

Findings

1.0 CEQA FINDINGS

- 1.1 An Initial Study has been prepared analyzing potential environmental impacts with implementation of the project. Based on the Initial Study, impacts have been identified to be less than significant with mitigation. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15064(f)(2), a Mitigated Negative Declaration has been prepared for the project.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Building Department, Planning Division, at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

2.1 The project is consistent with General Plan Policy 2.2.1.2.

General Plan Policy 2.2.1.2 identifies that the purpose of the Medium Density Residential (MDR) land use designation establishes areas suitable for detached single-family residences with larger lot sizes which will enable limited agricultural land management activities. Lands designated as MDR are considered appropriate only within Community Regions and Rural Centers.

Rationale: The proposed project has a current land use designation MDR and is surrounded by MDR lands to the east, north, and west and Low Density Residential (LDR) lands to the south. The proposed project does not propose any change in the land use designation of the site and does not propose to install infrastructure beyond that needed to serve the proposed parcels. The subject parcel is located within the Pollock Pines Rural Center. The proposed project is consistent with this policy.

2.2 The project is consistent with General Plan Policy 2.2.5.2.

This policy requires that all applications for discretionary projects or permits shall be reviewed to determine consistency with the policies of the General Plan.

Rationale: The requested Tentative Parcel Map is consistent with applicable General Plan policies as discussed in the Staff Report. The project is consistent with this policy.

2.3 The project is consistent with General Plan Policy 2.2.5.21.

General Plan Policy 2.2.5.21 requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses.

Rationale: The project site is currently undeveloped. The adjoining properties to the west, north, and east are zoned for similar residential development. To the south is a larger Residential Estate (RE) zoned parcel which is developed with rural residential uses. The project has been located and designed to be compatible with adjoining land uses. The project is consistent with this policy.

2.4 **The project is consistent with General Plan Policy 5.1.2.1**

General Plan Policy 5.1.2.1 requires a determination of the adequacy of the public services and utilities to be impacted by that development.

Rationale: The project parcel is currently undeveloped, and no development is proposed for this site at this time. The site has adequate groundwater to serve all proposed parcels as verified by the El Dorado Environmental Management Department (EMD) should future development occur. The proposed project would require installation of septic systems on each parcel as part of any future residential development. Soil percolation tests have been provided to EMD for review. EMD has approved the percolation tests for each proposed parcel, confirming adequate septic capability for each. The proposed parcels meet or exceed the five-acre minimum parcel size requirement for parcels to contain both a well and septic system. As confirmed by Pacific Gas and Electric (PG&E), there is a utility easement running across the property which provides PG&E with an easement for purposes of electric, gas, and communication lines. As proposed and conditioned, public services and utilities are adequate for this project. The project is consistent with this policy.

2.5 **The project is consistent with General Plan Policy 5.2.1.2.**

General Plan Policy 5.2.1.2 states that an adequate quantity and quality of water for all uses, including fire protection shall be provided for with discretionary development.

Rationale: The project was reviewed by the El Dorado County Fire Protection District (EDCFPD), California Department of Forestry and Fire Protection (CALFIRE), and EMD for water supply for all uses. No comments were received from any agency that would indicate that emergency water supply was not available to serve the project. Water supply and conveyance facilities are currently available and sufficient to supply emergency water supply to the proposed parcels. The project is consistent with this policy.

2.6 The project is consistent with General Plan Policy 5.2.3.4.

General Plan Policy 5.2.3.4 (Groundwater Systems) requires that all applications for divisions of land which rely on groundwater for domestic use, or any other type of use, shall demonstrate that groundwater is adequate as part of the review and approval process.

Rationale: EMD reviewed this project and found that a report in their records for an existing well on an adjacent parcel shows that the well produced 75-gallons per minute of water. EMD determined that no additional information is needed to demonstrate an adequate water supply for the three (3) proposed parcels of this project. The project as proposed is consistent with this policy.

2.7 The project is consistent with General Plan Policy 5.3.2.3.

General Plan Policy 5.3.2.3 (Rural Sewage Disposal/Alternative Wastewater Systems) requires the development of efficient and environmentally safe individual sewage disposal systems in rural areas.

