

# CONDITIONS OF APPROVAL

**General Plan Amendment A07-0015/Rezone Z07-0049/Parcel Map P06-0006  
Noland Parcel Map  
Planning Commission Hearing/December 11, 2014**

1. This General Plan Amendment, Zone Change, and Tentative Parcel Map is based upon and limited to compliance with the project description, the hearing exhibits marked,

Exhibit F.....Tentative Parcel Map

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 would constitute a violation of permit approval.

The project description is as follows:

The project includes a request for a General Plan Amendment from Medium Density Residential (MDR) to Low Density Residential (LDR); a Zone Change from Single-Family Three-Acre Residential (R3A) to Estate Residential Five-Acre (RE-5); and a Tentative Parcel Map for the creation of three parcels ranging in size from five acres to 8.7 acres from the 18.84-acre parcel identified by Assessor's Parcel Number 042-680-32. All parcels shall be served by individual wells and septic systems.

The development, use, and maintenance of the property, the size, shape and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

## **Development Services Division**

2. **Map Time Limits:** The map shall remain in effect for three years from the date of approval. If the map has not been filed within this timeframe, an extension may be requested prior to expiration of the map. Appropriate fees shall be paid to process the time extension.
3. **Park In-Lieu Fee:** The applicant shall pay the required Park-in-Lieu fee of \$150.00 to Development Services. A receipt showing compliance with this condition shall be submitted by the applicant to Planning Services prior to filing of the parcel map.
4. **Compliance with Conditions:** Prior to filing the Parcel Map, 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. Planning Services shall verify compliance prior to filing the Parcel Map.
5. **Fish and Wildlife Fee:** The applicant shall submit to Planning Services a \$50.00 recording fee and a \$2,181.25 State Department of Fish and Wildlife fee prior to filing of

the Notice of Determination by the County. No permits shall be issued or Parcel Map filed until said fees are paid.

6. **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 archeological 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.

7. **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.

8. **Payment of Processing Fees:** The applicant shall make the actual and full payment of Development Services Division processing fees for the rezone, special use permit, and parcel map prior to issuance of a building and/or grading permit and/or filing of the Parcel Map.
9. **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.

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 by El Dorado County. County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

### **Environmental Health Division**

10. **Water Source (potable):** Prior to recording the parcel map, each parcel shall have a well that provides a safe and reliable water source. These wells require at a minimum, four hour production testing in compliance with El Dorado County Policy 800-02.

### **El Dorado County- Transportation Division (EDCTD)**

11. **Road Improvements:** The on-site roadways shall be constructed to County Standard Plan 101C. As indicated on the tentative map exhibit, Arundel Road shall be 20 feet in width (plus one foot earth shoulders) and the access road shall be 18 inches in width (plus one foot shoulders).

This project is above 3000 feet in elevation. In accordance with Standard Plan 101C, the roadway structural section shall be 2.5 inch of Hot Mix Asphalt on 6 inch of Class 2 Aggregate Base.

Roadway improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.

12. **Road & Public Utility Easements:** The applicant shall irrevocably offer to dedicate a 50-foot wide non-exclusive road and public utility easement for the on-site access

roadways, shown on the final recorded map. Slope easements shall be included as necessary. This offer will be accepted / rejected by the County.

13. **Proof of Offsite Road Entitlements:** The applicant shall demonstrate to the County that this project has entitlements for use of the off-site roads and public utility easements for access to the project.
14. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees at issuance of building permit.
15. **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" sign as required by the Transportation Division prior to the filing of the parcel map. Signing and striping shall conform to the latest version of the California Manual Uniform Traffic Control Devices (MUTCD).
16. **Maintenance Entity:** The proposed project must form an entity for the maintenance of the private roads. 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 of the current project. Transportation Division shall review the document forming the entity to ensure the provisions are adequate prior to filing of the parcel map.
17. **Construction Hours:** Construction activities shall be conducted in accordance with the General Plan 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.
18. **DISM Consistency:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (as may be modified by these Conditions of Approval or by approved Design Waivers) from the Transportation Division, and pay all applicable fees prior to filing of the final map.
19. **Parcel Map Improvement Agreement & Security:** If the required improvements are not completed prior to filing of the map or if the Engineer's Estimate is \$100,000 or greater for the required improvements, the developer shall enter into a Parcel Map Improvement Agreement (PMIA) with the Transportation Division for onsite roadway, drainage infrastructure, grading, etc. The developer shall also provide a security to guarantee performance of the PMIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map. The improvements shall be installed to the satisfaction of EDCTD prior to filing of the map. This condition shall appear as a note on the recorded parcel map.
20. **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.
21. **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 County 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.

