitable for the proposed type and density of development.

3.1.2 The proposed subdivision is not likely to cause substantial environmental damage.

The proposed subdivision is not likely to cause substantial environmental damage with the implementation of the mitigation measures identified in Attachment 1.

3.1.3 The proposed Tentative Map, including design and improvements, is consistent with the General Plan policies and land use map after rezone.

As proposed, the Tentative Map conforms to the Low Density Residential General Plan land use designation and applicable General Plan policies including density, access, tree canopy retention, water service, wetland setbacks, grading, transportation, fire protection, and wastewater disposal.

3.1.4 The proposed Tentative Map conforms to the applicable standards and requirements of the County's zoning regulations and the Major Land Division Ordinance.

As proposed, the Tentative Subdivision Map conforms with the applicable development standards outlined within the Estate Residential 5-Acre Zone District with the addition of the Planned Development Overlay (RE5-PD) and the Major Land Division Ordinance.

3.2 Planned Development

3.2.1 The Development Plan is consistent with the General Plan.

As outlined within the staff report and General Plan consistency findings above, the Development Plan is consistent with all applicable policies of the General Plan concerning land use, transportation and circulation, public services and utilities, public health, safety, and noise element, as well as conservation and open space.

3.2.2 The proposed development is so designed to provide a desirable environment within its own boundaries.

The proposed development plan features approximately 24.5 acres of open space. As such, the development is designed to provide a desirable environment within its own boundaries.

3.2.3 Any exceptions to the standard requirements of the Zone Regulations are justified by the design or existing topography.

A Deviation from the Residential 5-acre Development Standards includes a reduction in the minimum lot size requirement for all residential parcels. This exception to the standard requirements of the RE-5 Zone Regulations is justified to accommodate the Density Bonus Provision of the General Plan.

3.2.4 The site is physically suited for the proposed use.

The 81.61 acre site contains sufficient developable areas to accommodate the proposed residential uses and density.

3.2.5 Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities.

Public water will be provided to the project site by EID upon annexation by LAFCO into fire and water district boundaries. El Dorado Irrigation District provided a letter dated May 19, 2008 indicating that the project could have adequate water capacity and supplies to serve the proposed project provided additional improvements are made to the system. Environmental Management has provided conditions of approval to ensure the septic capability of each proposed lot. The Department of Transportation (DOT) has conditioned the project accordingly to reflect the additional traffic to Malcolm Dixon Road as well as all onsite roads. The Fire District has provided conditions of approval to reflect the addition of an emergency access road to the proposed development.

3.2.6 The proposed uses do not significantly detract from the natural land and scenic values of the site.

The project includes approximately 25.4 acres of open space to preserve the natural landscape and scenic value of the site as well as provide wildlife habitat.

Conditions of Approval

1. This Tentative Subdivision Map, Zone Change and Development Plan approval is based upon and limited to compliance with the project description, the Planning Commission exhibits marked Exhibit E, F, G, H1, H2, H3, H4 & I, dated July 24, 2008, 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 includes a request for a Zone Change from Exclusive Agriculture (AE) to Estate Residential 5-acre, with a Planned Development Overlay (RE-5-PD) and a Tentative Map to create 23 single-family lots ranging in size from 78,147 square feet to 120,291 square feet (1.79 to 2.76 acres) and three open space lots totaling 25.40 acres. Access to the proposed subdivision would be from two proposed gated roadway connections, one to the south at the existing Malcolm Dixon Road extending further off-site to the south providing an additional connection to Green Valley Road and another to the west from Salmon Falls Road. The project proposes to use public water and individual septic systems. In order for the project to be eligible for public water and fire services the property would be require annexation by LAFCO into the local water and fire districts. The project proposes to use the Density Bonus provision for seven additional residential lots. No Design Waivers have been requested.

The allowable density shall comply with Table 1 below:

TABLE 1: Density Calculation			
Acreage 81.61 acres	Allowable Density within AE Zone District	Allowable Density in RE-5 Zone District	Allowable Units Using Density Bonus
	Minimum 20 acre parcels	Minimum 5- acre parcels	1.5 Density Bonus Units
Allowable Parcels	4	16	23.94

The gross and net lot area shall comply with Table 2 below:

TABLE 2: Gross and Net Lot Area		
Lot Number	Gross Area (Sq. Ft.)	Net Area (Sq. Ft.)
1	107,632	79,007
2	120,291	91,731
3	96,158	70,016
4	95,314	69,535
5	89,621	65,865
6	87,268	61,697
7	99,322	73,782
8	85,746	62,317
9	86,976	63,325
10	89,905	64,359
11	95,304	65,536
12	91,828	64,723
13	89,535	64,844
14	88,992	59,454
15	100,300	64,956
16	104,900	77,364
17	87,264	63,816
18	78,147	55,746
19	110,923	84,174
20	117,142	88,978
21	92,247	60,109
22	115,253	39,108

23	90,704	59,017
Lot A	1,002,876	1,002,876
Lot B	94,720	94,720
Lot C	8,800	8,800

The oak removal as part of construction of the on-site access road and future residential development of the site shall comply with Table 3 below:

Table 3: Oak Tree Canopy Removal Summary		
Total Oak Canopy to Be Removed (acres)	Canopy Removed for Road Improvements (acres)	Proposed Canopy Removed for Residential Development (acres)
27.36	5.87	21.46

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.

Conditions of Approval from the Mitigated Negative Declaration

The following mitigation measures are required as a means to reduce potential significant environmental effects to a level of insignificance:

2. To avoid take of active raptor nests, pre-construction surveys shall be conducted by a qualified biologist no more than 30 days prior to initiation of proposed development activities. Pre-construction surveys shall follow protocol guidelines issued by the California Department of Fish and Game (CDFG). If no active raptor nests are found to occur, necessary tree removal shall proceed. If active raptor nests are found on or immediately adjacent to the site, the following actions shall be taken in order to avoid impacts to nesting raptors:
 1. Halt all construction within 150 feet of any trees containing active raptor nests; these areas shall be marked with fencing or tape in order to clearly delineate areas where construction is prohibited.
 2. Construction shall not resume within 150 feet of any identified nest until the end of the typical nesting season; August 31. Construction may resume prior to the end of the nesting season, only if all raptor fledges have left the nest.

3. Construction shall not resume prior to consultation with the California Department of Fish and Game and determination that the proposed project would not result in a “take” of any rare, threatened, endangered or special status species.

Monitoring: The applicant shall provide Development Services with a letter from a qualified biologist verifying compliance, prior to issuance of a grading permit.

Project Conditions of Approval

Planning Services

3. The developer shall pay the mitigation in-lieu fee or provide a replacement plan for all oak canopy removed as part of road and infrastructure improvements (Total 27.36 acres). The mitigation fee shall be paid at a 1:1 ratio as required by the Oak Woodland Conservation Ordinance and shall be based on the fee established by the Board of Supervisors. The applicant shall provide to Planning Services proof of payment of the mitigation in-lieu fee or replacement plan, prepared by a licensed arborist, prior to issuance of a grading permit or removal of any oak trees. (Reference PD06-0006)
4. The Final Subdivision Map shall include the following notes:
 1. A total of 1 acre or 1.5 percent of oak canopy shall be available to each lot within the subdivision for removal during individual lot development. Individual property owners shall pay the mitigation fee or provide a replacement plan. Replacement plans shall be prepared by a licensed arborist at a 1:1 ratio as required by the Oak woodland Conservation Ordinance and fee shall be based on the amount established by the Board of Supervisors, excluding lots 1 & 12. (Reference PD06-0006)
 2. Any oak canopy removal beyond 1 acre or 1.5 percent for any individual lot within the subdivision, including any removal on Lots 1 & 12, shall pay the mitigation fee or provide a replacement plan. Replacement plans shall be prepared by a licensed arborist at a 2:1 ratio as required by the Oak woodland Conservation Ordinance and fee shall be based on the amount established by the Board of Supervisors. (Reference PD06-0006)
 3. Lots 2, 3, 4, 5, 19, 20, & 21 shall be required to provide a minimum 50 foot setback with a maximum 45 foot building height.
5. The applicant shall provide to Planning Services, a meter award letter or similar document from EID, prior to filing the Final Map.
6. The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. Planning Services shall verify that the fees have been paid at the time of filing the Final Map.

7. The subdivider shall be subject to a \$150.00 appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.
8. At time of final map filing, all open space lots shall be dedicated to a Homeowner's Association or similar entity as open space with an appropriate maintenance program.
9. At time of final map filing, CC & R's shall be submitted and reviewed by Planning Services.
10. The map shall be recorded and constructed in phases consistent with the phasing plan included within the Tentative Subdivision Map, Exhibit E. All Open Space (Lots A, B & C) shall be dedicated at the time of filing of the first phase of the map.
11. This Tentative Subdivision Map shall expire in 36 months from date of approval unless a timely extension has been filed.
12. All fees associated with the Tentative Subdivision Map shall be paid prior to filing the Final Subdivision Map.
13. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the Government Code.

The subdivider shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

County shall notify the subdivider of any claim, action, or proceeding and County shall cooperate fully in the defense.

14. Construction activities shall be limited to the hours of 7 a.m. to 7 p.m. during weekdays and 8 a.m. to 5 p.m. on Saturday. Exceptions are allowed if it can be shown that construction beyond these times is necessary to alleviate traffic congestion and safety hazards. Planning Services shall verify this requirement is placed on the Grading Plans prior to issuance of a grading permit.
15. Prior to issuance of a grading permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services if deemed necessary prior to issuance of a grading permit for verification of compliance with applicable conditions of approval.