Rationale: EMD reviewed this project for solid waste disposal capability and did not express any concerns for the project. The project is consistent with this policy.

2.8 The project is consistent with General Plan Policy 5.7.2.1.

General Plan Policy 5.7.2.1 (Fire Protection in Rural Regions and Rural Centers) requires that prior to approval of new development the responsible fire protection district shall be requested to review all applications to determine the ability of the district to provide protection services. The ability to provide fire protection to existing development shall not be reduced below acceptable levels as a consequence of new development. Recommendations such as the need for additional equipment, facilities, and adequate access may be incorporated as conditions of approval.

Rationale: The project was distributed to EDCFPD and CALFIRE for review. Neither agency submitted comments expressing an inability to provide required services to the proposed parcels or concerning service reduction below acceptable levels as a result of project approval. A Wildland Fire Safe Plan was submitted for the project and was approved by both EDCFPD and CALFIRE. The project is consistent with this policy.

2.9 The project is consistent with General Plan Policy 6.2.2.2.

General Plan Policy 6.2.2.2 (High and Very High Fire Zone Development Limitations) precludes development in areas of high and very high wildland fire hazard or in areas identified as wildland-urban interface (WUI) communities within the vicinity of Federal lands that are a high risk for wildfire unless such development can be adequately protected from wildland fire hazard, as demonstrated in a WUI Fire Safe Plan prepared by a qualified professional as approved by the El Dorado County Fire Prevention Officers Association. The WUI Fire Safe Plan shall be approved by the local fire protection district having jurisdiction and/or CALFIRE.

Rationale: A Fire Safe Plan dated July 17, 2021, has been reviewed and approved by the EDCFPD and CALFIRE. This fire safe plan confirms that the project site can be developed for residential uses with adherence to fire safe Conditions of Approval. The project is consistent with this policy.

2.10 The project is consistent with General Plan Policy 6.2.3.2.

General Plan Policy 6.2.3.2 (Adequate Access for Emergencies) requires the applicant demonstrate that adequate access exists or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Rationale: The project was distributed for review by DOT, EDCFPD, and CALFIRE. None of these agencies expressed any concerns regarding adequate capacity for emergency vehicle access. Conditions of Approval have been included to ensure adequate access is maintained. The project, as proposed and conditioned, is consistent with this policy.

2.11 The project is consistent with General Plan Policy 7.4.4.4.

General Plan Policy 7.4.4.4 requires all new non-exempt development project that would result in impacts to oak resources to be mitigated in accordance with the standards of the Oak Resource Management Plan (ORMP).

Rationale: No oak trees are proposed to be removed or impacted as a part of the project approval. No development is being proposed as a part of this project. Should future development occur, any impacts to oak resources are expected to be mitigated in accordance with the standards of the ORMP. The project is consistent with this policy.

2.12 The project is consistent with General Plan Policy TC-Xa

(1) Traffic from residential development projects of five (5) or more units or parcels of land shall not result in, or worsen, Level of Service (LOS) F (gridlock, stop-and-go)

traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the County.

Rationale: The project would create three (3) residential parcels; therefore, this policy does not apply.

(2) The County shall not add any additional segments of U.S. Highway 50, or any other highways and roads, to the County's list of roads from the original Table TC-2 of the 2004 General Plan that are allowed to operate at LOS F without first getting the voter's approval.

Rationale: This policy is not applicable as the project is not requesting any modifications to Table TC-2.

(3) and (4). Intentionally blank as noted in the General Plan.

(5) The County shall not create an Infrastructure Financing District unless allowed by a 2/3rds majority vote of the people within that district.

Rationale: This policy is not applicable as the project is not requesting the County create an Infrastructure Financing District.

(6). Intentionally blank as noted in the General Plan.

(7) Before giving approval of any kind to a residential development project of five (5) or more units or parcels of land, the County shall make a finding that the project complies with the policies above. If this finding cannot be made, then the County shall not approve the project in order to protect the public's health and safety as provided by State law to assure that safe and adequate roads and highways are in place as such development occurs.

Rationale: The project would create three (3) residential parcels; therefore, this policy does not apply.

2.13 **The project is consistent with General Plan Policy TC-Xb**

Policy TC-Xb ensures that potential development in the County does not exceed available roadway capacity.

