

CONDITIONS OF APPROVAL

Zoning Administrator Approved April 18, 2007
File Number P06-0032 - Thorne

Planning Services

1. This Tentative Parcel Map approval is based upon and limited to compliance with the project description, dated December 20, 7, 2006, 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:

A tentative parcel map creating three (3) parcels, ranging from ten (10) acres to 11.5 acres, from a 31.5 acre site. The project includes design waiver requests to reduce road improvements both on and off-site along Jayhawk Drive. Design Waiver 1 request is to reduce on-site road improvements from a 24-foot wide roadway to an 18-foot roadway with two foot (2') shoulders per State Responsibility Area Fire Safe Regulations. Design Waiver 2 request is to reduce road improvements to an 18-foot wide roadway without two foot (2') shoulder improvements from the encroachment onto Jayhawk Drive extending to Deer Valley Road. Design Waiver 3 request is to do *no improvements* to Jayhawk Drive along the northern frontage of the proposed Parcel 3.

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.

2. The applicant shall be required to pay the Park in-lieu fee of \$150.00 payable to El Dorado County, pursuant to *El Dorado County Subdivision Ordinance Chapter 16.12.090*.
3. The tentative parcel map shall remain valid for a period of three years from the date of approval unless prior to expiration of the map, the applicant files for a time extension.

ATTACHMENT 2

4. All fees associated with the parcel map shall be paid prior to recording the parcel map.
5. 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 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.

Department of Transportation

6. The applicant shall widen the on-site access roadway from Jayhawk Drive to the turn around and the adjacent on-site portion along the northern portion of Jayhawk Drive to a width of 48 24-feet with two-foot wide shoulders on each side per El Dorado County Standard Plan 101C, ~~and State Responsibility Area Fire Safe Regulations~~ The improvements shall be substantially completed, to the approval of the Department of Transportation or with an approved improvement agreement with security prior to the recordation of filing the parcel map, or with an approved improvement agreement with security.
7. The applicant shall improve the off-site portion of Jayhawk Drive from the project boundary to Deer Valley Road to a width of 18-feet with two-foot (2') shoulders as specified in the El Dorado County Standard Plan 101C and Section 3 A) 2)c ii, of the Design and Improvement Standards Manual. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the recordation of the parcel map, per State Responsibility Area Fire Safe Regulations prior to filing the parcel map or with an approved improvement agreement with security.
8. The applicant shall provide or verify a turn around at the end of the on-site roadway that complies with the provisions of *County Standard Plan 114*. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the recordation of the parcel map, or Fire Safe Standards prior to filing the parcel map or with an approved improvement agreement with security.

9. The applicant shall designate a 50-foot wide road and public utilities easement for the required on-site access roadway as well as a road and public utilities easement for the turn around, prior to filing recordation of the parcel map.
10. The applicant shall irrevocably offer to dedicate all on-site road and public utility easements for the roadways and turn around, prior to filing recordation of the parcel map. This offer will be rejected by the County.
- ~~11. A vehicular access restriction shall be established on Parcel 2 along the entire on-site frontage of the on-site access roadway Jayhawk Drive along the northern boundary of Parcel 2, prior to the recordation filing of the parcel map.~~
- ~~12.11.~~ The applicant shall join and/or form an entity, satisfactory to DOT, to maintain all on-site roads and/or drainage facilities not maintained by the County, ~~which is required for access to Deer Valley Road~~ prior to filing recordation of the map.
- ~~13.12.~~ As specified in the Conditions of Approval, the subdivider is required to perform off-site improvements. If it is determined that the subdivider 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 subdivider's expense and within 120 days of recording the parcel map, acquire by negotiation or commencement 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 the filing of any final map or parcel map, the subdivider shall submit the following to the Department of Transportation Right of Way Agent, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the off-site improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management, and a 20 percent contingency:
13. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department 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*. The improvements shall be substantially completed, to the approval of the Department of Transportation, prior to recording the parcel map.
14. The applicant shall provide a soils report at time of improvement plan or grading permit application addressing, 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.
15. Any import, or export to be deposited within El Dorado County, shall require an additional grading permit for that off-site grading.

16. 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 Department of Transportation.
17. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.

Rescue Fire Protection District

18. A Fuel Modification and Wildland Fire Safety Plan by a registered forester shall be submitted to and approved by the Rescue Fire Protection District prior to filing the parcel map.

County Surveyor

19. All survey monuments shall be set prior to filing the parcel map.
20. 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 in *16.44.120(B)(2)* with the legal right to improve that access as required by the *County Design Manual*.
- ~~21. The roads serving the development shall be named by filing a completed Road Name Petition with the County Surveyors Office prior to filing the Parcel Map.~~
- ~~22.~~ 21. Prior to filing the parcel map, a letter to the County Surveyor shall be required from all agencies that have conditions placed on the map. The letter shall state that all conditions placed on the map by the agency have been met.