

ATTACHMENT 2
STATUS OF CONDITIONS OF APPROVAL

FILE NUMBER TM04-1390-F

July 3, 2007

Findings

Tentative Map

1. The proposed Tentative Map, including design and improvements, conforms to the applicable standards and requirements of the Valley View Specific Plan and the Major Land Division Ordinance. The proposed condominium project meets the requirements established within the Development Agreement for multi-family residential development.
2. Section 2.1.2(b) of the Development Agreement allows ministerial review of multi-family housing as a means of encouraging such development. The Design Clearance process established under this section involves site plan and elevation review of each project. Under the Specific Plan, "Site Plan Design Clearance shall first be obtained from the El Dorado County Planning Director or his designated representative. Said Design Clearance shall . . . consist of a finding that the proposed development is in conformance with the Valley View Specific Plan and applicable design standards established by the Specific Plan. Where no specific design standard exists, the proposal shall be subject to the provisions of Chapter 17 of the El Dorado County Code (Zoning Ordinance)." The proposed project is consistent with the applicable provisions of the land use plan for Core Residential development under Chapter 4, as well as with the design guidelines under Chapter 9 of the Specific Plan. Further compliance with specific design standards under the Zoning Ordinance has also been met.
3. The site is physically suitable for the proposed type and density of development.
4. The proposed subdivision is not likely to cause substantial environmental damage as analyzed and mitigated under the EIR prepared for the Valley View Specific Plan. Mitigation measures from the EIR have been applied to the proposed project regarding the on site wetland area.
5. The project has been found to be Statutorily Exempt from CEQA pursuant to Section 15182 stating that: "Where a public agency has prepared an EIR on a specific plan after January 1, 1980, no EIR or negative declaration need be prepared for a residential project undertaken pursuant to and in conformity to that specific plan if the project meets the requirements of this section. (b) Scope. Residential projects covered by this section include but are not limited to land subdivisions, zoning changes, and residential planned unit developments."

Conditions

This tentative map approval is based upon and limited to compliance with the project description, dated April 27, 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. Deviations without the above-described approval will constitute a violation of tentative map approval.

The project, as approved, shall consist of the following:

1. A 160-unit condominium development to be constructed on one 14.24 acre parcel to be created under the subject tentative map, TM04-1390. The development shall consist of eleven residential buildings that will be 3-stories each to a maximum height of 39.5 feet. The residential buildings will consist of two different styles, referred to as Building Type I and Building Type IV in the elevations (Exhibit H). Building Type I (Type I) will consist of 12 units comprising an equal mix of 1 and 2 bedroom units. Building Type IV (Type IV) will consist of 19 units comprising one 1-bedroom, sixteen 2-bedroom, and two 3-bedroom units. Seven of the buildings will be Type I, while the remaining four buildings will be Type IV.

The first floor of each building will consist of enclosed garage space. Type 1 will have 10 single-car and 2 two-car garage spaces, and Type IV will have 18 single-car and one 2-car garage spaces. An additional 80 enclosed, single-car garage spaces will be constructed in the parking areas surrounding the buildings for a total of 258 enclosed spaces. Each unit in the development will have at least one, enclosed garage space and 98 units will have a second enclosed space.

Open or unenclosed parking totals 111 spaces to be dispersed throughout the project site. A minimum of 40 spaces shall be designated for guest parking. The project shall meet minimum ADA requirements of eight handicapped parking spaces with one designated van-accessible.

Four different color schemes will utilize compatible tones for each construction element, such as wall, trim and roofing, per building. All four schemes are compatible with each other as they consist of various shades of beige, brown and khaki. The application of each color scheme will comply with Exhibit J.

A community center to be built exclusively for the homeowners, which will contain a swimming pool, spa and adjacent pool house. The pool house facility will contain separate changing rooms and an exercise room. The facility will be single-story and will measure a total of 1400 square feet, counting both air conditioned and non-air conditioned space. A "tot lot" will be located adjacent to the community center and shall conform to Exhibit F.