Rationale: This policy is not applicable as this policy refers to the County preparing a Capital Improvement Program (CIP), preparing a Traffic Impact Mitigation (TIM) Fee Program, and monitoring traffic volumes. None of these are required for the proposed project.

2.14 The project is consistent with General Plan Policy TC-Xc

Policy TC-Xc directs that developer paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development.

Rationale: This policy is not applicable as this policy directs how the County will pay for building necessary road capacity. No road capacity increases are necessary for this project.

2.15 The project is consistent with General Plan Policy TC-Xd

LOS for County-maintained roads and State highways within the unincorporated areas of the County shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions except as specified in Table TC-2. The volume to capacity ratio of the roadway segments listed in Table TC-2 shall not exceed the ratio specified in that table. LOS will be as defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council) and calculated using the methodologies contained in that manual. Analysis periods shall be based on the professional judgement of the Department of Transportation which shall consider periods including, but not limited to, Weekday Average Daily Traffic (ADT), AM Peak Hour, and PM Peak hour traffic volumes.”

Rationale: This project will not worsen (as defined by General Plan Policy TC-Xe) LOS for any County-maintained road or State highway.

2.16 The project is consistent with General Plan Policy TC-Xe

For the purposes of this Transportation and Circulation Element, “worsen” is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

- A. A two-percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily;
or
- B. The addition of 100 or more daily trips; or
- C. The addition of 10 or more trips during the a.m. peak hour or the p.m. peak hour.

Rationale: This project will generate fewer than 10 trips in the peak hours, and fewer than 100 daily trips. The thresholds in criteria A, B, and C of this policy would not be exceeded.

2.17 The project is consistent with General Plan Policy TC-Xf

At the time of approval of a tentative map for a single family residential subdivision of five (5) or more parcels that worsens (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain LOS standards detailed in this Transportation and Circulation Element based on existing traffic plus traffic generated from the development plus forecasted traffic growth at 10-years from project submittal; or (2) ensure the commencement of construction of the necessary road improvements are included in the County's 10-year CIP.

For all other discretionary projects that worsen (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain LOS standards detailed in this Transportation and Circulation Element; or (2) ensure the construction of the necessary road improvements are included in the County's 20-year CIP.

Rationale: The project would create three (3) residential parcels and will not worsen traffic on the County road system. Therefore, this policy does not apply.

2.18 The project is consistent with General Plan Policy TC-Xg

Each development project shall dedicate right-of-way, design and construct, or fund any improvements necessary to mitigate the effects of traffic from the project. The County shall require an analysis of impacts of traffic from the development project, including impacts from truck traffic, and require dedication of needed right-of-way and construction of road facilities as a condition of the development. This policy shall remain in effect indefinitely unless amended by voters.

Rationale: This policy is not applicable as the proposed project does not worsen traffic conditions.

2.19 The project is consistent with General Plan Policy TC-Xh

All subdivisions shall be conditioned to pay the traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.

Rationale: This project will pay TIM fees at the time a building permit is issued should any future development occur. No development is being proposed as a part of this project; therefore, the project is consistent with this policy.

2.20 The project is consistent with General Plan Policy TC-Xi

General Plan TC-Xi directs the County to coordinate and work with other agencies to plan for the widening of U.S. Highway 50.

Rationale: This policy is not applicable to the project as it is direction to the County to coordinate with other agencies regarding U.S. Highway 50 widening. The project does not include any U.S. Highway 50 enhancement components.

3.0 ZONING FINDINGS

3.1 The project is consistent with Section 130.24.030.

Section 130.24.030 (Residential Zone Development Standards/RE-5 Zone Development Standards) prescribes site-specific development standards for new parcels, allowed uses and associated structures within the RE-5 zone district.

Rationale: The proposed parcels meet or exceed the required minimum parcel size of five (5) acres and meet or exceed minimum parcel width as required in Section 130.24.030.

