

## CONDITIONS OF APPROVAL

### Tentative Map Time Extension TM07-1438-E/Porter Subdivision Planning Commission/June 23, 2016

#### Project Description

1. This Planned Development and Tentative Map are based upon and limited to compliance with the Project Description, the Planning Commission hearing exhibits marked Exhibits A-M dated January 22, 2009 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:**

Six one-year time extensions to the Tentative Subdivision Map approved by the Board of Supervisors on February 24, 2009, extending the map expiration date from February 24, 2016 to February 24, 2022.

The previous approval project request includes a Zone Change from Estate Residential Ten-acre (RE-10) to One-family Residential-Planned Development (R1-PD) and a Planned Development and Tentative Map to create 54 residential lots an existing 32.82-acre parcel. The residential lots will range in size from 7,965 to 72,208 square feet. The project includes seven open space lots, landscaping, lift station and future right-of-way. The open space lots shall consist of 9.84 acres. The project site shall be accessed from Beasley Drive and Marble Valley Road. The Planned Development request includes modification to the Development Standards of the One-Family Residential (R1) Zone District. Approximately 30% of the site shall be set aside within a dedicated open space lots.

Design Waiver(s) shall include the following:

- a. Request to reduce the right-of-way width along portions of A Drive and Drive B to a 35-foot minimum.
- b. Request for a 50-foot radius at the knuckle of A Drive.
- c. Request for the narrow access portion of Flag Lots No. 53 and No. 54 to exceed 100-feet.
- d. Allow a driveway within twenty-five (25) feet of a curb return, a minimum standard as required by DISM Standard Plan 103A-1.

- e. To reduce the minimum sixteen (16) foot driveway width as defined in DISM 103A-1 to a ten (10) foot driveway width for a single car garage and allow a for sixteen (16) foot driveway width for a double car garage.
- f. Request for a 100-foot radius at secondary entrance on A Drive.

The project shall include two new Marble Valley Road segments, one between the project site and Beasley Road and the other between Voltaire Drive and Flying C Road. The extension of Marble Valley Road from Voltaire Drive to Flying C Road shall provide primary access for the project to Highway 50 and Cambridge Road (Exhibit D).

The proposed lots would conform to Table 4 listed below:

<b>Table 4: Gross and Net Lot Area</b>		
<b>Lot Number</b>	<b>Gross Area (S.F.)</b>	<b>Net Area (S.F.)</b>
1	13,063	8,835
2	13,537	7,935
3	10,643	6,853
4	10,114	6,539
5	10,182	6,598
6	10,066	6,508
7	11,104	7,301
8	11,202	7,399
9	10,656	6,913
10	10,797	7,032
11	11,558	7,574
12	11,839	7,881
13	10,677	6,925
14	9,868	6,344
15	10,120	6,578
16	10,012	6,484
17	9,278	5,844
18	10,046	5,129
19	12,083	6,704
20	7,965	4,809
21	8,096	4,924
22	8,186	5,002
23	8,136	4,960
24	8,140	4,885
25	9,059	5,698
26	8,418	5,196

27	8,841	5,498
28	9,892	6,419

<b>Lot Number</b>	<b>Gross Area (S.F.)</b>	<b>Net Area (S.F.)</b>
29	10,254	6,753
30	9,961	6,500
31	9,317	5,937
32	8,365	5,189
33	8,047	4,930
34	8,849	5,503
35	9,400	5,984
36	9,594	6,046
37	8,072	3,990
38	11,919	7,013
39	15,993	10,775
40	24,591	16,404
41	13,094	8,257
42	13,353	6,696
43	19,366	6,669
44	18,354	6,966
45	21,517	8,998
46	22,607	10,183
47	32,021	16,550
48	18,450	8,882
49	19,273	11,976
50	18,655	13,226
51	17,896	8,780
52	19,116	8,018
53	60,164	13,078
54	72,208	19,979
A Open Space	221,304	
B Open Space	190,184	
C Lift Station	10,707	
D Landscaping	2,798	
E Landscaping	11,454	

<b>Lot Number</b>	<b>Gross Area (S.F.)</b>	<b>Net Area (S.F.)</b>
F On-site ROW-	24,106	
G Open Space	3,256	

The oak removal as part of construction of the on-site access road and future residential development of the site shall comply with Table 1 below:

<b>Table 1: Oak Tree Canopy Summary</b>				
<b>Project Site (acreage)</b>	<b>Oak Canopy Coverage (acreage)</b>	<b>Percentage of Required Retention</b>	<b>Proposed Oak Removal for mass pad grading, roads &amp; infrastructure (acreage)</b>	<b>Percentage Retention Proposed</b>
<b>32.82</b>	<b>19.71</b>	<b>70%</b>	<b>5.9</b>	<b>70%</b>
<b>Note: The canopy removal for custom lot development for Lots 41-54 is subject to mitigation under Option B.</b>				

The grading, development, use and maintenance of the property, the size, shape, arrangement and location of structures, parking areas, landscape areas, and 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 approved and shall be implemented as approved by the County.