16. In the event that previously unknown cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archeologist shall make recommendations on the measures to be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds, in accordance with § 15064.5 of the CEQA Guidelines. Cultural resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites.
17. If human remains are encountered during earth-disturbing activities within the project area, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. If the remains are determined to be Native American in origin, both the Native American Heritage Commission (NAHC) and any identified descendants shall be notified by the coroner and recommendations for treatment solicited (CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94 and 5097.98).

Environmental Management-Air Quality

18. Prior to grading permit issuance, a fugitive dust plan shall be submitted to the Air Quality Management District (AQMD) for review and approval.
19. The applicant shall obtain and comply with all necessary permits from the Air Quality Management District prior to issuance of a grading permit.

Surveyor's Office

20. All survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval; or the developer shall have the surety of work to be done by bond or cash deposit. Verification of set survey monuments, or amount of bond or deposit shall be coordinated with the County Surveyor's Office.
21. The roads serving the development shall be named by filing a completed road name petition with the County Surveyor's Office prior to filing the final map.

El Dorado Hills Fire Department

22. The potable water system for the purpose of fire protection for this project shall provide a minimum fire flow of 1,000 gallons per minute. The fire flow must have a duration of two hours with no less than 20 psi residual pressure. The District shall verify that adequate fire flow is available prior to filing the final map.
23. The project shall annex into the El Dorado Irrigation District (EID) and pay all fees associated with the annexation.

24. The developer shall install Mueller Dry Barrel fire hydrants consistent with El Dorado Irrigation District specifications for fire protection. The spacing between fire hydrants shall not exceed 500 feet. The exact location of each fire hydrant shall be determined by the El Dorado Hills Fire Department prior to filing the final map.
25. All access roadways and fire hydrants shall be installed prior to issuance of any building permit, as specified by the El Dorado Hills Fire Department Standard 103.
26. Driveways shall be designed to a maximum of 20% grade. Any driveway exceeding this requirement shall require the installation of fire sprinklers per NRPA 13D.
27. The applicant shall provide a Wildland Fire Safe Plan that is approved by the Fire Department Prior to filing the Final Map.
28. No traffic calming devices shall be installed that utilize a raised bump section of roadway as determined by the Fire Department.
29. All lots within the subdivision that are one acre or greater shall provide a minimum 30 foot building setback, as required by the California Fire Safe Regulations.
30. Any driveway exceeding 150 feet in length shall provide a turn around that meets or exceeds 2007 California Fire Code.
31. Minimum widths for all driveways shall be 12 feet with a vertical clearance of 15 feet. All medium to heavy vegetation within 10 feet of either side of driveways shall be thinned or removed, as determined by the Fire Department.
32. The proposed 40 foot easement dedicated to the Fire Department shall create a four way intersection at B Drive and C Court. The roadway shall be 20 feet wide with a 15 foot vertical clearance and improved to an all weather surface per the 2007 California Fire Code. The roadway shall continue to the eastern property line and line up with an adjoining roadway from the Arroyo Vista Subdivision. The Department shall review and approve all plans prior to issuance of a grading permit.

Department of Transportation

PROJECT SPECIFIC CONDITIONS

33. The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM), as shown in Table 1. The improvements shall be substantially completed to the approval of the Department of Transportation (DOT) or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map:

Table 1			
ROAD NAME		ROAD WIDTH	EXCEPTIONS/NOTES
AREA OF BENEFIT Off-Site Malcolm Dixon Road Widening From STA:10+00 to STA:28+20	Std Plan 101B County Maintained System	24ft (50ft R/W) EP to EP	Two 12 foot wide lanes and 3 foot wide shoulder per Exhibit X. 2"AC overlay over existing section. No vertical profile change. 3"AC/8"AB section for pavement extension or as recommended in Soils report.
AREA OF BENEFIT Off-Site Malcolm Dixon Road Reconstruction From STA:28+20 to STA: 40+51	Std Plan 101B County Maintained System	24ft (50ft R/W) Including slope easements. EP to EP	Two 12 foot wide lanes, AC dike and 3 foot wide shoulder per Exhibit X. Omit shoulders at (e) Box Culvert location. 3"AC/8"AB or as recommended in Soils report. For design speed see Exhibit X.
AREA OF BENEFIT New Connection Reconstruction portion From STA: 20+20 to STA: 21+70.	Std Plan 101B County Maintained System	24ft (50ft R/W) Including slope easements. EP to EP	Two 12 foot wide lanes, AC dike and 2 foot wide shoulder per Exhibit X. 3"AC/8"AB section or as recommended in Soils report. For design speed see Exhibit X.
AREA OF BENEFIT Off-Site New Connection From STA:10+00 to STA:15+44	Std Plan 101B County Maintained System	36ft (60ft R/W) Including slope easements. FC to FC	36 foot travel way, curb, gutter and 6 foot wide shoulder per Exhibit X. 3"AC/8"AB section or as recommended in Soils report. For design speed see Exhibit X. 36 feet will accommodate two 11-foot travel lanes and a 10-foot striped turn pocket if necessary and 2-foot gutter pans on each side.
Onsite 'A' & 'B' Drive to intersection of A & B Drives,	Std Plan 101C Maintenance Entity	24ft(50ft R/W) EP to EP	Two 12 foot wide lanes and 2 foot wide shoulder per Exhibit X. 3"AC/8"AB section or as recommended in Soils report. 25 MPH Design Speed.
Onsite 'B' Drive North of A & B Intersection, 'C' Court	Std Plan 101C Maintenance Entity	36ft(50ft R/W)	Two 18 foot wide lanes and 2 foot wide shoulder per Exhibit X. 3"AC/8"AB section or as recommended in Soils report. 25 MPH Design Speed
On-Site Emergency Vehicle Access (EVA).	Std Plan 101C N/A	20ft (40ft easement)	20 foot travel way with 1' shoulder per Exhibit X. All weather surface, 6" class 2 AB or equal. 20 MPH Design Speed. No construction, deposit of funds only.
Off-Site Chartraw	Std Plan 101C	24ft (50ft R/W)	Two 12 foot wide lane and 2 foot

Road Widening From STA: 21+70 (New Connection) to ALTO LLC southern boundary line.	Condition #45	Including slope easements. EP to EP	wide shoulder per Exhibit X. 3"AC/8"AB section or as recommended in Soils report. Road width is measured EP to EP. 25 MPH Design Speed.
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34. Upon the applicant's request, the County will form and implement, at the applicant's expense, a public improvement financing district for funding or reimbursement of the costs of off-site public improvements to be constructed as identified in the Exhibit X entitled Malcolm Dixon Area Traffic Circulation Plan. The applicant shall prepare and submit for County's approval and adoption a proposed Area of Benefit and supporting Engineers Estimate and Report for the purpose of financing and reimbursement of required off-site land acquisitions, widening and (re-) construction of public improvements as may be appropriate. The proposed Area of Benefit shall include but not be limited to parcels APN: 110-020-12, 126-100-18, 19, 23, & 24. The Area of Benefit Engineer's Report shall be prepared and submitted and the proposed public financing district formed prior to the filing of the Final Map. For development projects within the proposed public financing district Area of Benefit, County shall require consent by the land owner to the public financing district and participation in the funding or reimbursement and/or construction of the off-site public improvements for Malcolm Dixon Area Traffic Circulation Plan on a pro rata share of residential lots or equivalent share basis as a condition of approval. For development projects which may derive benefit from the public improvements to be constructed as part of the Malcolm Dixon Area Traffic Circulation Plan, County shall require participation in the funding and reimbursement and/or construction of the off-site public improvements for Malcolm Dixon Area Traffic Circulation Plan on a pro rata share of residential lots or equivalent share basis as a condition of project approval.
35. The applicant shall obtain an encroachment permit from DOT and shall construct the encroachment of the off-site access roadway onto Green Valley Road to the provisions of County Standard Plan 103E or as specified in the approved traffic study for this project.
36. The applicant shall provide at least two connections with an existing, improved public street, not to include the Emergency Access road, for the project. The accesses shall adhere to the provisions described in Table 1. In the alternative, the second connection with an existing, improved public street may be provided by way of the Salmon Falls connector road in accordance with County approved design standards as shown on the Malcolm Dixon Area Traffic Circulation Plan. The improvements shall be substantially completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
37. The applicant shall set funds aside for construction of the Emergency Vehicle Access as shown on the TM and described in Table 1. The amount of funds shall be determined by

an Engineer's Estimate subject to review and approval by DOT. Once approved, the funds shall be placed into a restricted interest bearing account for a period not to exceed 5 years from the filing of the Final Map. The funds will be available to the Arroyo Vista CSD if and when the CSD installs an emergency access acceptable to the El Dorado County DOT and El Dorado Hills Fire Department on lands within their jurisdiction that will line up with the EVA easement proposed by the ALTO LLC TM06-1408. If the Arroyo Vista CSD fails to install an emergency access on their lands within the 5-year time frame, the funds including interest will be returned to the applicant or its assigns as provided in written notice by the applicant to the County. The EVA easement will be granted to the El Dorado Hills County Water District (Fire Department) prior to the filing of the Final Map.

38. The applicant shall provide a 50 foot wide road and public utility easement for all on-site roadways Road A, B and Court C, with the appropriate slope easements, prior to the filing of the final map.
39. The applicant shall provide a 40 foot wide road and public utility easement for the Emergency Access Road with the appropriate slope easements, prior to the filing of the final map.
40. All lots that front on two roads shall take access on the minor roadway, and a non-vehicular access easement shall be established on the major roadway on the final map, specifically Lots 7, 12, 13, 14 and 18.
41. Subdivision improvements shall include rough grading of driveways for all lots with street cuts or fills along the frontage of six feet or more difference in elevation, or as found necessary for reasonable access by the County Engineer. The January 2008 preliminary grading plan indicates and therefore Lots 17, 21-23 shall have driveways rough graded. Construction of said driveways shall conform to the Design and Improvements Standards Manual and the Encroachment Ordinance. As an alternative, a Notice of Restriction shall be filed against all downhill lots with fill in excess of 6 feet which allows structural driveway access only.