4.0 PARCEL MAP FINDINGS

The Subdivisions Ordinance Section 120.44.030 (Findings Requiring Disapproval) requires that the approving authority not approve a tentative map if the approving authority makes any of the following findings:

4.1 That the proposed tentative map is not consistent with General and Specific Plans (Section 120.44.030(A)).

Rationale: The project proposes to create three (3) parcels from an approximately 18.84-acre parcel. The resulting parcels would be as follows: 5.01 acres (Parcel 1), 5.49 acres (Parcel 3), and 8.34 acres (Parcel 3). The project parcel is in the Pollock Pines Rural Center. The parcel's General Plan land use designation is MDR. The proposed Tentative Parcel Map has been found consistent with all applicable General Plan policies as set forth in Findings Section 2.0.

4.2 That the design or improvement of the proposed division is not consistent with applicable General and Specific Plans (Section 120.44.030(B)).

Rationale: The design or improvement of the proposed Tentative Parcel Map has been found to be consistent with all General Plan policies as set forth in Findings Section 2.0 and as described in Finding 4.1 above.

4.3 **That the site is not physically suitable for the proposed type of development (Section 120.44.030.(C)).**

Rationale: The site is currently undeveloped, and no development is proposed as part of this project. The proposed parcels meet the required minimum parcel size and parcel width.

4.4 **That the site is not physically suitable for the proposed density of development (Section 120.44.030(D)).**

Rationale: The project, as proposed, is consistent with the density requirements of the RE zone and MDR General Plan designation.

4.5 **That the design of the division of the proposed improvements are likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat (Section 120.44.030(E)).**

Rationale: An Initial Study and a Mitigated Negative Declaration have been prepared for the project pursuant to CEQA guidelines. With adherence to incorporated mitigation measures (MM BIO-1, MM BIO-2), the proposed Tentative Parcel Map will not result in substantial environmental damage and is consistent with the existing development in the Pollock Pines Rural Center. Any potential impacts have been determined to be less than significant with mitigation and are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife, or their habitat.

4.6 **That the design of the division or the type of improvements is likely to cause serious public health hazards (Section 120.44.030(F)).**

Rationale: The project has been reviewed by all applicable County departments and local agencies for compliance with health and safety regulations. As proposed and conditioned, all reviewing departments and agencies have determined the division design and improvements will conform to all applicable health and safety regulations, and the project will not cause serious public health hazards.

4.7 **That the design of the division or the improvements are not suitable to all for compliance with the requirements of Public Resources Code § 4291 (Section 120.44.030(G)).**

Rationale: The proposed division has been reviewed and approved by EDCFPD and CALFIRE as suitable to all for compliance with Public Resources Code §4291, applying to vegetative clearances and related fire protection

measures to protect structures. Requirements from CALFIRE have been included as Conditions of Approval.

- 4.8 **That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the approving authority may approve a map if it finds that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision (Section 120.44.030(H)).**

Rationale: Preliminary subdivision plans and easement documentation have been reviewed by the County’s Surveyor’s Office for potential conflicts with existing or proposed easements, and no conflicts have been found on the project parcels. To further ensure no potential easement conflicts will occur on the project site, the County’s Surveyor’s Office will conduct a final easement review of the project parcels, as part of standard procedure, prior to recordation of the Final Map. The project does not propose any changes to currently existing easements. There are no off-site improvements proposed or required which would necessitate changes to any existing easements.

Conditions of Approval

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

Exhibit F.....Tentative Parcel Map
Exhibit H.....Proposed Mitigated Negative Declaration and Initial Study
Exhibit IWildland Fire Safe Plan

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.

The project description is as follows:

This project is a Tentative Parcel Map that would create three (3) residential parcels from an existing 18.84-acre parcel as follows: 5.01 acres (Parcel 1), 5.49 acres (Parcel 2), and 8.34 acres (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.

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 Tentative 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 NOD. Checks shall be payable to El Dorado County. No permits shall be issued, or Tentative Parcel Map filed until said fees are paid.

5. **Native American Archaeological Resources:** If any suspected Tribal Cultural Resources (TCRs) are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR. The Tribal Representative will make recommendations for further evaluation and treatment as necessary. Tribal Representatives act as a representative of their Tribal government and are qualified professionals that have the authority and expertise to identify sites or objects of cultural value to Native American Tribes and recommend appropriate treatment of such sites or objects. If human remains, or suspected human remains, are discovered, then the appropriate State and Federal laws shall be followed. Preservation in place is the preferred option for mitigation of TCRs under California Environmental Quality Act

(CEQA) and United Auburn Indian Community (UAIC) protocols, and every effort shall be made to preserve the resources in place, including through project redesign, if feasible. When avoidance is infeasible, the preferred treatment by UAIC is to record the resource, minimize handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location nearby where they will not be subject to future impacts. Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of CEQA have been satisfied. This Condition of Approval shall be incorporated on any grading or building permit plans.