A monument, identification sign measuring 4 feet high by 8 feet wide including rock base. The sign will be illuminated by ground lighting and will be located at the project entrance on the corner of Valley View Parkway and the unnamed access road. A directional sign shall be located at the entrance to each driveway off the access road, for a total of 3 directional signs. Each sign shall measure 5 feet high by 2 feet 2 inches wide including rock base, and shall be illuminated by ground lighting. All signage shall conform to Exhibit K.

Pole lights shall not exceed 30 feet in height and shall be fully shielded. All building and pole lighting shall conform to Exhibit L.

The proposed Large Lot Final Map is in conformance with the requirements of this condition based on review of the submitted building permits. The proposed airspace lots to be created are in conformance with what was approved under the Tentative Subdivision Map (TM04-1390).

MITIGATION MEASURES FROM VALLEY VIEW SPECIFIC PLAN EIR.

2. Mitigation Measure BR-9: “The applicant shall be responsible for mitigating impacts on wetlands during construction by implementing protective buffer zone construction fencing of sensitive habitat. Provide a 50-foot buffer zone as recommended in the El Dorado County General Plan EIR, measured from the edge of the jurisdictional wetland. Keep all construction vehicles and supplies out of these fenced areas.”

MONITORING: The text of MM BR-9 shall be required as a notation on subdivision improvement plans, and shall be put into effect prior to first grading permit issuance, and maintained until either all on-site construction is complete, or final occupancy of last single-family unit, whichever comes last.

The building permit plans show conformance with this mitigation measure. Inspections shall continue to monitor this requirement until the development has been completed.

3. Mitigation Measure BR-8: “(l) Mitigate indirect post construction impacts to wetlands to a less than significant level by implementing protective buffer zone fencing of wetland habitat and establishment of written protective measures for other wetland areas. Development and domestic activities and structures restricted in the wetland buffer zone include dumping of garden debris, oil, or chemicals, the placement of structures, maintaining domestic animals or gardens, ad-hoc trails, removal of the fence that defines the buffer zone, removal of vegetation, placement of outdoor furniture, and storage of vehicles or recreational equipment. These protective measures should be written into CC&Rs for residential development and maintenance requirements for commercial development. Homeowners’ associations and maintenance personnel would be responsible for implementing and enforcing these restrictions and informing El Dorado County of violations.”

MONITORING: Permanent buffer zone fencing shall be constructed prior to final occupancy of the first single-family unit. Written protective measures to include open space/wetland maintenance agreement shall be incorporated into CC&Rs. CC&Rs shall be reviewed and approved by the El Dorado Hills Community Services District prior to recordation.

The building permit plans show conformance with this mitigation measure. Inspections shall continue to monitor this requirement until the development has been completed.

PROJECT SPECIFIC CONDITIONS

4. CC&Rs, to include but not be limited to those requirements of §17.28.161 of the County Code, shall be recorded prior to building permit issuance for the first single-family unit.

The Final Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Lesarra was submitted to the El Dorado County Recorder's Office on 12/8/2006.

5. Parking requirements shall be amended to allow for 258 enclosed garage spaces instead of 320, as required under Chapter 4 of the Specific Plan. A required minimum of 40 spaces shall be provided for guest parking out of the 111 unenclosed parking spaces. The project contains a total of 369 enclosed and unenclosed spaces. Handicapped parking shall consist of no less than 8 ADA compliant spaces, with one designated van accessible. No compact car spaces shall be allowed.

The building permit plans show conformance with this condition.

6. In exchange for approval of the parking amendment defined in condition 5, twelve of the total single-family units shall be designated as affordable or "inclusionary" housing for families of moderate income. Moderate income level is defined as those households earning between 80-120 percent of the median family income as established for El Dorado County. Of the twelve units, four shall be 1-bedroom and eight shall be 2-bedroom units. Deed restrictions for these specific units shall be recorded prior to approval of the final map.

The final affordable housing agreement was approved by Human Services and a copy was sent to Planning Services to attach to the file.

7. An affordable housing plan, to include but not be limited to financing arrangements, monitoring program, and 20-year deed restrictions, shall be established by the applicant through the Department of Human Services. A copy of the affordable housing plan shall be submitted to Planning Services prior to final occupancy of the first single-family unit.

The final affordable housing agreement was approved by Human Services and a copy was sent to Planning Services to attach to the file.

