

CONDITIONS OF APPROVAL

**Rezone Z23-0002/Tentative Parcel Map P23-0003/Falco
Planning Commission/Month Day, 2024**

- 1. This Tentative Parcel Map is based upon and limited to compliance with the project description, Conditions of Approval set forth below, and the hearing exhibits marked:

Exhibit F.....Tentative Parcel Map/Rezone Map
Exhibit H.....Proposed Negative Declaration and Initial Study

The project description is as follows:

This project is a Rezone and Tentative Parcel Map that would result in a zone change from a split zoning of Single-Family Residential (R1) and One-Acre Residential (R1A) to entirely Single-Family Residential (R1) which would allow the creation of three (3) residential parcels from an existing 1.42-acre parcel as follows: 0.38 acre (Parcel 1), 0.56 acre (Parcel 2), and 0.49 acre (Parcel 3) (Exhibit F).

The development, use, and maintenance of the property, the size, shape 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. 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 would constitute a violation of permit approval.

Planning Division

- 2. **Permit Time Limits:** This Tentative Parcel Map shall expire 36-months from the date of approval unless a timely extension has been filed consistent with Section 120.74.020 (Expiration Period of Approved or Conditionally Approved Maps) of the Subdivision Ordinance.
- 3. **Indemnity:** 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.

The developer and landowner 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 Parcel Map.

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

4. **Notice of Decision (NOD) Recording Fee:** The applicant shall submit to the Planning Division a \$50.00 recording fee for the County Recorder to file the Notice of Decision. Checks shall be payable to El Dorado County. No permits shall be issued, or Parcel Map filed until said fees are paid.
5. **Archaeological Resources:** In the event of future development, the following language will be incorporated on any grading or building permit plans: In the event that archaeological 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 archaeological resource”, contingency funding, and a time allotment sufficient to allow recovering an archaeological 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 archaeological mitigation takes place.
6. **Human Remains:** In the event of future development, the following language will be incorporated on any grading or building permit 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 (2) working days from the time the person responsible for the excavation, or in 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, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American.

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.

7. **Nesting Birds:** If woody vegetation removal takes place during the breeding/nesting season (February through July), disturbance of nesting activities could occur and the County may require a nesting bird survey. It is recommended that woody vegetation removal be conducted outside of the nesting season to eliminate the need for a pre-construction bird survey.

El Dorado County Air Quality Management District (AQMD)

8. **Paving:** Project construction may involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).
9. **Painting/Coating:** Project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
10. **Open Burning:** Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only dry vegetative waste materials originating from the property may be disposed of using an open outdoor fire (Rule 300 Open Burning).
11. **Construction Emissions:** During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (CARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 2449 et al, Title 13, Article 4.8, Chapter 9, California Code of Regulations [CCR]). Questions on applicability should be directed to CARB at [1-866-634-3735](tel:1-866-634-3735). CARB is responsible for enforcement of this regulation.
12. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be registered with the CARB. A copy of the current portable equipment registration 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.
13. **Fugitive Dust:** A Fugitive Dust Mitigation Plan (FDP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction if during the course of the project a grading permit is required from the Building Division. Dust control measures shall comply with the requirements of AQMD Rule 223, Fugitive Dust – General Requirements and Rue 223.1 – Construction, Bulk Material Handling, Blasting, Other Earthmoving Activities and Trackout Prevention.

14. **New Point or Stationary Source:** Prior to construction/installation of any new point/stationary source emissions units (e.g., emergency standby engine greater than 50 horsepower, etc.), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications, and emission estimates, and shall adhere to AQMD Rules 501, General Permit Requirements and 523, New Source Review.
15. **Electric Vehicle (EV) Charging – Residential:** The project shall comply with the Residential Mandatory Measures identified in the 2022 Cal Green Building Code §4.106.4.2.2 to facilitate future installation and use of EV chargers. Please refer to: CHAPTER 4 RESIDENTIAL MANDATORY MEASURES, 2022 California Green Building Standards Code, Title 24, Part 11 (CALGreen) | ICC Digital Codes (iccsafe.org).

Cameron Park Fire Protection District (CPFD)

16. **Fire Flow/Fire Hydrant(s):** For any future development (permanent structures) on this property, a potable water system with the purpose of fire protection for development shall provide a minimum fire flow based on structure type and square footage.