6. **Standard Archaeological Resources:** In the event of future development, the following language shall 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 (1) 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.
7. **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.

8. MM BIO-1 Rare Plants Protection:

If future development is proposed, a qualified biologist shall conduct a pre-construction survey during the appropriate blooming/identification period for the target species. The pre-construction survey shall be conducted during the blooming/identification period closest to the initiation of ground disturbing activities. If no rare plants are observed, a letter report shall be prepared to document the results of the survey, and no additional measures are recommended. If rare plants are present, the biologist shall clearly mark, map, and record the locations of all special-status plant species to be protected and shall conduct an on-site inspection to ensure fencing for special-status species is appropriately placed and there are no impacts to special-status plants. The qualified biologist shall inform workers of the need to protect these special-status plant species as well as identifying traits of special-status plants. On-site construction staff and supervisors shall be required to sign an acknowledgement that they have received these instructions from the biologist and agree to follow all mitigation measures.

Full avoidance of the special-status species shall require designating the area containing said species as an Environmentally Sensitive Area (ESA). No equipment or construction personnel shall enter the ESA and the ESA shall be clearly marked and surrounded by high visibility fencing with a minimum four-foot-tall metal fence posts to ensure avoidance. Digging, trenching, placing fill, storage of equipment or materials, and all other construction related activity shall be prohibited within the ESA.

If special-status species are unavoidably impacted, an Incidental Take Permit from the California Department of Fish and Wildlife (CDFW) shall be required prior to ground disturbance. The property owner shall ensure full compliance of any mitigation or compensation measures negotiated with the CDFW before, during, and after disturbance of land containing special-status plants. If construction activities last for more than one (1) growing season, the pre-construction survey described above shall be repeated during the blooming period.

Monitoring Requirement: Planning Division shall verify completion of the requirement prior to issuance of a grading or building permit in coordination with the applicant.

Monitoring Responsibility: El Dorado County Planning and Building Department, Planning Division.

9. MM BIO-2 Special-Status Species Protection:

If future development is proposed or if ground disturbance activities take place during the breeding/nesting season (March through August), disturbance of nesting activities could

occur. A pre-construction survey shall be conducted by a qualified biologist no more than 15 days prior to initiation of proposed activities. If active nests are found on or immediately adjacent to the site, a nest avoidance plan shall be implemented with approval from El Dorado County. The avoidance plan shall include appropriate buffers to the nest(s), and a qualified biologist should monitor the nest(s) and project activities to ensure no harm or agitation affects the nestlings. Once the birds have fledged, there is no longer a need for the buffer, and project activities could then proceed. If no nesting is found to occur, necessary tree and shrub removal could then proceed.

Monitoring Requirement: Planning Division shall verify completion of the requirement prior to issuance of a grading or building permit in coordination with the applicant.

Monitoring Responsibility: El Dorado County Planning and Building Department, Planning Division.

County Air Quality Management District (AQMD)

10. **Fugitive Dust:** A Fugitive Dust Mitigation Plan (FDP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to the 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 Rule 223.1 – Construction, Bulk Material Handling, Blasting, Other Earthmoving Activities and Trackout Prevention.
11. **Open Burning:** Burning of waste vegetation that results 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. Burning shall adhere to AQMD Rule 300, Open Burning.
12. **Paving:** Road Construction shall adhere to AQMD Rule 224, Cutback and Emulsified Asphalt Paving Materials.
13. **Painting/Coating:** The application of architectural coatings shall adhere to AQMD Rule 215, Architectural Coatings.
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 emissions estimates, and shall adhere to AQMD Rules 501, General Permit Requirements and 523, New Source Review.
15. **Construction Emissions:** During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall follow 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. CARB is responsible for enforcement of this regulation.

16. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be registered with 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, and daily hours of operation of each piece of equipment.