8. In accordance with General Plan Policy HO-3j, the property owner(s) shall provide notice to the California Department of Housing and Community Development, the County Department of Human Services, and the existing tenants at least two years prior to the conversion of the affordable housing units to market rate.

This requirement is included in the affordable housing agreement.

9. The subdivision is subject to parkland dedication in-lieu fees, calculated in accordance with Section 16.12.090 of the County Code, which shall be paid to the El Dorado Hills CSD. The fees shall be paid at the time of filing the final map.

The parkland dedication in lieu fee has been determined by the county (\$84,876) and shall be paid to EDH CSD at the time of filing the final map.

10. The subdivider shall be subject to a \$150.⁰⁰ appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.

This fee has been paid.

11. The subdivider shall be subject to payment in full of El Dorado Hills Community Services District Park Development Impact Fees at the time of building permit issuance.

Fees shall be paid prior to issuance of building permits.

12. Street lights shall be provided at the intersection of Valley View Parkway and the unnamed access road and shall be shown on the Final Improvement Plans. All street lights installed shall be top-shielded to prevent excess glare and light. Light fixtures shall utilize low-sodium bulbs.

A street light at the intersection of the project access Valley View has been incorporated into the building permit plans.

13. Lighting within the project site shall conform to 17.14.170, and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. In addition, sign lighting shall conform to 17.16.070 so that visibility of vehicular traffic is not impaired, and objectionable glare is shielded from adjoining residential zones.

Lighting for this project has been designed to conform to El Dorado County Zoning requirements and will be fully shielded pursuant to IESNA. The building permit plans show conformance with this condition.

14. The "tot lot" shall conform to ADA and federal playground safety standards. Adequate seating area shall be provided within the lot to accommodate parents and care providers. Shaded areas shall be provided, as well. Provisions shall be included in the CC&Rs to

provide for maintenance and upkeep of the playground equipment by the home owners association.

The Tot Lot conforms to ADA and federal playground safety standards. Seating around the tot lot has been included. Provisions in the CC&R's for maintenance and upkeep of the playground equipment have been included.

15. As part of the building permit process, the applicant shall submit for approval a final landscape plan in substantial compliance with the preliminary plan demonstrating compliance with the County water conserving landscape standards (Exhibit G).

Final landscape plans and a water conserving statement have been submitted with the building permits for this project.

16. The applicant shall work with the El Dorado Hills Community Services District to form a shell landscape and lighting assessment district (LLAD) to pay for operation and maintenance of street lighting, landscaping, pedestrian and bicycle pathways, and private recreation facilities, in the event the proposed Homeowner's Association fails to maintain the installed improvements to District standards. If the Homeowner's Association does not plan to manage the project improvements, the LLAD will be immediately activated and assessments levied for the future improvements.

The landscape and lighting assessment district (LLAD) was reviewed and approved by the El Dorado Hills Community Services District. A copy of the CSD Board resolution was forwarded to Planning Services.

17. A minimum of 20-foot easements will be required by the El Dorado Irrigation District for any water or sewer lines unless otherwise noted. A meter award letter or similar document shall be provided by the District prior to filing the final map.

A meter award letter was provided with the Final Map application submittal.

18. 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. A commercial permit is required.

The site improvement/grading plan was submitted and approved by Development Services.

19. Applicant shall pay the traffic impact fees in effect at the time a building permit is issued. Until such time as updated traffic impact fees are adopted pursuant to the General Plan, any subdivisions will be required to either (1) execute an agreement agreeing to pay the higher fees, even after building permits have been issued or (2) have a notice of

restriction placed on the final map prohibiting the issuance of building permits until the updated traffic impact fees are adopted.

All traffic impact fees shall be paid prior to issuance of buildings permits.

20. A secondary access road, providing permanent circulation for each phase of development, shall be constructed prior to the first building permit being issued for any residential structure. Such looped circulation shall be subject to the approval of, or may be modified by, the El Dorado Hills Fire District.

El Dorado Hills Fire District has reviewed the project and found that it conforms to the fire safe code. A memo from the EDH Fire District was forwarded to Planning Services confirming this approval.

21. Prior to issuance of building permits or recordation of a final map, whichever occurs first, the applicant shall record a shared access agreement demonstrating rights of access over any portions of the adjacent, northerly apartment project where primary or secondary access to this project is reliant.