**CONDITIONS FROM THE MITIGATED NEGATIVE DECLARATION:**

The following mitigation measures are required as means to reduce potential significant environmental effects to a level of insignificance:

2. If construction activities are scheduled to occur within the typical breeding season for raptors (March 1 through August 31), on-site pre-construction surveys for raptors and their nests shall be conducted by a qualified biologist no more than 30 days prior to initiation of the proposed development activities. The survey results shall be submitted to the California Department of Fish and Game (CDFG) and Planning Services prior to issuance of a grading permit. If active raptor nests are found on or immediately adjacent to the site, consultation must be initiated with CDFG to determine appropriate avoidance measures. The applicant shall follow the appropriate avoidance measures issued by CDFG, and no construction activities shall occur on the project site until the avoidance

measures are issued and implemented. If no active nests are found, then no further action is required, and construction activities may proceed upon approval by Planning Services (MM BIO-1).

**MONITORING:** Planning Services shall verify that the above measure has been incorporated on the plans prior to issuance of a grading permit. Development Services shall coordinate with the applicant and/or biologist, assess the pertinent surveys/studies, and conduct on-site verification for conformance with this measure.

3. Prior to any project grading or tree removal or structure removal occurs, an on-site pre-construction surveys for bat roost signs shall be conducted no more than 30 days prior to initiation of the proposed development activities. The pre-construction survey shall be conducted by a qualified biologist familiar with the identification of bat species and bat roost signs. If roosting bats are found during the pre-construction survey CDFG or USFWS should be consulted regarding measures to minimize impacts to roosting bats during construction. No trees or structures should be removed that are utilized by roosting bats. If bats are not found during the pre-construction survey, no mitigation measures will be necessary for special-status bats. CD The survey results shall be submitted to the California Department of Fish and Game (CDFG) and Planning Services prior to issuance of a grading permit. If active raptor nests are found on or immediately adjacent to the site, consultation must be initiated with CDFG to determine appropriate avoidance measures. The applicant shall follow the appropriate avoidance measures issued by CDFG, and no construction activities shall occur on the project site until the avoidance measures are issued and implemented. If no active nests are found, then no further action is required, and construction activities may proceed upon approval by Planning Services (MM BIO-2).

**MONITORING:** Planning Services shall verify that the above measure has been incorporated on the plans prior to issuance of a grading permit. Development Services shall coordinate with the applicant and/or biologist, assess the pertinent surveys/studies, and conduct on-site verification for conformance with this measure.

4. The applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Game for each stream crossing or any activities affecting the on-site riparian vegetation. The agreement shall be submitted to Planning Services for review prior to issuance of a grading permit (MM BIO-3).

**MONITORING:** Planning Services shall verify the agreement has been obtained and necessary mitigation measures are incorporated on the plans prior to issuance of a grading permit.

5. Prior to issuance of a grading permit, the applicant shall obtain a 404 Permit from the U.S. Army Corps of Engineers and a Water Quality Certification from the Central Valley RWQCB. The project shall incorporate all conditions attached to the permit and certification into the project (MM BIO-4).

MONITORING: Planning Services shall verify the required permit and certification has been obtained prior to issuance of a grading permit.

6. The applicant shall provide a building setback of ten (10) meters to be established along the southern boundary of Site PA88-80 which shall be shown on the final subdivision map. A qualified archaeologist shall accurately locate PA-88--80 so as to precisely represent the building setback (MM CULT-1).

MONITORING: Planning Services shall verify that the applicant has provided a building setback of ten (10) meters along the southern boundary of Site PA88-80 prior filing the final subdivision map.

7. The rock wall identified as Site PA-88-32 shall be shown as open space or landscape feature on the final subdivision map prior to filing by the applicant. A qualified archaeologist and Licensed Land Surveyor shall accurately locate PA-88-32 so as to precisely represent the building setback (MM CULT-2).

MONITORING: Planning Services shall verify that the above measure has been incorporated on the final subdivision map prior to filing.