County Department of Transportation

17. **On-Site Road Improvements:** Construct the on-site access roadway consistent with County Standard Plan 101C to Arundel Road, modified to a minimum width of 20 feet if required by the fire district.

This project is above 3,000 feet in elevation. In accordance with Standard Plan 101C, the roadway structural section shall be 2.5 inches of Hot Mix Asphalt on six (6) inches of Class 2 Aggregate Base.

18. **Offer of Dedication:** Irrevocably offer to dedicate a 50-foot-wide road and public utility easements for on-site access roadways with the Final Map. Also offer any appurtenant slope, drainage, pedestrian, public utility, or other public service easements as determined necessary by the County. The offer(s) will be rejected by the County.
19. **Proof of Off-site Road Entitlements:** Demonstrate to the County that this project has entitlements for use of the off-site roads and public utility easements for access to the project.
20. **Maintenance Entity:** Prior to filing a Final Map, form an entity or join an existing entity for the maintenance of private roads and drainage facilities. When joining an existing entity, amend and modify (as necessary) the existing entity to equitably incorporate maintenance of the project improvements.
21. **Consistency with County Codes and Standards:** Obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (as may be modified by these Conditions of Approval or by approved Design Waivers) from DOT and pay all applicable fees prior to filing of the Final Map.

Ensure the project improvement plans and grading plans conform to the County Grading, Erosion and Sediment Control Ordinance, Grading Design Manual, the Drainage Manual, Stormwater Ordinance (Ordinance No. 5022), Off-Street Parking and Loading Ordinance,

all applicable State of California Water Quality Orders, the State of California Handicapped Accessibility Standards, and the California Manual on Uniform Traffic Control Devices (MUTCD).

22. **Stormwater Management:** Comply with the West Slope Development and Redevelopment Standards and Post Construction Stormwater Plan.
23. **Water Quality Stamp:** Include a stormwater quality message stamped into the concrete on new or reconstructed drainage inlets, conforming to the Stormwater Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. Obtain approval of proposed message from County Engineer prior to construction.
24. **Regulatory Permits and Documents:** Incorporate all regulatory permits and agreements between the project and any State or Federal Agency into the project grading and improvement plans prior to the start of construction of improvements.

Grading or Improvement plans for any phase may be approved prior to obtaining regulatory permits or agreements for that phase, but grading/construction of improvements may not proceed until the appropriate permits or agreements are obtained and the grading/improvement plans reflect any necessary changes or modifications to reflect such permits or agreements.

Project Conditions of Approval shall be incorporated into the project improvement plans when submitted for review.

California Department of Forestry and Fire Protection (CALFIRE)

25. **Emergency Access and Egress:** Roads and driveways, whether public or private, unless exempted under 14 CCR §1270.02(d), shall provide for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR § 1273.00 through 1273.09.
26. **Access Route Width:** All roads shall be constructed to provide a minimum of two (2), 10-foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements. Road grade not to exceed 16 percent. No more than 20 percent with mitigations.
27. **Roadway Surface:** Roadways shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base. Project proponent shall provide engineering specifications to support design, if requested by the local authority having jurisdiction (AHJ).

28. **Roadway Grades:** The grade for all roads, streets, private lanes, and driveways shall not exceed 16 percent. Grade may exceed 16 percent, not to exceed 20 percent, with approval from the AHJ.
29. **Turnarounds:** Turnarounds are required on driveways and dead-end roads. The minimum turning radius for a turnaround shall be 40 feet, not including parking. If a hammerhead/T is used instead, the top of the “T” shall be a minimum of 60 feet in length. Each dead-end road shall have a turnaround constructed at its terminus. The new road off of Arundel Road will require a turnaround at the terminus.
30. **Dead-end Roads:** The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, regardless of the number of parcels served, shall not exceed 2,640 feet for parcels zoned for between five-acres and 19.99-acres of total lot area. The 2,640-foot measurement shall be taken from Starkes Grade Road. All lengths shall be measured from the edge of the road surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply.
31. **Addresses for Buildings:** All buildings shall be issued an address by the local jurisdiction which conforms to that jurisdiction’s overall address system. Utility and miscellaneous Group U buildings are not required to have a separate address; however, each residential unit within a building shall be separately identified. The size of letters, numbers, and symbols for addresses shall conform to the standards in the California Fire Code, CCR Title 24, Part 9. Addresses for residential buildings shall be reflectorized.
32. **Address Installation, Location, and Visibility:** All buildings shall have a permanently posted address which shall be plainly legible and visible from the road fronting the property. Where access is by means of a private road and the address identification cannot be viewed from the public way, an unobstructed sign or other means shall be used so that the address is visible from the public way. Address signs along one-way roads shall be visible from both directions. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign or post. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter.
33. **Emergency Water:** Emergency water for wildfire protection shall be available, accessible, and maintained in quantities and locations specified in the statute and these regulations in order to attack a wildfire or defend property from a wildfire will be determined by the local jurisdiction.
34. **Setback for Structure Defensible Space:** All parcels shall provide a minimum 30-foot setback for all buildings from all property lines and/or the center of a road, except as provided in the exception below.