22. **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, Drainage Manual and as required otherwise by Law.
23. **RCD Coordination:** The timing of construction and method of re-vegetation 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.
24. **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 Community Development Agency. 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.
25. **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.
26. **Drainage Study / NPDES Compliance:** The project proposes to render approximately 1.2 acres impervious to surface runoff. This covers the remaining (approximately) 20 percent of the project site that is currently undeveloped. This qualifies the project as a “Regulated Project” under Section E.12.c of the California State Water Resources Control Board (SWRCB) Water Quality Order No. 2013-0001-DWQ (Order).

The project shall incorporate Site Design Measures, Source Control Measures, and Low Impact Development (LID) Design Standards consistent with the Order into the project design, and construct such measures with the project. If the Order is amended or

replaced by action of the SWRCB, the applicant shall comply with the Order in place at the time of issuance of construction permits.

The applicant shall provide a drainage report at time of grading permit application, consistent with the Drainage Manual and the Order. The Drainage Report shall address 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 occupancy.

27. **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.
28. **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 site grading plans.
29. **NPDES Construction Permit:** The project proposes to disturb more than one acre of land and therefore, is required to obtain coverage under the California State Water Resources Control Board Construction General Permit Order No. 2009-0009-DWQ

(CGP), including any and all amendments or revised orders issued by the SWRCB.

The applicant shall demonstrate compliance with the CGP, or equivalent permit issued by the SWRCB, prior to issuance of construction permits by County.

30. **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 Transportation Division with the drainage report, structural wall calculations, and geotechnical reports and record drawings in PDF format (TIF format optional for record drawings only).

### **County Surveyor's Office**

31. **Survey Monuments:** All survey monuments must be set prior to filing the Parcel Map.
32. **Parcel Map Guarantee:** Provide a Parcel Map Guarantee, issued by a title company, showing right to use of all effected roadways and proof of access from said roads to a State or County Maintained Road as defined in Section 16.44.120(B)(2) of the Subdivision Ordinance.
33. **Condition Compliance Letter:** Prior to filing the Parcel Map, a letter will be required from all agencies that have placed conditions on the map. The letter will state that "all conditions placed on P06-0006 by (that agency) have been satisfied." The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.
34. **Road Name Petition:** The roads serving the development shall be named by filing a completed Road Name Petition with the County Surveyors Office. Proof of any signage required by the Surveyor's Office must be provided to our office prior to filing the Parcel Map.

### **El Dorado County Fire Protection District**

35. **Site Plan Review Fee:** Submit review fee of \$ 120.00.
36. **Fire Flow:** Fire flow for this project is 1000 gallons per minute at 20 pounds per square inch for two hours with a hydrant.
37. **Emergency Water Storage:** In place of requirements for hydrants and fire flow the applicant may enter into a deed restriction for all parcels requiring a "Fire District approved NFPA 13D Fire Sprinkler System with 3000 gallons of water storage on each parcel for all new structures".
38. **Fire Safe Plan:** deed restriction for an El Dorado County Fire District and CDF approved Fire Safe Plan is required prior to filing of the Parcel Map.
39. **Roadways:** Existing non-conforming access roads serving this parcel map will meet at a minimum Fire Safe Standards for width, surface, grade, radius, turnarounds, and turnouts, one-way and dead-end roads.

### **El Dorado County Air Quality Management District**

40. **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 (PM10) in the form of dust. AQMD Rules 223 and 223.1, which address the regulations and mitigation measures for fugitive dust emissions mitigation, shall be adhered to 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.
41. **Paving:** Project construction shall adhere to AQMD Rule 224 Cutback and Emulsified Asphalt Paving Materials.
42. **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).
43. **Construction Emissions:** The AQMD's goal is to achieve and maintain ambient air quality standards established by the U.S. Environmental Protection Agency and the California Air Resources Board and to minimize public exposure to toxic or hazardous air pollutants and odors. The following measures should be used to reduce impacts on air quality from equipment exhaust emissions:
  - a. Use low-emission on-site mobile construction equipment.
  - b. Maintain equipment in tune per manufacturer specifications.
  - c. Retard diesel engine injection timing by two to four degrees.
  - d. Use electricity from power poles rather than temporary gasoline or diesel generators.
  - e. Use reformulated low-emission diesel fuel.
  - f. Use catalytic converters on gasoline-powered equipment.
  - g. Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.
  - h. Do not leave inactive construction equipment idling for prolonged periods (i.e., more than two minutes).
  - i. Schedule construction activities and material hauls that affect traffic flow to off-peak hours.
  - j. Configure construction parking to minimize traffic interference.
  - k. Develop a construction traffic management plan that includes, but is not limited to: Providing temporary traffic control during all phases of construction activities to improve traffic flow; Rerouting construction trucks off congested streets; and provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
44. **New Point Source:** Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, emergency standby engine, etc.), Authority to Construct applications shall be submitted to the



AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors. (Rule 501.3.A)

45. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be permitted by 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.