8. The applicant shall protect Site PA-88-80 and Site PA-88-32 from all construction activities by installing a drip-line fence along the southern boundary of Site PA88-80 and around Site PA-88-32 to avoid inadvertent damage to either site or feature. A qualified archaeologist and Licensed Land Surveyor shall accurately locate PA-88-80 PA-88-32 to assure the protection of the sites or features (MM CULT-3).

MONITORING: Planning Services shall verify that the above measure has been incorporated on the plans prior to issuance of a building and/or grading permit. Development Services shall coordinate with the applicant and/or archaeologist, assess the pertinent surveys, and conduct on-site verification for conformance with this measure.

9. A plaque or monument should be placed in a conspicuous location with a brief description of the site's original owner (MM CULT-4).

MONITORING: Planning Services shall verify that the above measure has been incorporated on the plans prior to issuance of a building and/or grading permit.

## **CONDITIONS OF APPROVAL**

### **Planning Services**

10. The following shall be noted on the Final map:

A total of 30 percent of oak canopy shall be available within the subdivision for removal during mass pad grading, development of roads and infrastructure. The applicant shall pay the mitigation fee or provide a replacement plan. Replacement plans shall be prepared by a licensed arborist at a 1:1 ratio as required by the Oak Woodland Conservation Ordinance and shall be based on the fee established by the Board of Supervisors.

Any oak canopy removal for custom lot development of Lots 41 through 54 within the subdivision shall pay the mitigation fee or provide a replacement plan. The individual lot owner shall pay the mitigation fee or provide a replacement plan. The replacement plan shall be prepared by a licensed arborist at a 2:1 ratio as required by the Oak Woodland Conservation Ordinance and shall be based on the fee established by the Board of Supervisors.

11. A water meter award letter or similar assurance form the water purveyor, guaranteeing water service upon demand to each of the parcels created, shall be submitted at the time of filing the Final Map.
12. Construction activities shall be limited to 7:00a.m. to 7:00p.m. on weekdays and 8:00a.m. to 5:00p.m. on weekends and federally recognized holidays. This limitation shall be written on the grading plans. Planning Services shall confirm the inclusion of this requirement prior to issuance of a grading permit.
13. In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission. Planning Services shall confirm the inclusion of this requirement prior to issuance of a grading permit.
14. Prior to filing of the Final Map, Development Services shall verify the payment of all Development Services fees.
15. The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. Development Services shall verify the payment of the fee at the time of filing the Final Map.
16. The subdivider shall pay a \$150.00 appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees. Development Services shall verify the payment of the fees prior to the time of filing the Final Map.

17. The developer shall enter into an agreement with the School District to pay the sum of \$8,288.00 per residential unit constructed within the boundaries of the subdivision. The agreement shall provide for an annual adjustment in the fee by the increase in the engineering News Record Construction Cost Index. The increase is calculated by the Districts as of January 1 of each year and implemented on July 1 of each year. The applicant shall contact the County Office of Education prior to the issuance of any building permits to verify the applicable fee at the time of building permit issuance. The owner of record shall pay the fee at the time the building permit is issued. The owner of record shall record on the property the agreement or a notice of restriction to alert subsequent owners of this obligation.
18. At the time of map filing, all open space lots shall be dedicated to a Homeowner's Association or similar entity as open space with an appropriate maintenance program. Planning Services shall verify the dedication of open space lots to a Homeowner's Association or similar entity at the time of filing the Final Map. An Open Space Management Plan shall be prepared for the site and submitted for approval to Development Services prior to filing of the Final Map.
19. At the time of filing the Final Map CC & R's shall be submitted and reviewed by Planning Services.
- ~~20. This Tentative Map shall expire 36 months from the date of approval unless a timely extension has been filed.~~
- ~~21.~~20. Prior to issuance of a grading 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. The applicant shall also schedule an inspection by Planning Services if deemed necessary prior to issuance of a grading permit for verification of compliance with applicable conditions of approval.
- ~~22.~~21. 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.