For any future use other than single-family residential use, the following requirements will be required:

17. **Fire Department Access:** Approved fire department access roads and driveways shall be provided for every facility, building, or portion of a building. The fire apparatus access roads and driveways shall comply with the requirements of El Dorado County Fire Protection District as well as State Fire Safe Regulations as stated below (but not limited to):
 - a. All roadways shall be a minimum of 20 feet wide, providing two (2) 10-foot traffic lanes, not including shoulder and striping.
 - b. Each dead-end road shall have a turnaround constructed at its terminus.
 - c. Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320-foot intervals.
 - d. Where maximum dead-end road lengths are exceeded, there shall be a minimum of two (2) access roadways allowing for the safe access of emergency apparatus and civilian evacuation concurrently.
 - e. The fire apparatus access roads and driveways shall extend to within 150 feet of all portions of each facility and all portions of the exterior of the first story of the building as measured by an approved route around the exterior of the building or facility.
 - f. Driveways and roadways shall have unobstructed vertical clearance of 15 feet and a horizontal clearance providing a minimum two (2) feet on each side of the required driveway or roadway width.

18. **Roadway Surface:** Roadways shall be designed to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide all-weather driving conditions. All-weather surfaces shall be asphalt, concrete, or other approved driving surface. Project proponent shall provide engineering specifications to support design, if requested by the local Agency Having Jurisdiction (AHJ).
19. **Roadway Grades:** The grade for all roads, streets, private lanes, and driveways shall not exceed 16 percent if paved or concrete.
20. **Traffic Calming:** This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump/dip section of roadway. All other proposed traffic calming devices shall require approval by the fire code official.
21. **Turning Radius:** The required turning radius of a fire apparatus access road/driveway shall be determined by the fire code official. Current requirements are 40-foot inside and 56-foot outside.
22. **Gates:** All gates shall meet the CFPD requirements, including an approved Knox access.
23. **Funding Mechanism for Emergency Fire Access Components:** The property owner shall be responsible to ensure the maintenance of emergency access roadways, gates, vegetative clearances, and other fire access components.
24. **Fencing:** Lots that back up to wildland open space shall be required to use non-combustible type fencing.
25. **Parking and Fire Lanes:** All parking restrictions as stated in the current California Fire Code and the current El Dorado County Fire Protection District Ordinance shall be in effect. All streets with parking restrictions will be signed and marked with red curbs as described in the El Dorado County Regional Fire Protection Standard titled “No Parking-Fire Lane”. All curbs in the parking lot(s) that are not designated as parking spaces will be painted red and marked every 25 feet “No Parking – Fire Lane.” This shall be white letters on a red background. There shall be a designated plan page that shows all Fire Lanes as required by the El Dorado County Regional Fire Protection Standard B-004 “No Parking-Fire Lane” and the fire code official.
26. **Setbacks:** Any parcels greater than one (1) acre shall conform to State Fire Safe Regulations requirements for setbacks (minimum 30-foot setback for buildings and accessory buildings from all property lines).
27. **Vegetative Fire Clearances:** Prior to June 1st each year, there shall be vegetation clearance around all Emergency Vehicle Access (EVAs), buildings, up to the property line as stated in Public Resources Code Section 4291, Title 19 as referenced in the California Fire Code, and the conditioned Wildland Fire Safe Plan.

28. **Trail Systems and Land-Locked Access:** If this project decides on designing a trail-type system or contains/abuts to land-locked open space, the project shall be conditioned to provide EVA points as required by the fire code official. Gates may be installed and locked with a low priority Knox lock. The street curbs adjacent to the trail access point shall be painted red. All trails and multi-use paths need to be constructed so as to ensure a minimum of a 10-foot drivable width and 14-foot minimum vegetation clearance (the wildfire safe plan will likely require additional clearance on these paths). The purpose of this requirement is to allow access for ambulances and smaller fire apparatus in case of emergency.
29. **Addressing:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property and shall meet all addressing requirements.

El Dorado County Surveyor's Office

30. Upon project approval from the Planning Division, a Parcel Map Package will need to be submitted with the County Surveyor's Office.
31. All survey monuments must be set prior to filing the Parcel Map or the developer shall have surety of work to be done by bond or cash deposit. Verification of set survey monuments and the amount of the bond or deposit to be coordinated with the County Surveyor's Office prior to the filing of the Parcel Map.
32. All boundary monuments disturbed during project construction shall be reset by a Professional Land Surveyor or Qualified Engineer as defined by Section 8771 of the California Business and Professions Code (Land Surveyors Act).
33. Situs addressing for the project shall be coordinated with the County Surveyor's Office prior to filling the Final Map.
34. Prior to finaling the Parcel Map, a letter will be required from all agencies that have placed conditions on the map. The letter will state that **“all conditions placed on P23-0003 by (that agency) have been satisfied.”** The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.