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**Z14-0002/PD14-0001/TM14-1515/Wilson Estates** – As approved by the Board of Supervisors on November 13, 2014

**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 E .....Tentative 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 follow 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 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.

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)

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 be determined by Geotech Report	22 ft / 3 ft	30 ft	Two 11 foot wide lanes, Type "E" HMA dike plus 3' shoulders. No Curb, gutter or sidewalk. 25 MPH Design Speed.

\* 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 (PM<sub>10</sub>) 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](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.