STANDARD DOT CONDITIONS

42. **Improvement Plans and Cost Estimate:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
43. **Road Improvement Agreement & Security:** The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map.

44. **Performance Bond:** The construction of all required improvements shall be completed with the presentation of the final map to the Planning Director before presentation of the final map to the Board of Supervisors for its approval. For improvements not completed, the subdivider shall provide a 100 percent performance surety and a 50 percent labor and materialmen surety by separate bond, cash deposit, assignment, or letter of credit from a financial institution. For improvements which have been completed, the subdivider shall provide a ten percent maintenance surety in any of the above-mentioned forms. Verification of construction, or partial construction, and cost of completion shall be determined by the County Department of Transportation. The developer shall pay the traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.
45. **Maintenance Entity:** The proposed project must form an entity for the maintenance of any shared or common: private roads, parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping, signs, and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the final map.
46. **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Department of Transportation prior to the filing of the final map. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
47. **Easements:** The final map shall show all utility, road and drainage easements per the recommendation of the utility purveyors and the County Engineer. Final determination of the location of said easements shall be made by the County Engineer. Said easements shall be irrevocably offered to the County.
48. **CC&R's:** The Master Covenants, Conditions and Restrictions (CC&Rs) shall provide that no parking shall be permitted within cul-de-sac bulbs which have a radius to edge of pavement which is less than County standards and shall provide for enforcement of such provisions. Additionally, the CC&Rs shall include a provision for off-street parking to compensate for lack of parking normally provided within the cul-de-sac bulb shall either provide a three-car driveway or provide sufficient depth of driveway (18 feet per parking stall) to accommodate longitudinal and/or lateral parking for three spaces.
49. The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).
50. **Construction Hours:** Construction activities shall be conducted in accordance with the County noise regulation or limited to the following hours and days: 7 a.m. and 7 p.m., Monday through Friday, and 8 a.m. and 5 p.m. on weekends, and on federally-recognized

holidays. Exceptions are allowed if it can be shown that construction beyond these times is necessary to alleviate traffic congestion and safety hazards.

51. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
52. **Grading Permit / Plan:** The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado “*Design and Improvement Standards Manual*”, the “*Grading, Erosion and Sediment Control Ordinance*”, the “*Drainage Manual*”, the “*Off-Street Parking and Loading Ordinance*”, and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of DOT prior to occupancy clearance.
53. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
54. **RCD Coordination:** The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
55. **Soils Report:** At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.

56. **Drainage Study / SWMP Compliance:** The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.

The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:

- The site can be adequately drained;
- The development of the site will not cause problems to nearby properties, particularly downstream sites;
- The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
- The ultimate drainage outfall of the project.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. The improvements shall be completed to the approval of the Department of Transportation prior to the filing of the final map or the applicant shall obtain an approved improvement agreement with security.

57. **Drainage, Cross-Lot:** Cross lot drainage shall be avoided. When cross lot drainage does occur, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the final map.
58. **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.

59. **Off-site Improvements (Acquisition):** As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the applicant's expense and within 120 days of filing the Final Map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map or parcel map, the applicant shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20% contingency:
- a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
 - b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
 - c. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements.

In addition to the agreement the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

60. **Off-site Access Easements:** The applicant shall provide proof of access to the project site from a State or County maintained road. Said proof shall be provided by and through a "Parcel Map Guarantee" which shall be submitted to the County Surveyor's Office with the first map check for the parcel map
61. **Electronic Documentation:** Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
62. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.

LAFCO

63. The applicant shall process a request for annexation into the El Dorado irrigation District for public water, prior to filing the final map.
64. The applicant shall process a request for annexation into the El Dorado Hills Fire Department for fire protection services, prior to filing the final map.

TM06-1421-E/Diamante Estates Tentative Map – As approved by the Planning Commission on May 12, 2016

Conditions of Approval

1. This Tentative Subdivision Map time extension is based upon and limited to compliance with the project description, the Staff Report exhibits marked Exhibits F through H 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:

Six one-year time extensions to the Tentative Subdivision Map approved by the Board of Supervisors on October 27, 2009, extending the map to October 27, 2022. The previous approval included a request for a Zone Change from Exclusive Agriculture (AE) to Estate Residential 5-acre and a Tentative Subdivision Map to create 19 single-family lots ranging in size from 2.2 acres to 9.9 acres and one 2.2 acre open space lot (Lot 8), totaling 113.1 acres. The previous approval also included a request for a Special Use Permit to allow gated access onto Malcolm Dixon Road. Access to the proposed subdivision shall be from two gated entryways off Malcolm Dixon Road to the south. A connection to Salmon Falls Road to the north shall be provided in the future. The project shall provide public water and individual septic systems.

The gross and net lot area shall comply with Table 2 below:

Table 2 : Gross Acreage	
Lot Number	Acreage
1	8.5
2	5.0
3	6.8
4	5.3
5	5.2
6	5.3
7	5.0
8 (Open Space)	2.2
9	5.0
10	5.1
11	5.1
12	5.0
13	9.9
14	8.8
15	5.7

16	5.0
17	5.0
18	5.1
19	5.0
20	5.1

The oak removal as part of construction of the on-site access road and future residential development of the site shall comply with Table 3 below:

Table 3: Oak Tree Canopy Summary					
Project Site (acreage)	Oak Canopy Coverage (acreage)	Percentage Oak Coverage Required	Percentage of Required Retention	Proposed Oak Removal (Acreage)	Percentage Retention Proposed
113.1	21.1	90%	90%	2.1	90%

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.

CONDITIONS FROM THE MITIGATED NEGATIVE DECLARATION

The following mitigation measures are required as a means to reduce potential significant environmental effects to a level of insignificance:

2. To avoid take of active raptor nests, pre-construction surveys shall be conducted by a qualified biologist no more than 30 days prior to initiation of proposed development activities. Pre-construction surveys shall follow protocol guidelines issued by the California Department of Fish and Game (CDFG). If no active raptor nests are found to occur, necessary tree removal shall proceed. If active raptor nests are found on or immediately adjacent to the site, the following actions shall be taken in order to avoid impacts to nesting raptors:
 1. Halt all construction within 150 feet of any trees containing active raptor nests; these areas shall be marked with fencing or tape in order to clearly delineate areas where construction is prohibited.

2. Construction shall not resume within 150 feet of any identified nest until the end of the typical nesting season; August 31. Construction may resume prior to the end of the nesting season, only if all raptor fledges have left the nest.
3. Construction shall not resume prior to consultation with the California Department of Fish and Game and determination that the proposed project would not result in a “take” of any rare, threatened, endangered or special status species.

Monitoring: The applicant shall provide Development Services with a letter from a qualified Biologist verifying compliance prior to issuance of a grading permit.

3. The applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Game for each crossing or any activities affecting the onsite riparian vegetation. The agreement shall be submitted to Planning Services for review prior to issuance of a grading permit.

Monitoring: Planning Services shall verify the agreement has been obtained and necessary mitigation measures incorporated on the plans prior to issuance of a grading permit.

4. Prior to issuance of a grading permit, the applicant shall obtain a 404 Permit from the US Army Corps of Engineers and a Water Quality Certification from the Central Valley RWQCB. The project shall incorporate all conditions attached to the permit and certification into the project.

Monitoring: Planning Services shall verify the required permit and certification has been obtained prior to issuance of a grading permit.

Project Conditions of Approval

Planning Services

5. A vehicular access restriction shall be established along the entire frontage along lots 1, 4, 5, 7, 8 and 20. Lots 5 and 7 shall take access from interior roads. All parcels on two roadways shall take access from the minor roadway. This shall be verified by Planning Services prior to recording the Final Map.
6. The applicant shall provide to Planning Services, a meter award letter or similar document from EID, prior to filing the Final Map.
7. Pursuant to Section 16.12.090, the project is responsible for parkland dedication of 0.1881 acres which shall be satisfied by park in lieu fees. The applicant shall submit a request for Park-in-Lieu fee appraisal to Planning Services, with a check for \$150.00 made out to the El Dorado County Assessor; upon completion of appraisal, the applicant must pay the park fee, pursuant to Section 16.12.090 of the El Dorado County

Subdivisions Ordinance, to the Development Services Department, and shall submit the receipt to El Dorado County Planning Services with the final map application.

8. At time of Final Map filing, open space lot (Lot 8) shall be dedicated to a Homeowner's Association or similar entity as open space with an appropriate maintenance program.
9. At time of Final Map filing, CC & R's shall be submitted and reviewed by Planning Services.
10. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the Government Code.

The subdivider shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

County shall notify the subdivider of any claim, action, or proceeding and County shall cooperate fully in the defense.

11. Construction activities shall be limited to the hours of 7 a.m. to 7 p.m. during weekdays and 8 a.m. to 5 p.m. on weekends and federally recognized holidays. Exceptions are allowed if it can be shown that construction beyond these times is necessary to alleviate traffic congestion and safety hazards. Planning Services shall verify this requirement is placed on the Grading Plans prior to issuance of a grading permit.
12. Prior to issuance of a grading permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services if deemed necessary prior to issuance of a grading permit for verification of compliance with applicable conditions of approval.

Environmental Management-Air Quality

13. Prior to grading permit issuance, a fugitive dust plan shall be submitted to the Air Quality Management District (AQMD) for review and approval.
14. The applicant shall obtain and comply with all necessary permits from the Air Quality Management District prior to issuance of a grading permit.