**Department of Transportation**

***PROJECT SPECIFIC CONDITIONS***

23:22. The applicant shall construct the following roadways as specified in Table 1. 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 filing of the Final Map:

<b>TABLE 1</b>					
<b>ROAD NAME</b>	<b>DESIGN STANDARD PLAN</b>	<b>ROAD WIDTH **</b>	<b>RIGHT-OF-WAY</b>	<b>DESIGN SPEED</b>	<b>EXCEPTIONS/NOTES</b>
Marble Valley Road ( <i>on-site</i> ) Segment 1-2	Modified Std Plan 101B	40-ft	50 ft ROW along frontage for a total of 100 feet of ROW ( <i>IOD required, Slope easements included As necessary</i> )	35 mph	Std Plan Type 2 vertical curb and gutter (no sidewalk), with Class 1 Bike Path. 40 ft roadway with four (4) foot wide paved shoulder along frontage and 6 foot wide native shoulder on both sides of roadway. Required On-site improvements of Marble Valley Road are reimbursable through the “Area of Benefit for the Construction of Marble
Marble Valley Road ( <i>off-site</i> ) Segment 2-3	Modified Std Plan 101B	40-ft	60 ft existing	35 mph	No curb/gutter/sidewalk. Two (2) lane roadway. Required Off-site improvements of Marble Valley Road are reimbursable through the “Area of Benefit for the Construction of Marble Valley Road –

Marble Valley Road (off-site) Segment 3-4	Modified Std. Plan 101B	40 ft.	60 ft. Additional ROW not required of this project but will be obtained by demand of the County pursuant to Exhibit F of the Marble Valley Development Agreement	35 mph	No curb/gutter/sidewalk. Two (2) lane roadway. Required Off-site improvements of marble Valley Road are reimbursable through the “Area of Benefit for the Construction of Marble Valley Road – Resolution 118-2000”.
Marble Valley Road (off-site) Segment 4-5	Modified Std. Plan 101B	40-ft.	60 ft. Additional ROW required of this project.	35 mph	No curb/gutter/sidewalk. Two (2) lane roadway. Required Off-site improvements of Marble Valley Road are reimbursable through the “Area of Benefit for the Construction of Marble Valley Road – Resolution 118-2000.”
Flying C Road (off-site) Segment 6-7	Modified Std. Plan 101B	22.5 ft.	50 ft.	25 mph	No curb/gutter/sidewalk. Two (2) lane roadway. Required Off-site improvements of Marble Valley Road are reimbursable through the “Area of Benefit for the Construction of Marble Valley Road – Resolution 118-2000.”
A Drive (40 ft ROW)	Modified Std Plan 101B and Hillside Standards	30 ft	40 ft * (IOD required)	25 mph	Std Plan Type 1 rolled curb and gutter with 4 foot wide sidewalks on both sides of roadway. “No Parking” signs or red curb painting required on side without parking.
A Drive (35 ft ROW)	Modified Std Plan 101B and Hillside Standards	30 ft	35 ft * (IOD required)	25 mph	Std Plan Type 1 rolled curb and gutter with 4 foot wide sidewalk on one side of roadway. “No Parking” signs or red curb painting required on side without parking.

B Drive (from C Drive to A Drive)	Modified Std Plan 101B and Hillside Standards	30 ft	35 ft * (IOD required)	25 mph	Std Plan Type 1 rolled curb and gutter with 4 foot wide sidewalks on one side, and Type 3 vertical curb and gutter on
B Drive Court (from A Drive to end)	Modified Std Plan 101B and Hillside Standards	36 ft	40 ft * (IOD required)	25 mph	Std Plan Type 1 rolled curb and gutter with 4 foot wide sidewalks. End of roadway shall be per DISM 114 or approved
C Drive	Modified Std Plan 101B and hillside standards	30 ft	40 ft * (IOD required) Slope easements as necessary.	25 mph	Std Plan Type 1 rolled curb and gutter with 4 foot wide sidewalks on both sides. End of roadway shall be per DISM 114 or
Lot F Right-of-Way Dedication Only	Modified Std Plan 101B and hillside standards	30 ft *	35 ft* (IOD required) Slope easements included As necessary.	25 mph	Std Plan Type 1 rolled curb and gutter with 4 foot wide sidewalks. End of roadway shall be per DISM 114 or approved equivalent.

\*With approved waiver.

Notes for Condition 1 table:\*\*Road widths in the preceding table are measured from curb face to curb face. Curb face for rolled curb and gutter is 6” from the back of the curb. Right-of-way includes non-exclusive road and public utility easements.

**24.23. Off-site Improvements (Cambridge Rd & US 50):** The approved traffic study requires that the applicant shall improve the Cambridge Road/ US 50 eastbound on-off ramps, providing an all way stop. Specific required improvements are limited to signage and striping only as identified in the approved traffic study. 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 filing of the Final Map. In addition, the applicant shall obtain an approved encroachment permit from Caltrans for the required improvements.