Section 12.7 of the Lesarra CC&R's grants emergency access through the apartments to the north and satisfies the requirements of this condition.

22. Construction of the following Phase 1.2B ("enhancements") of the El Dorado Hills Blvd./Hwy 50 Interchange, which will occur through contract to be awarded and administered by the County. The construction of the Phase 1.2B ("enhancements"), which are itemized below, must be substantially complete, as determined by the Department of Transportation, prior to occupancy of any portion of the project.
 - a. Construction of the El Dorado Hills Boulevard/U.S. Highway 50 Interchange Enhancement Improvements are identified below and are subject to final approval by Caltrans:
 - I. Widening/restriping the westbound off ramp to provide for a right turn lane onto El Dorado Hills Blvd. in the northbound direction, a left turn lane onto Latrobe Road in the southbound direction and shared through/left/right turn lane;
 - II. Widening/restriping the westbound on ramp for two lanes with a merge into one lane, which shall be extended 500 feet prior to entering the highway;
 - III. Providing dual left turn lanes northbound on Latrobe Road onto the westbound on ramp;
 - IV. Additional northbound through lane on Latrobe Road between the eastbound onramp and the existing Saratoga Way intersection together

with any necessary facilities to accommodate pedestrian and bicycle traffic along the east side of Latrobe Road at this location.

Completion of off-site improvements is required prior to Certificate of Final Occupancy. These improvements will be monitored by the Department of Transportation for conformance with the condition.

23. The following public roadway improvements shall be constructed or construction funding programmed and identified prior to the recordation of the final map.
 - a) Construction of six through lanes on Latrobe Road from White Rock Road to Hwy 50 which includes widening and restriping of Latrobe Road between US Hwy 50 south to White Rock Road, to provide for three (3) through lanes in the northbound and southbound directions between Hwy 50 and White Rock Road.
 - b) Construction of the following elements at the Latrobe Road / White Rock Road intersection: right turn lane and through lane on northbound approach; left turn lane on westbound approach; right turn lane on eastbound and southbound approaches; and add northbound through lane from south of White Rock Road and connecting to a northbound right turn lane at Town Center Boulevard.
 - c) Installation of a traffic signal at the intersection of White Rock Road and Valley View Parkway.

The developer shall install the following improvement prior to the first occupancy clearance:

- d) Restripe the eastbound shared through and right lane on Town Center Boulevard to a separate right turn lane, at the Latrobe Road and Town Center Boulevard intersection.

If the applicant undertakes the construction obligation for the above improvements a) and b), then the developer shall follow the "Requirements For Providing Funding And Bid-Ready Package" for the above improvements as described in the immediately following condition.

These public roadway improvements have been construction funding programmed and identified pursuant to the requirements of the Department of Transportation.

24. The final map shall show and dedicate slope easement for the future Valley View Parkway adjacent to the project's boundary.

The slope easements are identified on the Final Map.

25. Prior to issuance of building permits or recordation of a Final Map, whichever occurs first, the applicant shall secure appropriate permits from the Department of Transportation to widen southbound Valley View Parkway sufficient to provide a right turn lane into the project access road as identified in the supplemental traffic study by Crain & Associates dated April 25, 2005. This road improvement must be substantially

complete, as determined by the Department of Transportation, prior to occupancy of any of the project units.

The applicant has secured appropriate permits from the Department of Transportation for the required improvements listed above. These improvements will be monitored by DOT for substantial compliance prior to final occupancy of any project units.

26. Prior to issuance of building permits or recordation of a final map, whichever occurs first, the applicant shall secure appropriate permits from the Department of Transportation to widen the project access road sufficient to provide a southbound ingress lane (14-foot wide), a left turn lane out (10-foot wide), and a right turn lane out (12-foot wide), as identified in the supplemental traffic study by Crain & Associates dated April 25, 2005. This road improvement must be substantially complete, as determined by the Department of Transportation, prior to occupancy of any of the project units.

The applicant has secured appropriate permits from the Department of Transportation for the required improvements listed above. These improvements will be monitored by DOT for substantial compliance prior to final occupancy of any project units.