Surveyor's Office

15. All survey monuments shall be set prior to the presentation of the Final Map to the Board of Supervisors for approval; or the developer shall have the surety of work to be done by bond or cash deposit. Verification of set survey monuments, or amount of bond or deposit shall be coordinated with the County Surveyor's Office.
16. The roads serving the development shall be named by filing a completed road name petition with the County Surveyor's Office prior to filing the final map.

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17. The applicant shall process a request for annexation into the El Dorado Irrigation District for public water, prior to filing the Final Map.
18. The applicant shall process a request for annexation into the El Dorado Hills Fire Department for fire protection services, prior to filing the Final Map.

El Dorado Hills Fire Department

19. The potable water system for the purpose of fire protection for this project shall provide a minimum fire flow of 1,000 gallons per minute for a 3,600 square foot structure. The fire flow shall have a duration of two hours with no less than 20 psi residual pressure. The Department shall verify that adequate fire flow is available prior to filing the final map.
20. The project shall annex into the El Dorado Hills County Water District and pay all fees associated with the annexation.
21. The developer shall install Mueller Dry Barrel fire hydrants consistent with El Dorado Irrigation District specifications for fire protection. The spacing between fire hydrants shall not exceed 500 feet. The exact location of each fire hydrant shall be determined by the El Dorado Hills Fire Department prior to filing the final map.
22. All access roadways and fire hydrants shall be installed prior to issuance of any building permit, as specified by the El Dorado Hills Fire Department Standard 103.
23. Driveways shall be designed to a maximum of 20% grade with concrete or asphalt, 16% for compacted AB rock. Any driveway exceeding this requirement shall require the installation of fire sprinklers per NRPA 13D. Driveway locations and grades shall be verified by the Fire Department prior to filing the final map.
24. The applicant shall provide a Wildland Fire Safe Plan that is approved by the Fire Department prior to filing the Final Map.
25. No traffic calming devices shall be installed that utilize a raised bump section of roadway as determined by the Fire Department.

26. All lots within the subdivision that are one acre or greater shall provide a minimum 30 foot building setback, as required by the California Fire Safe Regulations.
27. Any driveway exceeding 150 feet in length shall provide a turn around that meets or exceeds 2007 California Fire Code.
28. Minimum widths for all driveways shall be 12 feet with a vertical clearance of 13 feet 6 inches. All medium to heavy vegetation within 10 feet of either side of driveways shall be thinned or removed, as determined by the Fire Department.
29. All automatic gates shall be equipped with a “Knox” emergency access override system that consists of a low security key activated switch located in accordance with Fire Department requirements.
30. All automatic gates shall also be equipped with both 3M Opticom Control device. The device shall be placed in a location allowing operation from 75 feet away.
31. Linear receiver device (approved by the Fire Department) to allow remote activation by emergency vehicles shall be programmed to operate with the Fire Department’s current transmitters.
32. Automatic gates shall be equipped with a mechanical release, as determined by the Fire Department.
33. A loop system located on the inside portion of the access roadway shall permit vehicular traffic within the gated area the ability to open the gate and exit without any special knowledge, action or codes. The loop system shall also keep the gate open as long as vehicular traffic is passing through it.
34. All automatic gates shall be designed to automatically open and remain in a fully opened position during power failures.
35. Gates creating a dead-end road in excess of one hundred fifty (150) feet in length shall be provided with approved provisions for the turning around of fire apparatus.
36. The gradient for the fire apparatus access road shall not exceed the maximum approved by the Fire Department. The intent is to provide a level landing area on either side of the gate to allow emergency apparatus to be parked in a safe manner when it is necessary to exit the vehicle for manual gate activation.
37. In order to ensure that the gate/access control devices are properly maintained, a copy of the maintenance contract for the control device or system is required to be supplied to the El Dorado Hills Fire Department. This maintenance contract shall include a monthly testing of the control devices, an annual preventative maintenance inspection and

emergency repairs as required to maintain the gate and control devices in operative condition. If at any time this maintenance contract is voided for any reason, the access gates shall be locked in the open position and will remain locked until such time as the maintenance contract is restored.

38. **Prohibited Devices:** All required vehicle access openings shall provide both ingress and egress. Direction limiting devices, such as fixed tire spikes, are prohibited. No device may be used which will delay the ingress or egress of emergency responders. The total number of vehicle access control gates or systems, through which emergency equipment must pass to reach any address, shall not exceed one.
39. Plans for the installation of automatic gates on fire apparatus shall be submitted to the El Dorado Hills Fire Department for approval prior to installation.
40. Gates and access control equipment shall not be placed into service prior to being inspected and tested by the Fire Department.
41. This development, along with all the other development within this area shall be conditioned to provide adequate access and circulation between developments to provide the residents with multiple evacuation routes during an emergency.
42. The roadway serving the north portion of this development shall be conditioned to connect to the adjoining development to allow circulation for both projects.

Department of Transportation

PROJECT SPECIFIC CONDITIONS

43. **Road Design Standards:** The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM), as shown in Table 1. The improvements shall be completed to the satisfaction of the Department of Transportation (DOT) or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map: (the requirements outlined in Table 1 are minimums).

Table 1				
ROAD NAME	DESIGN STANDARD PLAN	ROAD WIDTH* / SHOULDER WIDTH	RIGHT OF WAY**	EXCEPTIONS/ NOTES
Diamante Road (<i>onsite</i>)	Std Plan 101C Maintenance Entity	24ft / 2 ft	50ft	Two 12 foot wide lanes and 2 foot wide shoulder per Exhibit X. 3"AC/8"AB section or as recommended in Soils

				report. 25 MPH Design Speed
La Barbera Road (onsite)	Std Plan 101C Maintenance Entity	24ft / 2 ft	50ft	Two 12 foot wide lanes and 2 foot wide shoulder per Exhibit X. 3"AC/8"AB section or as recommended in Soils report. 25 MPH Design Speed
Chartraw / Diamante Road Widening (offsite) From STA: 21+70 (New Connection) to La Barbera intersection.	Std Plan 101C Maintenance Entity	24ft Including slope easements. EP to EP	50ft	Two 12 foot wide lane and 2 foot wide shoulder per Exhibit X. 3"AC/8"AB section or as recommended in Soils report. Road width is measured EP to EP. 25 MPH Design Speed

44. **Offer of Dedication, Interior Roads:** Developer shall irrevocably offer to dedicate in fee, a 50 foot wide road and public utilities easement that extends from the southern boundary line to the northern boundary line (to provide access to development beyond) as determined by EDC DOT, and for all other onsite roadways, prior to the filing of the map. Slope easements shall be included as necessary. This offer will be rejected by the County.
45. **Offer of Dedication, Malcom Dixon Rd:** The applicant shall irrevocably offer to dedicate, in fee, 30 feet of right of way for the on-site portion of Malcolm Dixon Road along the entire property frontage, prior to filing the map. This offer will be accepted by the County.
46. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachments from the access roadways onto Malcom-Dixon Road to the provisions of County Design Std **103D**. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
47. **Multi-Project Area of Benefit:** Upon the applicant's request, the County will form and implement, at the applicant's expense, a public improvement financing district for funding or reimbursement of the costs of off-site public improvements to be constructed as identified in the Exhibit X entitled Malcolm Dixon Area Traffic Circulation Plan. The applicant shall prepare and submit for County's approval and adoption a proposed Area of Benefit and supporting Engineers Estimate and Report for the purpose of financing and reimbursement of required off-site land acquisitions, widening and (re-) construction

of public improvements as may be appropriate. The proposed Area of Benefit shall include but not be limited to parcels APN: 110-020-12, 126-100-18, 19, 23, & 24. The Area of Benefit Engineer’s Report shall be prepared and submitted and the proposed public financing district formed prior to the filing of the Final Map. For development projects within the proposed public financing district Area of Benefit, County shall require consent by the land owner to the public financing district and participation in the funding or reimbursement and/or construction of the off-site public improvements for Malcolm Dixon Area Traffic Circulation Plan on a pro rata share of residential lots or equivalent share basis as a condition of approval. For development projects which may derive benefit from the public improvements to be constructed as part of the Malcolm Dixon Area Traffic Circulation Plan, County shall require participation in the funding and reimbursement and/or construction of the off-site public improvements for Malcolm Dixon Area Traffic Circulation Plan on a pro rata share of residential lots or equivalent share basis as a condition of project approval.

48. **Area of Benefit Improvements:** The following Area of Benefit Improvements are required of all projects party to the Area of Benefit. This project’s proportional share and financial responsibility for these improvements shall be determined by the Engineer’s Report. These improvements shall be completed to the satisfaction of DOT prior to issuance of a building permit.

Table 2			
ROAD NAME		ROAD WIDTH	EXCEPTIONS/NOTES
AREA OF BENEFIT Off-Site Malcolm Dixon Road Widening From STA:10+00 to STA:28+20	Std Plan 101B County Maintained System	24ft (50ft R/W) EP to EP	Two 12 foot wide lanes and 3 foot wide shoulder per Exhibit X. 2”AC overlay over existing section. No vertical profile change. 3”AC/8”AB section for pavement extension or as recommended in Soils report.
AREA OF BENEFIT Off-Site Malcolm Dixon Road Reconstruction From STA:28+20 to STA: 40+51	Std Plan 101B County Maintained System	24ft (50ft R/W) Including slope easements. EP to EP	Two 12 foot wide lanes, AC dike and 3 foot wide shoulder per Exhibit X. Omit shoulders at (e) Box Culvert location. 3”AC/8”AB or as recommended in Soils report. For design speed see Exhibit X.
AREA OF BENEFIT New Connection	Std Plan 101B County	24ft (50ft R/W) Including slope	Two 12 foot wide lanes, AC dike and 2 foot wide

Reconstruction portion From STA: 20+20 to STA: 21+70.	Maintained System	easements. EP to EP	shoulder per Exhibit X. 3"AC/8"AB section or as recommended in Soils report. For design speed see Exhibit X.
AREA OF BENEFIT Off-Site New Connection From STA:10+00 to STA:15+44	Std Plan 101B County Maintained System	36ft (60ft R/W) Including slope easements. FC to FC	36 foot travel way, curb, gutter and 6 foot wide shoulder per Exhibit X. 3"AC/8"AB section or as recommended in Soils report. For design speed see Exhibit X. 36 feet will accommodate two 11-foot travel lanes and a 10-foot striped turn pocket if necessary and 2-foot gutter pans on each side.