A reduction in the minimum setback shall be based upon practical reasons and shall provide for an alternative method to reduce structure-to-structure ignition by incorporating features such as, but not limited to:

- A. **Fuel Breaks:** When building construction meets the following criteria, the local jurisdiction shall determine the need and location for fuel breaks in consultation with the fire authority:
- i. the permitting or approval of three (3) or more new parcels, excluding lot line adjustments as specified in Government Code Section 66412(d); or
 - ii. an application for a change of zoning increasing zoning intensity or density; or
 - iii. an application for a change in use permit increasing use intensity or density.

Fuel breaks required by the local jurisdiction, in consultation with the fire authority, shall be located, designed, and maintained in a condition that reduces the potential of damaging radiant and convective heat or ember exposure to access routes, buildings, or infrastructure within the development. Fuel breaks shall have, at a minimum, one (1) point of entry for fire fighters and any fire apparatus. The specific number of entry points and entry requirements shall be determined by the local jurisdiction, in consultation with the fire authority. This project meets the criteria for a fuel break. El Dorado County Fire Protection District (EDCFPD) will need to be consulted on fuel break requirements.

35. **Maintenance of Defensible Space Measures:** To ensure continued maintenance of commonly owned properties in conformance with these standards and to assure continued availability, access and utilization of the defensible space provided by these standards during a wildfire and provisions for annual maintenance shall be provided in emergency access covenants or similar binding agreements.
36. **Disposal of Flammable Vegetation and Fuels:** Disposal, including chipping, burying, burning, or removal to a site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification, shall be completed prior to completion of road construction or final inspection of a building permit.

County Surveyor's Department

37. **Parcel Map Package:** Upon project approval from the Planning Division, a parcel map package will need to be submitted with the County Surveyor's Office.

38. **Survey Monuments:** 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.
39. **Road Name Petition:** The roads serving the development shall be named by filing a completed Road Name Petition with the County Surveyor's Office. Proof of any signage required by the County Surveyor's Office must be provided prior to filing the Parcel Map.
40. **Addressing:** Situs addressing for the project shall be coordinated with the County Surveyor's Office prior to filling the Parcel Map.
41. **Final Map Condition Compliance:** Prior to filing the Parcel Map, a letter will be required from all agencies that have placed Conditions on the Parcel Map. The letter will state that "**all conditions placed on (Subject Project) by (that agency) have been satisfied.**" The letter is to be sent to the County Surveyor's Office and copied to the Consultant and the Applicant.
42. **Disturbed Boundary Monuments:** All boundary monuments that may be disturbed or destroyed during project construction shall be identified and referenced and/or reset by a Professional Land Surveyor or Qualified Engineer as defined by Section 8771 of the California Business and Professions Code (Land Surveyors Act).

Pacific Gas and Electric (PG&E)

43. A 30-foot-wide easement in gross shall be granted for the existing overhead pole line running across the property. Said overhead pole line would traverse Parcels 1, 2, and 3 to serve the residence situated on the remainder parcel to the south with electric energy. The applicant shall provide PG&E with a legal description and plat for said 30-foot-wide easement in gross to incorporate into the easement document. Upon receipt of said plat and legal description, PG&E will furnish said easement in gross and deliver it to the property owner for execution and signature.