27. A notice of restriction shall be placed on the property that provides notice that no occupancy of the residential units can occur prior to the road improvements identified in Condition 23 (d) being substantially complete, as determined by the Department of Transportation.

This notice of restriction has been reviewed and approved by Development Services. The notice of restriction has already been submitted to the Recorder's Office and a copy of the recorded document was sent to Planning.

28. Prior to the filing of a final map, the applicant shall construct and/or bond to ensure the construction of all drainage facilities as identified in the final drainage plan. Drainage facilities shall be designed and constructed consistent with the County of El Dorado *Drainage Manual*, the project Final Drainage Report, the Specific Plan mitigation measures and the approved project improvement plans.

The final drainage report has been completed and approved by Development Services and the Department of Transportation. Bonding for the drainage facilities is in place and is substantially compliance with the county requirements.

29. The applicant shall provide a Final Drainage Report at time of grading permit application addressing storm water runoff increases, impacts with mitigations to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.

The final drainage report has been completed and approved by Development Services and the Department of Transportation.

30. The applicant shall be required to fund the maintenance and replacement of all onsite drainage facilities and water quality facilities. The funding mechanism shall be by the property owner's association, and the maintenance and replacement responsibility shall be included in the CC&Rs for the condominium units, which must be prepared prior to approval of the final map and shall include a provision for future increases in funding obligations.

Funding for maintenance and replacement of drainage facilities have been incorporated in the CC&R's indicated in section 7.10(b)(iii).

31. The final map shall show all utility, road and drainage easements pursuant to the recommendation of the utility purveyors and the County Engineer. Final determination of the location of said easements shall be made by the County Engineer. Said easements shall be irrevocably offered to the County.

All required utility, road, and drainage easements have been included on the Final Map.

32. The project proposal is based on completion of the future construction of Valley View Parkway adjacent to the project. Applicant shall provide grading, and drainage facilities, sufficient to accept and accommodate the storm runoff entering the project from lands up gradient from the project.

The off-site development of Valley View Parkway has been coordinated with the on-site improvement drawings. The Design has been reviewed and approved by Development Services.

33. The project proposal is based on completion of the future grading of Valley View Parkway adjacent to the project. Applicant shall provide documentation that the applicant has the right to perform the grading within the adjacent Valley View Parkway alignment, if necessary, in order to construct onsite project grading as proposed. The Department of Transportation does not allow rockery walls to support a public roadway.

Grading of Valley View Parkway took place at the same time as the on-site rough grading improvements and the County has verified that the existing condition of the site meets the requirements of this condition.

34. This project is proposing mass pad grading. Section 15.14.460 of the County of El Dorado Grading, Erosion and Sedimentation Ordinance (Amended Ordinance No. 4170, 8/20/91) states that a mass pad grading project application shall be transmitted for comment to the supervisor of the district where the project is located, prior to the issuance. The district supervisor will be allowed fifteen (15) calendar days to respond, before the grading permit is issued.

Supervisor District 2 was notified prior to rough grading improvements and responded with no comments for this project.

35. All grading plans shall be prepared and submitted to the Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the Soil Conservation Service, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. No building permit shall be issued by the County until final grading plans and erosion control plans are approved by the Department of Transportation.

RCD, Development Services, and the Department of Transportation reviewed and approved the proposed grading plans submitted by the applicant. Included in this approval were required steps to be taken during grading to minimize erosion and sedimentation from the project.

36. Erosion control and drainage design from residential areas into the open space areas shall employ natural appearing methods. The use of native plant materials is required where revegetation is proposed. The timing of construction and method of revegetation shall be coordinated by the El Dorado County Resource Conservation District. 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 Soil Conservation Service for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.

These requirements were incorporated into both the civil improvements plans and the landscape plans, both of which were reviewed and approved by Development Services.

37. Outfall devices designed to reduce shear stress from post-construction runoff into the wetland area shall be installed. The subdivider shall schedule a field meeting with the Resource Conservation District to determine correct method of installation prior to occupancy of first single-family unit.

Outfall devices designed to reduce shear stress from runoff have been incorporated into the plans. Further monitoring shall be done by the Resource Conservation District regarding scheduled installation prior to occupancy of the first unit.