49. **Off-site Easements:** Applicant shall provide all necessary recorded easements for the drainage, slope and road improvements crossing the property line prior to approval of the improvement plans.
50. **Secondary Access:** The applicant shall provide at least two connections with an existing, improved public street for the project. The accesses shall adhere to the provisions described in Table 1. The improvements shall be substantially completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
51. **Turnaround:** The applicant shall provide a turn around at the end of the onsite roadways to the provisions of County Standard Plan 114 or approved equivalent. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
52. **Temporary Turnaround:** If the secondary access roadways are not installed and a temporary exit road has been approved, the applicant shall provide a temporary turnaround at the end of the roadway. Temporary turn around shall also be constructed at the end of phased roads. The improvements shall be substantially completed, to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
53. **Roadway Slopes:** Pursuant to DISM Sec 3.B.9 and Design Std Plan 101B, the gradient of any street shall not exceed 15%. Roadway slopes shall be indicated on the improvement plans to show compliance with this requirement.

54. **Driveway Cuts:** Subdivision improvements shall include rough grading of driveways for all lots with street cuts or fills along the frontage of six feet or more difference in elevation, or as found necessary for reasonable access by the County Engineer. Construction of said driveways shall conform to the Design and Improvements Standards Manual and the Encroachment Ordinance. Attention should be given to the minimum required sight distance at all driveway encroachments. As an alternative, a Notice of Restriction shall be filed against all downhill lots with fill in excess of 6 feet which allows structural driveway access only.
55. **Vehicular Access Restriction:** Prior to filing of the map, the applicant shall record a vehicular access restriction along the entire frontage of Malcom-Dixon Road, excluding the location of the approved access encroachment.

STANDARD DOT CONDITIONS

56. **Improvement Plans and Cost Estimate:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
57. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
58. **Road & Public Utility Easements:** The applicant shall provide a 50 foot wide non-exclusive road and public utility easement for the on-site access roadway prior to the filing of the map. Slope easements shall be included as necessary.
59. **Maintenance Entity:** The proposed project must form an entity for the maintenance of any shared or common: private roads, parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping, signs, and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the map.
60. **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Department of Transportation prior to the filing of the map. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
61. **Common Fence/Wall Maintenance:** The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).
62. **Water Quality Stamp:** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality

Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.

63. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.
64. **DISM Consistency:** The developer shall obtain approval (as modified by these conditions herein) of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (dated May 1986, revised May 1990), from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
65. **Road Improvement Agreement & Security:** The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map.
66. **Performance Bond:** The construction of all required improvements shall be completed with the presentation of the final map to the Planning Director before presentation of the final map to the Board of Supervisors for its approval. For improvements not completed, the subdivider shall provide a 100 percent performance surety and a 50 percent labor and materialmen surety by separate bond, cash deposit, assignment, or letter of credit from a financial institution. For improvements which have been completed, the subdivider shall provide a ten percent maintenance surety in any of the above-mentioned forms. Verification of construction, or partial construction, and cost of completion shall be determined by the County Department of Transportation. The developer shall pay the traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.
67. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
68. **Grading Permit / Plan:** If more than 50 cubic yards of earth movement are required for improvements, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado “*Design and Improvement Standards Manual*”, the “*Grading, Erosion and Sediment Control Ordinance*”, the “*Drainage Manual*”, the “*Off-Street Parking and Loading Ordinance*”, and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans.

The improvements and grading shall be completed to the satisfaction of DOT prior to occupancy clearance.

69. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
70. **RCD Coordination:** The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
71. **Soils Report:** At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
72. **Drainage Study / SWMP Compliance:** The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.

The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:

- The site can be adequately drained;
- The development of the site will not cause problems to nearby properties, particularly downstream sites;

- The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
- The ultimate drainage outfall of the project.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. A Scoping Meeting for the required drainage study between County staff and the engineer shall occur prior to the first submittal of improvement plans. The engineer shall bring a watershed map and any other existing drainage system information to the Scoping Meeting. The improvements shall be completed to the approval of the Department of Transportation prior to the filing of the final map or the applicant shall obtain an approved improvement agreement with security.

73. **Drainage (Cross-Lot):** Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the final map.
74. **Drainage Easements:** Pursuant to Section 4.D of the DISM, the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and / or on the final map.
75. **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
76. **Off-site Improvements (Security):** Prior to the filing of a final map or parcel map, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required offsite improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the

agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in the amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.

77. **Off-site Improvements (Acquisition):** As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the applicant's expense and within 120 days of filing the Final Map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map, the applicant shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20% contingency:
- a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
 - b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
 - c. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements.

In addition to the agreement the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

78. **Electronic Documentation:** Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.

TIM Fees: The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.

Findings

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the Planning Commission and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 The County finds that through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department – Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.
- 1.4 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 GENERAL PLAN FINDINGS

- 2.1 The proposed use and design conforms to the Low Density General Plan Land Use Designation. The project area is located outside a Community Region, the proposed use and developmental density are consistent with both land use designation and floor area ratio policies as well as the natural resources on site being protected pursuant to General Plan Policies 2.2.1.2 regarding land use designations, 2.2.4.1 regarding density bonus, 2.2.3.1 regarding planned developments, 2.2.1.5 regarding building intensities, 2.2.5.3 regarding general policies for evaluating zone changes, 2.2.5.21 regarding incompatibility with surrounding land uses, 5.2.1.2 regarding adequate water supply, 5.7.1.1 regarding fire protection, 7.3.3.4 regarding special setback for riparian areas, and 7.4.4.4 regarding oak woodlands.
- 2.2 In accordance with State law and pursuant to General Plan Policy 2.2.5.3, the County has evaluated the subject Zone Change request based on the requirements of the General Plan relating to minimum parcel size or maximum allowable density and to assess whether

changes in conditions are present that would support a higher density Zone District. The 19 specific criteria found within General Plan Policy 2.2.5.3 have been analyzed with regards to the above-referenced Zone Change request. Based on this analysis and the conclusions reached in the staff report, the site is found to be suitable to support the proposed density.

- 2.3** The proposed project is consistent with policies 2.1.5.1 regarding building densities, 2.2.5.21 regarding compatibility with adjoining land uses, 5.2.1.2 regarding adequate water supplies, 5.2.1.3 regarding connecting to a public water system, 5.7.1.1 regarding adequate water for fire protection, 7.3.3.4 regarding buffers and setbacks for wetlands and streams, and 7.4.4.4 regarding oak woodland preservation and mitigation.

3.0 ZONING FINDINGS

- 3.1** The subdivision contains 47 residential lots which are consistent with the development standards identified within the RE-5 zone district outlined in Sections 17.28.210 of the Zoning Ordinance, except for minimum lot size. Proposed residential lot sizes range from 1.09 acres to 4.04 acres. Justification for the reduced lot sizes are discussed within the Planned Development findings.

4.0 ADMINISTRATIVE FINDINGS

4.1 Planned Development

- 4.1.1** *The Planned Development is consistent with the General Plan.* As outlined within the staff report and General Plan consistency findings above, the Planned Development is consistent with the applicable policies of the General Plan concerning land use, transportation and circulation, public services and utilities, public health, safety, and noise element, conservation and open space and parks and recreation.
- 4.1.2** *The proposed development is so designed to provide a desirable environment within its own boundaries.* The proposed development plan features approximately 62.81 acres of open space that include riparian areas and woodland areas. As such, the development is designed to provide a desirable environment within its own boundaries.
- 4.1.3** *Any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography.* A Deviation from the Residential 5-acre Development Standards includes a reduction in the minimum lot size requirement for all residential parcels. This exception to the standard requirements of the RE-5 Zone Regulations is justified to accommodate the Density Bonus Provision of the General Plan.
- 4.1.4** *The site is physically suited for the proposed use.* The 143-acre site contains sufficient developable areas to accommodate the proposed residential uses and density.

- 4.1.5** *Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities.* Public water will be provided to the project site by EID upon annexation by LAFCO into fire and water district boundaries. El Dorado Irrigation District provided a letter dated December 7, 2007 indicating that the project could have adequate water capacity and supplies to serve the proposed project provided additional improvements are made to the system. Environmental Management has provided conditions of approval to ensure the septic capability of each proposed lot. The Department of Transportation (DOT) has conditioned the project accordingly to ensure that all roads are developed to handle project traffic. The Fire District has provided conditions of approval to ensure that roads are developed in accordance with the proposed phasing plan in order to provide for adequate emergency access.
- 4.1.6** *The proposed uses do not significantly detract from the natural land and scenic values of the site.* The project includes approximately 62.18 acres of open space to preserve the natural landscape and scenic value of the site as well as provide wildlife habitat.

