

**EXHIBIT B**  
**ATTACHMENT 1**  
**CONDITIONS OF APPROVAL**  
**FILE NUMBER TM07-1436-F**

**Conditions of Approval with Planning Services staff notes in italics**

**TM07-1436** – As approved by the Planning Commission September 13, 2007

**Conditions**

**I. PROJECT DESCRIPTION**

1. This tentative subdivision map is based upon and limited to compliance with the project description, the Planning Commission hearing exhibit marked Exhibit E “Tentative Map,” dated September 13, 2007 and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

TM07-1436 consists of a fee title conversion of the previously approved 92 mobile home park spaces to resident ownership as well as the creation of three lettered lots for open space and other amenities. Lots will range in size from 6,000 to 20,000 square feet. Primary site access will be provided via the existing Candlelight Drive with an emergency access route from Candlelight Court to Mount Aukum Road. Private wells/tanks and on-site leach systems will provide water and sewage disposal service.

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.

*Discussion: The submitted final map is in substantial conformance to the approved tentative subdivision map.*

## II. PROJECT CONDITIONS OF APPROVAL

### Planning Services

2. At time of final map filing, the map submitted to Planning Services shall reflect a total of 92 lots consistent with those spaces approved under S86-0040 as well as an additional three lettered lots for open space and other amenities. Those spaces designated as open space or for water and sewage disposal systems shall be lettered and described accordingly.

*Discussion: The submitted final map reflects phases 1, 2, and 6 only and is in substantial conformance to the approved tentative subdivision map. Lettered lots for open space, septic areas, water, and roads are described accordingly on the final map.*

3. Prior to final map recordation for phases three, four, and five, those improvements required under S86-0040 shall be completed to the satisfaction of Planning Services.

*Discussion: The submitted final map reflects phases 1, 2, and 6 only. Improvements required under S86-0040 shall be completed prior to final map recordation for phases three, four, and five.*

4. At time of map recording, all open space lots shall be dedicated to a Homeowner's Association or similar entity as open space with appropriate maintenance program. All open space lots shall be dedicated at the time of recording of the first phase of the map.

*Discussion: The submitted final map includes all open space lots. Grant deeds have been submitted to the Surveyor's Office consistent with notes 5 through 10 on the final map to satisfy this condition of approval. Additionally, the California Housing and Community Development Department and California Department of Real Estate will approve the dedication of said open space lots to the designated Homeowner's Association and related maintenance upon recordation of this final map.*

5. This tentative map shall expire within 36 months from date of approval unless a timely extension has been filed.

*Discussion: TM07-1436 was approved by the Planning Commission on September 13, 2007 and is still an active map.*

6. All fees associated with the tentative subdivision map shall be paid prior to recording the final subdivision map.

Discussion: *All fees associated with the tentative subdivision map have been paid.*

7. 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.

Discussion: *No legal action was instituted.*

#### **Environmental Management Department – Environmental Health**

8. Prior to map recordation, the creation of a legal entity empowered by the State of California to plan, design, finance, construct, operate, maintain, and abandon when required any and all sewage disposal and water systems shall be completed to the satisfaction of the El Dorado County Environmental Management Department (EMD). The agreement for the creation of the legal entity shall be irrevocable and in place in perpetuity.

Discussion: *The Candlelight Village Mutual Water Company has been established to the satisfaction of the Environmental Management Department.*

9. At time of final map filing, a complete site plan showing the location of all existing wells and septic systems including a designated 300 percent sewage disposal repair area shall be reviewed and approved by the EMD. The repair area cannot be encumbered by structures or driveways and must meet all setback requirements for onsite sewage disposal. A copy of the completed site plan shall also be supplied to the State of California, Regional Water Quality Control Board for review.

Discussion: *Pursuant to Exhibit D, the submitted site plan has been reviewed and approved by the Environmental Management Department. Review by the State of California, Regional Water Quality Control Board is required for phases three, four, and five only as the County's Environmental Management is responsible for reviewing and approving the initial phases on the map.*

10. Prior to map recordation, a Right of Entry Agreement for the Monitoring and Maintenance of the septic systems that service the Candlelight Village shall be recorded. Said document shall specify that the Homeowners Association obtain and maintain a annual septic system operating permit to the satisfaction of the EMD.

*Discussion: Said agreement has been reviewed and approved by the Environmental Management Department and will be recorded at time of map recordation through the Surveyor's Office.*

11. Any abandoned wells at the subject site shall be properly destroyed, under permit from the EMD, by a license well driller, prior to map recordation.

*Discussion: Pursuant to Exhibit D, the Environmental Management Department has determined that this condition of approval has been satisfied.*

12. A safe and adequate water supply shall be demonstrated prior to map recordation for phases three, four and five to the satisfaction of the EMD.

*Discussion: The submitted final map reflects phases 1, 2, and 6 only. Subsequent phases will require additional water system and septic system permitting and upgrades.*

13. At time of final map filing, a completed California TMF (technical, managerial, financial) Capacity Assessment Form for Change of Ownership of Community Public Water Systems shall be submitted to the California Department of Health Services, Division of Drinking Water and Environmental Management. Forms and further direction is available at:

<http://www.dhs.ca.gov/ps/ddwem/TMF/Community/default.htm>

*Discussion: Pursuant to Exhibit D, the Environmental Management Department has determined that this condition of approval has been satisfied.*

### **Surveyor's Office**

14. 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.

*Discussion: All survey monuments have been set to the satisfaction of the County Surveyor's Office.*

15. 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.

*Discussion: County Road Name Petition has been processed by the County Surveyor's Office.*

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