38. Improvement plans shall incorporate protective measures toward existing oak trees per Volume IV, Design and Improvement Standards Manual, Oak Tree and Wetlands Preservation Requirements and Specifications (County Resolution No. 199-91).

No oak trees exist on the site.

39. Project construction involving grading and excavation operations will result in a temporary negative impact on air quality with regard to the release of nitrogen oxides (NO_x), reactive organic gases (ROG), and particulate matter in the form of dust (PM₁₀). These project emissions need to be quantified using the URBEMIS 7G for Windows 5.1.0 or a similar model that is acceptable to the Air Pollution Control District (APCD).

District Rule #223, addressing the regulation and mitigation measures for fugitive dust emissions, shall be adhered to during the construction process.

The applicant submitted all the required documents to Environmental Management and Air Quality Management District prior to all grading. These departments found the project to be in conformance with the requirements of this condition.

40. If the project includes the disturbance of 20 cubic yards or more of earth the applicant shall comply with Air Quality Management District (AQMD) Rule 223-2 Fugitive Dust-Asbestos Hazard Mitigation, which includes an asbestos dust mitigation plan submittal, fugitive dust prevention, speed limits, warning signs, track out prevention, excavated soil management and post-construction mitigation. This information must be submitted to the Air Quality Management District for review and approval prior to issuance of a grading permit.

Alternately, the applicant may have a California Professional Geologist inspect the project site and provide the AQMD with a report demonstrating there is no Naturally Occurring Asbestos on the project site. This evaluation must be submitted to the AQMD with the current review fee.

If there is no naturally occurring asbestos or less than 20 cubic yards of earth is disturbed, the applicant must still comply with AQMD Rule 223-1 Fugitive Dust-Construction Activities. If a County grading permit is required, the applicant will be required to submit a Fugitive Dust Plan to the AQMD prior to issuance of a grading permit.

The applicant submitted all the required documents to Environmental Management and Air Quality Management District prior to all grading. These departments found the project to be in conformance with the requirements of this condition.

41. The applicant shall follow Air Pollution Control District Rules and Regulations regarding the use of heavy equipment and mobile source emissions during construction. In no case shall daily emissions of ROG, NOx, and PM10 exceed 82 lbs/day during any construction and grading activities on the site.

Development Services will monitor construction on-site to ensure conformance with this condition.

42. The potable water system for the purpose of fire protection for this condominium development shall provide a minimum fire flow of 3,500 gpm with a minimum residual pressure of 20 psi for three-hour duration. 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 the system shall be supplied to the El Dorado Hills Fire Department for review and approval prior to final map recordation.

On-site fire system has been designed pursuant to the requirements of this condition as well as the Fire Safe Code. El Dorado Hills Fire Department has reviewed the development and approved the fire protection plan.

43. This development shall install Mueller Dry Barrel fire hydrants conforming to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The exact location and specifications of each hydrant shall be determined by the El Dorado Hills Fire Department. All access roadways and fire hydrant systems shall be installed and in service prior to framing of any combustible members as specified by El Dorado Hills Fire Department Standard 103. A letter of compliance with the condition shall be submitted by the Fire Department to the Surveyor's Office at the time of recording the final map.

Hydrant locations and specifications have been reviewed and approved by the EDH Fire Department.

44. In order to provide this development with adequate fire and emergency medical response during construction, on-site traffic calming devices that utilize a raised bump or a lower dip section of roadway shall be prohibited.

No road humps, dips, or other traffic calming features have been included in the development plan for this project.

45. The subdivider shall provide a fire access roadway to within 150 feet of every portion of the exterior walls of each building. All fire access roadways that exceed 150 in length shall be provided with turnarounds approved by the El Dorado Hills Fire Department prior to final map recordation.

El Dorado Hills Fire Department has reviewed and approved all fire access and circulation plans.

46. The applicant shall provide the El Dorado Hills Fire Department with a CD that contains all CAD files for the project prior to final occupancy of the first condominium unit.

A CD which contains the CAD files for the project will be forwarded to the Fire Department prior to final occupancy.

47. The proposed recreational facility, to include swimming pool, shall be constructed in conformance with the California Health and Safety Code and California Code of Regulations – Title 22.