4.2 Tentative Subdivision Map

- 4.2.1** *The proposed map and design is consistent with the General Plan and Specific Plans adopted by the County.* As proposed, the Tentative Map conforms to the LDR General Plan land use designation and applicable General Plan policies including access, public water service, grading, transportation, fire protection and on-site wastewater disposal.
- 4.2.2** *The site is physically suitable for the type and density of development proposed.* As shown on the Tree Preservation Plan (Exhibit H1, H2, and H3), adequate building areas for each lot are available considering the required wetland setbacks, tree canopy retention, zoning setbacks, and fire safe standards. As such, the site is physically suitable for the proposed type and density of development.
- 4.2.3** *The design of the subdivision and proposed improvements as conditioned will not cause significant environmental damage or injure fish and wildlife habitat.* A Mitigated Negative Declaration (Exhibit J) was prepared to assess project-related environmental impacts. Based on the Initial Study, the Planning Commission finds that the project could have a significant effect on air quality and biological resources. However, the project has been modified to incorporate the mitigation measures identified in the Initial Study which will reduce the impacts to a level considered to be less than significant. Therefore, a Mitigated Negative Declaration has been prepared.
- 4.2.4** *The subdivision shall have adequate access to accommodate the proposed density.* Primary site access will be provided via “C Drive”, a private road, which will take access from Salmon Falls Road. “C Drive” will provide access to “A Drive” which will be developed with Phase I of the project, and eventually “B Drive” which will be developed with Phase II of the project and will provide secondary access where it connects to the proposed development to the east. As such, the proposed project does not include any design features, such as sharp curves or dangerous intersections, or incompatible uses that

will substantially increase hazards. No traffic hazards will result from the project design with the incorporation of Department of Transportation conditions. The proposed subdivision is consistent with General Plan Policy 6.2.3.2 as the El Dorado Hills Fire Department has reviewed the project and confirmed that the proposed access and on-site roadways are adequate for the development.

- 4.2.5** *The subdivision shall not create serious public health and safety problems or unacceptable fire risk to future occupants to adjoining properties.* The El Dorado Hills Fire Department has reviewed the proposed tentative subdivision map and will require new fire hydrants for the site as well as road improvements as shown on the Tentative Map and an approved fire safe plan. Fire issues are addressed within the project's conditions of approval.

Conditions of Approval

1. This Rezone, Planned Development and tentative subdivision map are based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits A-J (Rezone/Planned Development/Tentative Map) dated September 2008, 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.

Project Description: The project includes a request for a Zone Change from RE-5 (Estate Residential Five-Acre) to RE-5-PD (Estate Residential Five-Acre-Planned Development), with a Development Plan to allow clustering of lots and a reduction in the minimum parcel size of five acres in the RE-5 zone district and to allow for a density bonus, and a Phased Tentative Map to create 47 residential lots ranging in size from 1.09 to 4.04 acres and four lettered open space lots (two open space lots and two landscape lots) totaling 63.181 acres. Phase I would encompass Lots 1-3 & 26 – 46 (24 lots), Phase II would encompass Lots 4-6, 12-25, & 47 (18 lots), and Phase III would encompass Lots 7-11 (5 lots). Access to the proposed subdivision would be from two proposed roadway connections, one to be developed with Phase I of the project (“C” and “A” Drives) which would connect the project directly to Salmon Falls Road, and a secondary access road (“B” Drive) which would be developed with Phase II of the project and would connect to Malcolm Dixon Road through subdivisions south and east of the project. The project proposes to use public water and individual septic systems. In order for the project to be eligible for public water and fire services the property would be require annexation by LAFCO into the local water and fire districts. The project proposes to use the Density Bonus provision for nineteen (19) additional residential lots.

The allowable density shall comply with Table 1 below:

TABLE 1. Density Calculation		
Acreage – 143 acres	Allowable Density in the RE-5 Zone District	Allowable Units Using Density Bonus
	Minimum 5-acre parcel sizes	1.5 Density Bonus
# of Lots	28.6	47.6

The gross and net lot area shall comply with Table 2 below:

TABLE 2. Gross and Net Lot Areas					
Lot No.	Gross area (S.F.)	Net Area (S.F.)	Lot No.	Gross Area (S.F.)	Net Area (S.F.)
1	49,974	23,992	27	71,051	41,240
2	47,323	21,997	28	58,891	29,390
3	58,355	32,601	29	57,720	31,773
4	61,082	30,685	30	58,094	30,723
5	51,631	21,368	31	56,447	30,070
6	57,073	30,642	32	49,881	24,884
7	69,028	40,023	33	57,443	27,039
8	57,863	31,000	34	175,860	110,098
9	52,355	26,514	35	57,790	30,542
10	77,679	35,942	36	56,695	26,602
11	57,982	27,888	37	57,216	30,585
12	73,908	40,110	38	61,467	31,315
13	68,258	40,327	39	57,738	29,605
14	72,992	42,118	40	68,517	37,224
15	86,912	47,193	41	65,248	34,590
16	62,082	32,084	42	43,771	21,708
17	72,141	28,317	43	59,831	32,799
18	75,058	43,896	44	54,007	26,797
19	57,470	30,349	45	64,361	30,990
20	59,059	31,125	46	124,612	70,679
21	68,375	37,202	47	62,757	28,532
22	65,754	30,087	Open Space "A"	29.536 acres	
23	66,976	33,752	Open Space "B"	32.835 acres	
24	76,873	40,532	Landscape Lot "C"	0.435 acres	
25	72,053	35,817	Landscape Lot "D"	0.375 acres	
26	70,984	41,720			

The oak removal as part of construction of the on-site access road and future residential development of the site shall comply with Table 3 below:

<i>TABLE 3: Oak Canopy Removal Summary</i>		
Total Oak Canopy to be Removed (Acres)	Canopy Removed for Road Improvements (Acres)	Canopy Removed for Individual Lot Development (Acres)
51.8	9.8	42

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.

Conditions of Approval from the Mitigated Negative Declaration

The following mitigation measures are required as a means to reduce potential significant environmental effects to a level of insignificance:

2. To avoid take of active raptor nests, pre-construction surveys shall be conducted by a qualified biologist no more than 30 days prior to initiation of proposed development activities. Pre-construction surveys shall follow protocol guidelines issued by the California Department of Fish and Game (CDFG). If no active raptor nests are found to occur, necessary tree removal shall proceed. If active raptor nests are found on or immediately adjacent to the site, the following actions shall be taken in order to avoid impacts to nesting raptors:
 1. Halt all construction within 150 feet of any trees containing active raptor nests; these areas shall be marked with fencing or tape in order to clearly delineate areas where construction is prohibited.
 2. Construction shall not resume within 150 feet of any identified nest until the end of the typical nesting season; August 31. Construction may resume prior to the end of the nesting season, only if all raptor fledges have left the nest.
 3. Construction shall not resume prior to consultation with the California Department of Fish and Game and determination that the proposed project would not result in a “take” of any rare, threatened, endangered or special status species (**MM BIO-1**).

Timing/Implementation: The applicant shall provide Development Services with a letter from a qualified Biologist verifying compliance prior to issuance of a grading permit.

Enforcement/Monitoring: El Dorado County Planning Services

3. In order to protect sensitive cultural resources, the area delineated as Open Space Lot "B" on the Tentative Subdivision Map shall be designated on the final map as an unbuildable area. No reference to specific locations of the cultural resource site shall be recorded with the Final Map (**MM CUL-1**).

Plan Requirements/Timing: A note designating Open Space Lot "B" as an unbuildable area shall be included on the final map.

Compliance: El Dorado Planning Services shall review the final map to ensure that a note is included.

4. The applicant shall be required to notify property owners of potentially significant noise levels associated with future construction activities associated with home building and road construction as part of subsequent phases. This shall be included as a "Buyer Beware" clause in project CC&Rs. Planning Services shall review CC&Rs to ensure this clause has been included (**MM NOISE-1**).

Timing/Implementation: Prior to issuance of grading and building permits for lot development the applicant shall prepare CC&Rs for review by Planning Services

Enforcement/Monitoring: El Dorado County Planning Services.

Project Conditions of Approval

Planning Services

5. The developer shall pay the mitigation in-lieu fee or provide a replacement plan for all oak canopy removed as part of road and infrastructure improvements (Total 51.8 acres). The mitigation fee shall be paid at a 1:1 ratio as required by the Oak Woodland Conservation Ordinance and fee shall be based on the amount established by the Board of Supervisors. The applicant shall provide to Planning Services proof of payment of the mitigation in-lieu fee or replacement plan, prepared by a licensed arborist, prior to issuance of a grading permit or removal of any oak trees. (Reference PD08-0003)
6. The Final Subdivision Map shall include the following notes:
 1. A total of 0.89 acre or 0.69 percent of oak canopy shall be available to each lot within the subdivision for removal during individual lot development. Individual property owners shall pay the mitigation fee or provide a replacement plan. Replacement plans shall be prepared by a licensed arborist at a 1:1 ratio as

required by the Oak woodland Conservation Ordinance and fee shall be based on the amount established by the Board of Supervisors. (Reference PD08-0003)

2. Any oak canopy removal beyond 0.89 acre or 0.69 percent for any individual lot within the subdivision, shall pay the mitigation fee or provide a replacement plan. Replacement plans shall be prepared by a licensed arborist at a 2:1 ratio as required by the Oak woodland Conservation Ordinance and fee shall be based on the amount established by the Board of Supervisors. (Reference PD08-0003)
7. All fees associated with the Tentative Map shall be paid prior to filing the Final Map.
8. Construction activities shall be limited to the hours of 7 a.m. to 7 p.m. during weekdays and 8 a.m. to 5 p.m. on Saturday. Exceptions are allowed if it can be shown that construction beyond these times is necessary to alleviate traffic congestion and safety hazards. Planning Services shall verify this requirement is placed on the Grading Plans prior to issuance of a grading permit.
9. Prior to issuance of a grading permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services if deemed necessary prior to issuance of a grading permit for verification of compliance with applicable conditions of approval.
10. The following shall be incorporated as a note on the grading/improvement plans:

In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place and determine its significance. If the find is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after appropriate measures are taken or the site is determined not to be of significance.