**25.24. Marble Valley Road Improvements:** The required off-site improvements to Marble Valley Road, as specified in Table 1 of DOT conditions, shall adhere to the “Area of Benefit for the Construction of Marble Valley Road – Resolution 118-2000” and shall be consistent with the MacKay & Somps “Conceptual Plans for the Improvements of Marble Valley”, which were approved by DOT on 9-3-99. The applicant shall update these Improvement Plans and the associated Area of Benefit Engineer’s report to adhere to current County Design Standards and 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 filing of the Final Map.

~~26.~~25. **Off-site Easements (Acquisition):** Applicant shall provide all necessary recorded easements for the drainage, slope and road improvements crossing the property line prior to filing of the Final Map.

~~27.~~26. **Common Access Driveway:** Pursuant to Vol. II, Section 12.D of the DISM, a common access driveway is allowed for proposed Lots 51 & 52. The driveway must conform to the following standards:

- a. The access drive shall not exceed 100-ft
- b. The driveway must be paved to a minimum of 16-ft in width.
- c. The driveway shall not exceed 16%
- d. The access strip shall not be less than 25-ft in width.
- e. An access easement for the benefit of both parcels shall be recorded

This common access easement shall be indicated on the final map and the common driveway shall be shown on the preliminary and final grading plans.

~~28.~~27. **Offer of Dedication (Marble Valley Rd on-site):** The applicant shall irrevocably offer to dedicate (IOD), in fee, 50 feet of right-of-way along the entire on-site frontage of Marble Valley Road, with the appropriate slope easements. This offer will be accepted by the County.

~~29.~~28. **Offer of Dedication (Marble Valley Rd off-site):** Segment 4-5 and Flying C Road Segment 6-7: The applicant shall irrevocably offer to dedicate (IOD), in fee, 60 feet of right-of-way from the eastern boundary of APN 108-010-44, to Flying 'C' Road at the transition to the existing County Right-of-way. The applicant shall also irrevocably offer to dedicate (IOD), in fee, adequate right-of-way and a 50 foot right-of-way (Segment 6-7) to realign Flying 'C' Road to intersect with Marble Valley Road, with the appropriate slope easements, as depicted on the MacKay & Soms Conceptual Plans for the Improvements of Marble Valley, which were approved by DOT on 9-3-99. These offers will be accepted by the County.

~~30.~~29. **Offer of Dedication (A Drive):** The applicant shall irrevocably offer to dedicate (IOD) a 40-foot nonexclusive road and public utility easement for A Drive, and a 35-foot nonexclusive road and public utility easement, prior to filing the Final Map. This offer will be rejected by the County.

~~31.~~30. **Offer of Dedication (B Drive):** The applicant shall irrevocably offer to dedicate (IOD) a 35-foot road and public utility easement for B Drive (from C Drive to A Drive), prior to filing the Final Map. This offer will be rejected by the County.

~~32.~~31. **Offer of Dedication (B Court):** The applicant shall irrevocably offer to dedicate (IOD) a 48-foot road and public utility easement on B Court (from A Drive to end), prior to filing the Final Map. This offer will be rejected by the County.

- ~~33.~~ **32. Offer of Dedication (C Drive):** The applicant shall irrevocably offer to dedicate (IOD) a 35-foot road and public utility easement for C Drive, prior to filing the Final Map. This offer will be rejected by the County.
- ~~34.~~ **33. Offer of Dedication (Lot F):** The applicant shall irrevocably offer to dedicate (IOD) a 35-foot road and public utility easement for Lot F, prior to filing the Final Map. This offer will be rejected by the County.
- ~~35.~~ **34. Vehicular Access Restriction:** A vehicular access restriction shall be established along the entire on-site frontage of Marble Valley Road except for the proposed access locations, prior to filing the Final Map. All lots that front on two roads shall take access on the minor roadway, and a non-vehicular access easement shall be established along the entire frontage on the major roadway.
- ~~36.~~ **35. Secondary Access:** A secondary access road, providing permanent or temporary looped circulation for each phase of development, shall be constructed prior to the first building permit being issued for any residential structure except where the issuance of building permits is for model homes, which shall be unoccupied.
- ~~37.~~ **36. 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. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the Final Map.
- ~~38.~~ **37. Easements:** All applicable existing and proposed easements shall be shown on the project plans.

