

ATTACHMENT 1

CONDITIONS OF APPROVAL

File Number P07-0011 -Garrett Parcel Map
October 3, 2007 Zoning Administrator Hearing

CONDITIONS OF APPROVAL

Planning Services

1. This parcel map is based upon and limited to compliance with the project description, the Zoning Administrator hearing exhibit marked Exhibit F (tentative parcel map) dated October 3, 2007, and conditions of approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

The project would allow the creation of two parcels ranging in size from 5.00 to 5.78 acres on a 10.78-acre site. Both parcels would be served by private wells and onsite septic wastewater systems. Access to Parcel 1 will be from the northern most existing encroachment only (labeled as "A") and access to Parcel 2 will be from the southern most existing encroachment only onto Starbuck Road (labeled as "B") in Exhibit F. A vehicular access restriction will be put on the existing driveway to prevent access to Parcel, as well the whole length of the driveway to Parcel 2 on the north side of it.

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 measure is required as a means to reduce potential significant environmental effects to a level of insignificance:

2. The Rare Plant Mitigation fee, in lieu of on-site mitigation, shall be paid to El Dorado County at the time of issuance of any building permit for Parcel 2 subject to this permit.

El Dorado County Building Services will be responsible for collecting the appropriate fee prior to issuance of any future development permit for Parcel 2 shown in Exhibit F created by the final parcel map.

Planning Services Site Specific and Standard Conditions

3. During all grading and construction activities in the project area on the proposed parcels, an archaeologist or Historian approved by the Development Services Director shall be on-call. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent and/or future parcel owner shall ensure that all such activities cease within 50 feet of the discovery until the on-call 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.
4. 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, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission.
5. The applicant shall be required to pay Park-in-Lieu fee of \$150.00 payable to El Dorado County, pursuant to El Dorado County Subdivision Ordinance Chapter 16.12.090. A receipt showing compliance with this condition shall be submitted by the applicant to the Planning Services prior to recordation of the final parcel map.
6. All Planning Services fees shall be paid prior to recordation of the final parcel map.
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 California Government Code.

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

Rescue Fire Protection District

8. The applicant shall provide a Fuel Modification and Wildland Fire Safety Plan, to be prepared by a Registered Professional Forester which shall be reviewed and approved by Rescue Fire Protection District and California Department of Forestry prior to recordation of the final parcel map.

El Dorado County Department of Transportation

9. The applicant shall irrevocably offer to dedicate the 30 foot wide on-site road and public utility easement for the on-site portion of Starbuck Road, in fee, with the recordation of the parcel map. This offer will be accepted by the County.
10. The applicant shall designate a 25 foot wide ingress and egress easement for the on-site access driveway serving Parcel 2, with the recordation of the parcel map.
11. A vehicular access restriction (VAR) shall be placed along the 25 foot ingress and egress easement along the entire on-site portion of Parcel 1, with the recordation of the parcel map. This easement shall be restricted for access use serving Parcel 2.

El Dorado County Office of the County Surveyor

12. All survey monuments must be set prior to filing the Parcel Map.
13. The applicant shall provide a Parcel Map Guarantee, issued by a title company, showing proof of access to a State- or County-maintained road as defined by Section 16.44.120 (B) (2) with the legal right to improve that access as required by the County Design Manual, prior to filing the final or parcel map.
14. Prior to filing the Parcel Map by the applicant, a letter to the County Surveyor shall be received from all agencies that have conditions placed on the map. The letter will state that all conditions placed on the map by that agency have been met.