In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. . If the remains are determined to be Native American in origin, both the Native American Heritage Commission (NAHC) and any identified descendants shall be notified by the coroner and recommendations for treatment solicited (CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94 and 5097.98).

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

11. Prior to approval of the Final Map by the Board of Supervisors, the subdivider shall be required to form a County Service Area Zone of Benefit, or other entity to fund the maintenance of drainage facilities and improvement services. The funding mechanism for these services must be established prior to approval of the Final Map and shall include a provision for future increased funding requirements. It is recommended that a special tax with an escalator clause be used as the funding mechanism.
12. The Covenants, Conditions, and Restrictions (CC&R's) shall be submitted to Planning Services for review and approval prior to filing the Final Map.
13. At the time of map filing, all open space lots shall be dedicated to a Homeowner's Association or similar entity as open space with an appropriate maintenance program.
14. The map shall be recorded and constructed in phases consistent with the phasing plan included with the Tentative Map, Exhibit E. All Open Space and Landscape Lots (Lots A, B, C, & D) shall be dedicated at the time of filing of the first phase of the map.
15. This Tentative Map shall expire in 36 months from date of approval unless a time extension has been filed.
16. The Final Map shall show all drainage easements consistent with the County of El Dorado Drainage Manual, the project final drainage plan, and the project improvement plans.
17. The location of fire hydrants and systems for fire flows are to meet the requirements of the El Dorado Hills Fire Department. The location of hydrants shall be shown on the improvement plans which shall be subject to the approval of the fire protection district. If fire flows cannot be met, all habitable structures shall be sprinklered in accordance with Fire Department requirements. This condition shall be included in the CC&Rs for the project.
18. A fire safe management plan, acceptable to the El Dorado Hills Fire Department and the California Department of Forestry, shall be prepared and implemented. A letter of compliance with this condition shall be submitted by the Fire Department to Planning Services prior to filing the Final Map.
19. The applicant shall provide to Planning Services a meter award letter or similar document from the water purveyor prior to filing the Final Map.
20. The applicant shall submit a request for park in-lieu fee appraisal to Planning Services, with a check for \$150 made out to the El Dorado County Assessor; upon completion of appraisal, the applicant shall pay the park fee, pursuant to Section 16.12.090 of the El Dorado County Subdivisions Ordinance, to the El Dorado County Facilities Department, and shall submit the receipt to the El Dorado County Office of the County Surveyor prior to filing of the Tentative Map.

21. Where the subdivider is required to make improvements on land which neither the subdivider nor the County has sufficient title or interest to make such improvements, prior to filing of any final map or parcel map, the subdivider shall submit to the Development Services Director for approval:
- a. A legal description prepared by a civil engineer or land surveyor of the land necessary to be acquired to complete the off-site improvements.
 - b. Improvement plans prepared by a civil engineer of the required off-site improvements.
 - c. An appraisal prepared by a professional appraiser of the cost of land necessary to complete the off-site improvements.

Prior to the filing of the Final Map, the subdivider shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required off-site improvements including the full costs of acquiring any real property interests necessary to complete the required improvements.

In addition to the agreement, the subdivider shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

22. The developer shall enter into an agreement with the School Districts to pay the sum of \$8,288.⁰⁰ per residential unit constructed within the boundaries of the subdivision. The agreement shall provide for an annual adjustment in the fee by the increase in the Engineering News Record Construction Cost Index. This annual adjustment is based upon a base amount of \$8,288.⁰⁰ as of January 1, 1997. The increase shall be calculated by the Districts as of January 1 of each year and implemented on July 1 of each year. The applicant should contact the County Office of Education prior to the issuance of any building permits to verify the applicable fee at the time of building permit issuance. The fee shall be payable by the owner of record at the time the building permit is issued and the agreement or a notice of restriction shall be recorded on the property to alert subsequent owners of this obligation. (NOTE: Not applicable unless application includes a Zone Change)

El Dorado Hills Fire Department

23. The project shall provide a potable water system that is capable of supplying the required fire flow as determined by the Fire Department for the protection of lives and property within this development. Any home not meeting the required fire flow shall have an approved NFPA 13D fire sprinkler installed. The Fire Department shall determine said requirements prior to issuance of a building permit.

24. This development shall install Mueller Dry Barrel fire hydrants conforming to the El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 500 feet spacing. The exact location of each fire hydrant shall be determined by the Fire Department prior to issuance of a building permit.
25. In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to framing of any combustible members as specified by the El Dorado Hills Fire Department Standard #103.
26. The driveways serving this project shall be designed to a maximum of 20 percent grade. Any driveway exceeding this requirement shall require installation of fire sprinklers per NFPA 13D within the dwelling unit.
27. The proposed project shall develop and implement a Wildland Fire Safe Plan. The Plan shall be approved by the Fire Department and submitted for review to Planning Services prior to filing the Final Map.
28. The project is prohibited from installing any type of traffic calming device that utilizes a raised bump section of the roadway.
29. Any lots that are greater than one acre shall conform to the 30-foot setback as required by the Fire Safe Regulations.
30. The phasing plan that was submitted is approved with the following conditions:
 - a. Lots 1-3, 26-46 will be approved for initial development. No other lots shall be developed until a secondary means of egress is established. Once the unobstructed secondary means of egress has been established, the balance of lots may be developed.
 - b. A minimum 40 foot radius cul-de-sac shall be installed at either end of the Phase I road. These can be removed upon opening of the unobstructed secondary means of egress.
31. Lots 10, 34, and 46 shall be required to have a turnaround due to the driveway being longer than 150 feet. The required turnaround shall be provided on the grading and improvement plans and shall be approved by the Fire Department prior to issuance of a grading permit.
32. The driveways of lots 34 and 46 are greater than 400 feet, therefore a turnout shall be installed midway in the driveway. The turnout shall be ten (10) feet wide by thirty (30) feet long with twenty-five (25) foot tapers at each end. The required turnout shall be provided on the grading and improvement plans and shall be approved by the Fire Department prior to issuance of a grading permit.

El Dorado County Department of Transportation

Project Specific DOT Conditions

33. **Road Design Standards:** The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM), as shown in Table 1. The improvements shall be completed to the satisfaction of the Department of Transportation (DOT) or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the Final Map: (the requirements outlined in Table 1 are minimums)

ROAD NAME	DESIGN STANDARD PLAN	ROAD WIDTH* / SHOULDER WIDTH	RIGHT OF WAY**	EXCEPTIONS/ NOTES
Phase I A & C Drive (onsite)	Modified Std Plan 101B (3"AC over 8"AB Min.)	28ft / 1 ft	50ft	Type "A" AC dike. No sidewalk. Phase I includes all improvements to A Drive and C Drive fronting Lots 1-3 and 26-46. Turnarounds at the two ends consistent with Std Plan 114 are required.
Phase II B Drive (onsite)	Modified Std Plan 101B (3"AC over 8"AB Min.)	28ft / 1 ft	50ft	Type "A" AC dike. No sidewalk. Phase II includes all improvements to B Drive fronting Lots 4-6, 12-26, and 47.
Phase III A Drive (onsite)	Modified Std Plan 101B (3"AC over 8"AB Min.)	28ft / 1 ft widening to 36ft (to comply with dead end road reqs) / 1 ft	50ft	Type "A" AC dike. No sidewalk. Phase III includes all improvements to A Drive fronting Lots 7-11. Turnarounds at the end consistent with Std Plan 114 are required.

* Road widths are measured from curb face to curb face or edge of pavement to edge of pavement if no curb (traveled way). Curb face for rolled curb and gutter is 6" from the back of the curb.

** Non-exclusive road and public utility easements included

34. **Multi-Project Area of Benefit:** Upon the applicant’s request, the County will form and implement, at the applicant’s expense, a public improvement financing district for funding or reimbursement of the costs of off-site public improvements to be constructed as identified in the Exhibit L entitled Malcolm Dixon Area Traffic Circulation Plan. The applicant shall prepare and submit for County’s approval and adoption a proposed Area of Benefit and supporting Engineers Estimate and Report for the purpose of financing and reimbursement of required off-site land acquisitions, widening and (re-) construction of public improvements as may be appropriate. The proposed Area of Benefit shall include but not be limited to parcels APN: 110-020-12, 126-100-18, 19, 23, & 24. The Area of Benefit Engineer’s Report shall be prepared and submitted and the proposed public financing district formed prior to the filing of the Final Map. For development projects within the proposed public financing district Area of Benefit, County shall require consent by the land owner to the public financing district and participation in the funding or reimbursement and/or construction of the off-site public improvements for Malcolm Dixon Area Traffic Circulation Plan on a pro rata share of residential lots or equivalent share basis as a condition of approval. For development projects which may derive benefit from the public improvements to be constructed as part of the Malcolm Dixon Area Traffic Circulation Plan, County shall require participation in the funding and reimbursement and/or construction of the off-site public improvements for Malcolm Dixon Area Traffic Circulation Plan on a pro rata share of residential lots or equivalent share basis as a condition of project approval.
35. **Area of Benefit Improvements:** The following Area of Benefit Improvements are required of all projects party to the Area of Benefit. This project’s proportional share and financial responsibility for these improvements shall be determined by the Engineer’s Report. These improvements shall be completed to the satisfaction of DOT prior to issuance of a building permit for any lot in Phase II (i.e., construction and buildout of Phase I does not trigger the need for completion of the improvements in Table 2. However, all items in Table 2 must be completed prior to issuance of a building permit on any lot in any other Phase).