The recreational facility and pool have been designed to meet the requirements of California Health and Safety Codes. The building permits shall be reviewed by Development Services for compliance with these requirements.

48. The number and size of solid waste enclosures as delineated on Exhibit E are adequate to meet the needs of the project development and have adequate space within each solid waste enclosure to accommodate both mixed solid waste and recyclable bins. A solid waste disposal plan shall be subject to review and approval of the Environmental Management Department prior to building permit issuance.

A solid waste disposal plan has been submitted to and approved by Environmental Management.

49. As specified in 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 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.

Where the subdivider is required to make improvements on land which neither the subdivider nor the County has sufficient title or interest to make such improvements, prior to filing of any final map or parcel map, the subdivider shall submit to the Planning Director for approval:

- a. A legal description prepared by a civil engineer or land surveyor of the land necessary to be acquired to complete the off-site improvements.
- b. Improvement plans prepared by a civil engineer of the required off-site improvements.
- c. An appraisal prepared by a professional appraiser of the cost of land necessary to complete the off-site improvements.

Prior to the filing of the final map, the subdivider shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required off-site improvements including the full costs of acquiring any real property interests necessary to complete the required improvements.

In addition to the agreement, the subdivider 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.

The subdivision improvement agreement has been reviewed and approved by the Department of Transportation. DOT will monitor on-site and off-site improvements for conformance with this condition and conformance with the requirements of this agreement.

50. All survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval, 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 shall be coordinated with the County Surveyors Office.

Survey Monuments have been bonded through the Surveyors Office.

51. Site addresses for the project shall be coordinated with the El Dorado Hills Fire Department and the County Surveyors Office prior to filing the final map.

Addressing for the project has been approved by the Fire Department and the County Surveyors Office.

52. The developer shall obtain approval of construction drawings and project improvement plans consistent with the Subdivision Design and Improvement Standards Manual and cost estimates from the County Department of Transportation and pay all applicable fees prior to commencement of any improvements on the Public Street and service facilities. All improvements shall be consistent with the approved tentative map.

Construction drawings and project improvement plans have been approved by Development Services and the Department of Transportation. Bonding of public improvements is attached.

53. The construction of all required improvements shall be completed with the presentation of the final map to the Deputy Director of Planning before presentation of the final map to the Board of Supervisors for its approval. For improvements not completed, the subdivider shall provide a 100 percent performance surety and a 50 percent labor and materialmen surety by separate bond, cash deposit, assignment, or letter of credit from a financial institution. For improvements which have been completed, as determined by the Department of Transportation, 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 Department of Transportation.

Bonding for all required improvements is in place pursuant to the requirements of the Department of Transportation and in conformance with the requirements of the Subdivision Improvement Agreement.

54. If blasting activities are to occur in conjunction with subdivision improvements, the subdivider shall ensure that such blasting activities are conducted in compliance with state and local regulations.

Development Services will monitor construction activities to ensure conformance with this condition.

55. If burning activities are to occur during the construction of the subdivision improvements, the subdivider shall obtain the necessary burning permits from the California Department of Forestry and air pollution permits from the County prior to said burning activities.

Development Services will monitor construction activities to ensure conformance with this condition.

56. Prior to filing a 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).

All taxes, liens, and bonds have been paid for in full by the applicant.

57. If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and Native American Heritage Commission shall be contacted pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed. If archaeological sites or artifacts are discovered, the subdivider shall retain an archaeologist to evaluate the resource.

If the resource is determined to be important, as defined in Appendix K of the CEQA Guidelines, mitigation measures, as agreed to by the subdivider, archaeologist, and Planning Department shall be implemented. Treatment of Native American remains and/or archaeological artifacts shall be the responsibility of the subdivider and shall be subject to review and approval by the Deputy Director of Planning.

Development Services will monitor construction activities to ensure conformance with this condition.

58. Development of this property is subject to review and issuance of a building permit from El Dorado County Building Services. Demonstration of conformance to all Conditions of Approval is a requirement of a complete building permit submittal.

Conformance with the Conditions has been provided to Development Services with the building permit submittal.

59. Prior to issuance of any building permit, all Planning Services fees shall be paid.

The applicant shall pay all fees prior to issuance of building permits.

60. 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.