## **PROJECT STANDARD CONDITIONS**

- ~~39.~~ **38. 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 Department of Transportation prior to the filing of the Final 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.
- ~~40.~~ **39. Sidewalks:** Sidewalks may be located outside the right-of-way and meander as a means to provide interest and variety in alignment. The alignment and design of the sidewalks shall be reviewed and approved by the Department of Transportation prior to issuance of building permits. Pedestrian easements shall be provided where necessary. Final lane configurations, including the need for additional rights-of-way, shall be subject to review and approval of the Department of Transportation prior to improvement plan approval.

- ~~41.~~**40. Curb Returns:** All curb returns, at pedestrian crossing, will need to include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp.
- ~~42.~~**41. 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).
- ~~43.~~**42. 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.
- ~~44.~~**43. Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00a.m. and 7:00p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.
- ~~45.~~**44. DISM Consistency:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the Final Map.
- ~~46.~~**45. Road Improvement Agreement & Security:** The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the Final Map.
- ~~47.~~**46. 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 off-site grading.
- ~~48.~~**47. Grading Permit / Plan:** The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation 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 DOT prior to occupancy clearance.

~~49.~~48. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County 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 RCD, the Department of Transportation 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.~~49. **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 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.

~~51.~~50. **Soils Report:** At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (complying with the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. 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.~~51. **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 Department of Transportation.

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. The improvements shall be completed to the approval of the Department of Transportation prior to the filing of the final map or the applicant shall obtain an approved improvement agreement with security.

~~53-52.~~ **Drainage, Cross-Lot:** Cross lot drainage shall be avoided. When cross lot drainage does occur, 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.

~~54-53.~~ **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.

~~55-54.~~ **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.

~~56-55.~~ **CEQA Review:** All on and off-site road improvement requirements required as conditions of approval and/or mitigation measures shall be analyzed in the environmental document for this development project to the appropriate extent under CEQA. Any improvements that are not thoroughly analyzed shall include a discussion and justification under that particular impact analysis within the CEQA document as to the circumstances preventing such analysis along with a method and time frame for any future analysis. Mitigation measures that are included in the 5 year CIP must have the CEQA processing completed to fulfill this condition as funded and programmed per the 2004 General Plan Policy TC-Xf.



~~57-56.~~ **Off-site Improvements (Security):** Prior to the filing of a Final Map the applicant 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 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.

~~58-57.~~ **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 Department of Transportation Right-of-way Unit, 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% contingency:

- a. A legal description and plat, of the land necessary to be acquired to complete the off-site 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.

~~59-58.~~ **Off-site Access Easements:** The applicant shall provide proof of access to the project site from a State or County maintained road. Said proof shall be provided by and through a "Map Guarantee" which shall be submitted to the County Surveyor's Office with the first map check for the map.

~~60-59.~~ **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 DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.

~~61-60.~~ **TIM Fees:** The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.

**Local Agency Formation Commission (LAFCO)**

~~62.~~61. Prior to Final Map filing, the applicant shall complete the annexation process into EID through LAFCO and submit evidence of the satisfaction of this condition to Planning Services upon completion.

**El Dorado County Fire Protection District**

~~63.~~62. The applicant shall be required to comply with the Fire District requirements prior to filing of the Final Map, which includes but are not limited to the following:

- a. The applicant shall submit a review fee of \$560.00 prior to filing a Final Map.
- b. Installation of a hydrant within 500-feet (by the road) of all parcels to provide a 1500 gpm @ 20 psi for two (2) hours. The specific location of the fire department connections will be determined during the building permit review phase. The fire flow may be adjusted up or down when actual building permit plans are submitted during the building permit review phase.
- c. A deed restriction for an El Dorado County Fire Protection District and California Department of Forestry approved Fire Safe Plan is required for the Tentative Subdivision Map.
- d. Existing non-conforming access roads serving the Tentative Subdivision Map will be required to be at a minimum Fire Safe Standards for width, surface, grade, radius, turnarounds, and turnouts, one-way and dead-end roads.
- e. Any emergency access roads to be upgraded to a minimum Fire Safe Standards and will not be gated.
- f. El Dorado County Department of Transportation standards may be more stringent and will supersede these requirements.

**Department of Environmental Health – Air Quality Management District:**

~~64.~~63. The applicant shall adhere to all district rules during project construction, as specified by the District prior to issuance of any permits associated with this project.

**Surveyor's Office:**

~~65.~~64. 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 to be coordinated with the County's Surveyor's Office.

~~66.65.~~ The roads serving the development shall be named by filing a completed Road name Petition with the County Surveyors Office prior to filing the Final Map.