Table 2			
ROAD NAME		ROAD WIDTH	EXCEPTIONS/NOTES
AREA OF BENEFIT Off-Site Malcolm Dixon Road Widening From STA:10+00 to STA:28+20	Std Plan 101B County Maintained System	24ft (50ft R/W) EP to EP	Two 12 foot wide lanes and 3 foot wide shoulder per Exhibit L. 2”AC overlay over existing section. No vertical profile change. 3”AC/8”AB section for pavement extension or as recommended in Soils report.
AREA OF BENEFIT Off-Site Malcolm Dixon Road Reconstruction	Std Plan 101B County Maintained System	24ft (50ft R/W) Including slope easements. EP to EP	Two 12 foot wide lanes, AC dike and 3 foot wide shoulder per Exhibit L. Omit shoulders at (e) Box Culvert location. 3”AC/8”AB or as

From STA:28+20 to STA: 40+51			recommended in Soils report. For design speed see Exhibit L.
AREA OF BENEFIT New Connection Reconstruction portion From STA: 20+20 to STA: 21+70.	Std Plan 101B County Maintained System	24ft (50ft R/W) Including slope easements. EP to EP	Two 12 foot wide lanes, AC dike and 2 foot wide shoulder per Exhibit L. 3"AC/8"AB section or as recommended in Soils report. For design speed see Exhibit L.
AREA OF BENEFIT Off-Site New Connection From STA:10+00 to STA:15+44	Std Plan 101B County Maintained System	36ft (60ft R/W) Including slope easements. FC to FC	36 foot travel way, curb, gutter and 6 foot wide shoulder per Exhibit L. 3"AC/8"AB section or as recommended in Soils report. For design speed see Exhibit L. 36 feet will accommodate two 11-foot travel lanes and a 10-foot striped turn pocket if necessary and 2-foot gutter pans on each side.
Offsite (Alto) 'A' & 'B' Drive to intersection of A & B Drives,	Std Plan 101C Maintenance Entity	24ft(50ft R/W) EP to EP	Two 12 foot wide lanes and 2 foot wide shoulder per Exhibit L. 3"AC/8"AB section or as recommended in Soils report. 25 MPH Design Speed.
Off-Site (Chartraw) Road Widening From STA: 21+70 (New Connection) to ALTO LLC southern boundary line.	Std Plan 101C	24ft (50ft R/W) Including slope easements. EP to EP	Two 12 foot wide lane and 2 foot wide shoulder per Exhibit L. 3"AC/8"AB section or as recommended in Soils report. Road width is measured EP to EP. 25 MPH Design Speed.

36. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment from the proposed C Drive onto Salmon Falls Road to the provisions of County Design Std *103D*. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
37. **Offer of Dedication (Salmon Falls Road):** The applicant shall irrevocably offer to dedicate in fee, any additional right of way as required along the entire project frontage of Salmon Falls Road, as determined by DOT, prior to the filing of the map. (The existing ROW may already be sufficient.)
38. **Off-site Access Easements:** The applicant shall provide proof of access to the project site from a State or County maintained road. Said proof shall guarantee access for this

site to use the proposed offsite roadways to the south and east and shall be provided by and through a "Map Guarantee" which shall be submitted to the County Surveyor's Office with the first map check for the map.

39. **Secondary Access:** The applicant shall provide at least two connections with an existing, improved public street for the project, prior to commencement of construction of Phase II. The accesses shall adhere to the provisions described in Table 1. In the alternative, the second connection with an existing, improved public street may be provided by way of the Malcolm Dixon connector road in accordance with County approved design standards as shown on the Malcolm Dixon Area Traffic Circulation Plan. The improvements shall be substantially completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the Final Map.
40. **Reciprocal Access Agreement:** The applicant shall provide a reciprocal access agreement, signed by the adjoining property owners, guaranteeing access for this site to use the proposed off-site roadways from this project to Malcolm Dixon Road, prior to the filing of the map. This agreement shall also allow the adjoining landowners to use the onsite roads to access Salmon Falls Road.
41. **Turnaround:** The applicant shall provide a turn around at the end of the onsite roadways to the provisions of County Standard Plan 114 or approved equivalent. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
42. **Temporary Turnaround:** If the secondary access roadways are not installed and a temporary exit road has been approved, the applicant shall provide a temporary turnaround at the end of the roadway. Temporary turn around shall also be constructed at the end of phased roads. The improvements shall be substantially completed, to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
43. **Roadway Slopes:** Pursuant to DISM Sec 3.B.9 and Design Std Plan 101B, the gradient of any street shall not exceed 15 percent. Roadway slopes shall be indicated on the improvement plans to show compliance with this requirement.
44. **Driveway Cuts:** Subdivision improvements shall include rough grading of driveways for all lots with street cuts or fills along the frontage of six feet or more difference in elevation, or as found necessary for reasonable access by the County Engineer. Construction of said driveways shall conform to the Design and Improvements Standards Manual and the Encroachment Ordinance. Attention should be given to the minimum required sight distance at all driveway encroachments. As an alternative, a Notice of Restriction shall be filed against all downhill lots with fill in excess of 6 feet which allows structural driveway access only.

45. **Offsite Easements:** Applicant shall provide all necessary recorded easements for the drainage, slope and road improvements crossing the property line prior to approval of the improvement plans.

Standard DOT Conditions

46. **Improvement Plans and Cost Estimate:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the Final Map
47. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
48. **Road & Public Utility Easements:** The applicant shall provide a 50 foot wide non-exclusive road and public utility easement for the on-site access roadways, prior to the filing of the map.
49. **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Department of Transportation prior to the filing of the map. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
50. **Vehicular Access Restriction:** Prior to filing of the map, the applicant shall record a vehicular access restriction along the entire frontage of Salmon Falls Road, excluding the locations of the approved access encroachments.
51. **Performance Bond:** The construction of all required improvements shall be completed with the presentation of the Final Map to the Planning Director before presentation of the Final Map to the Board of Supervisors for its approval. For improvements not completed, the subdivider shall provide a 100 percent performance surety and a 50 percent labor and materialmen surety by separate bond, cash deposit, assignment, or letter of credit from a financial institution. For improvements which have been completed, the subdivider shall provide a ten percent maintenance surety in any of the above-mentioned forms. Verification of construction, or partial construction, and cost of completion shall be determined by the County Department of Transportation. The developer shall pay the traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.
52. **Maintenance Entity:** The proposed project must form an entity for the maintenance of the private roads, and any parking facilities, landscaping, and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping and drainage facilities of the current project. DOT shall review the

document forming the entity to ensure the provisions are adequate prior to filing of the map.

53. **Common Fence/Wall Maintenance:** The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants, Codes and Restrictions (CC&Rs).
54. **Road Improvement Agreement & Security:** The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map.
55. **Water Quality Stamp:** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.
56. **DISM Consistency:** The developer shall obtain approval (as modified by these conditions herein) of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (dated May 1986, revised May 1990), from the County Department of Transportation, and pay all applicable fees prior to filing of the Final Map.
57. **Grading Permit:** A grading permit is required for the project. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado "*Design and Improvement Standards Manual*", the "*Grading, Erosion and Sediment Control Ordinance*", the "*Drainage Manual*", the "*Off-Street Parking and Loading Ordinance*", and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of DOT prior to occupancy clearance.
58. **Grading Plan Review/Plan:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas,

filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.

59. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
60. **RCD Coordination:** The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
61. **Soils Report:** At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
62. **Drainage Study / SWMP Compliance:** The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.
The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:
 - The site can be adequately drained;
 - The development of the site will not cause problems to nearby properties, particularly downstream sites;
 - The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
 - The ultimate drainage outfall of the project.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. A Scoping Meeting for the required drainage study between County staff and the engineer shall occur prior to the first

submittal of improvement plans. The engineer shall bring a watershed map and any other existing drainage system information to the Scoping Meeting. The improvements shall be completed to the approval of the Department of Transportation prior to the filing of the Final Map or the applicant shall obtain an approved improvement agreement with security.

63. **Drainage (Cross-Lot):** Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the Final Map.
64. **Drainage Easements:** The site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and / or on the Final Map.
65. **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
66. **Off-site Improvements (Security):** Prior to the filing of a Final Map, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required offsite improvements (not including the Area of Benefit improvements as described in Table 2), including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in the amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.
67. **Off-site Improvements (Acquisition):** As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required (not including the Area of Benefit improvements

as described in Table 2), the County may, at the applicant's expense and within 120 days of filing the Final Map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any Final Map, the applicant shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20 percent contingency:

- a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
- b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
- c. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements.

In addition to the agreement the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

68. **Electronic Documentation:** Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
69. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.

El Dorado County Surveyor's Office

70. All survey monuments shall be set prior to the presentation of the Final Map to the Board of Supervisors for approval, or the developer shall have surety of work to be done by bond or cash deposit. Verification of set survey monuments, or amount of bond or deposit to be coordinated with the County Surveyors Office prior to filing of the Final Map.
71. The roads serving the development shall be named by filing a completed Road Name Petition with the County Surveyors Office prior to filing the Final Map.

El Dorado County Environmental Management

Air Quality Management

72. The applicant shall adhere to all District rules and conditions during project construction, as specified by the District in their letter dated April 3, 2008 prior to issuance of any permits associated with this project.

Hazardous Materials

73. If any commercial, industrial, agricultural, mining or any other hazardous materials handling activities have taken place on the property in the past, the applicant must conduct a Phase I Environmental Site Assessment (ESA). The Phase I must be conducted in accordance with ASTM standard E 1527-00. All information developed in the Phase I process must be submitted to the Hazardous Materials Division (HMD) for review. If upon review of the Phase I information, HMD determines the property is a potentially impacted site, the applicant must apply for a permit, submit a workplan and conduct a Phase II ESA and any required site remediation activities prior to developing property.

LAFCO

74. The applicant shall process a request for annexation into the El Dorado irrigation District for public water, prior to filing the Final Map.
75. The applicant shall process a request for annexation into the El Dorado Hills Fire Department for fire protection services, prior to filing the Final Map.