



## COUNTY OF EL DORADO PLANNING COMMISSION

Building C Hearing Room  
2850 Fairlane Court, Placerville, CA 95667  
<http://www.edcgov.us/planning>  
Phone: (530) 621-5355 Fax: (530) 642-0508

Walter Mathews, Chair, District 4  
Rich Stewart, First Vice-Chair, District 1  
Lewis Ridgeway, District 2  
Tom Heflin, District 3  
Brian Shinault, District 5

Char Tim ..... Clerk of the Planning Commission

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### MINUTES

**Regular Meeting  
December 11, 2014 – 8:30 A.M.**

#### CALL TO ORDER

Meeting was called to order at 8:34 a.m. Present: Commissioners Stewart, Heflin, Mathews, and Shinault; David Livingston-County Counsel; and Debbie Ercolini-Planning Services.

#### ADOPTION OF AGENDA

**Motion: Commissioner Heflin moved, seconded by Commissioner Stewart, and carried (4-0), to approve the agenda as presented.**

**AYES: Shinault, Stewart, Heflin, Mathews**

**NOES: None**

**ABSENT: Ridgeway**

#### PLEDGE OF ALLEGIANCE

**CONSENT CALENDAR** (All items on the Consent Calendar are to be approved by one motion unless a Commission member requests separate action on a specific item.)

**Motion: Commissioner Shinault moved, seconded by Commissioner Stewart, and carried (4-0), to approve the Consent Calendar with the following notations; a) Item #1 – Commissioner Heflin abstaining from the vote for the October 16, 2014 Special Meeting Minutes; and b) Item #2 – Commissioner Stewart confirmed that Staff Memo dated November 19, 2014 adding new condition on generator maintenance was included in the motion.**

**AYES: Heflin, Stewart, Shinault, Mathews**  
**NOES: None**  
**ABSENT: Ridgeway**

1. 14-1491 Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of October 23, 2014 and the special meeting of October 16, 2014 (Cont. 11-13-14, Item 1) and the regular meeting of November 13, 2014.

**Item was approved on Consent Calendar.**

2. 14-1587 Hearing to consider a request for a five-year review of an existing cellular telecommunications facility [Five-Year Cell Tower Review-Special Use Permit S06-0004-R/Georgetown Divide PUD]\*\* on property identified by Assessor's Parcel Number 061-740-47, consisting of 0.069 acres, in the Georgetown area, submitted by Cellco Partnership dba Verizon Wireless; and staff recommending the Planning Commission take the following actions:  
1) Find the Special Use Permit S06-0004-R to be exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines; and  
2) Find that based on this five-year review period, the approved telecommunication facility substantially conforms with the Conditions of Approval for S06-0004-R.  
(Supervisory District 4)

**Item was approved on Consent Calendar.**

### **Findings**

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

#### **1.0 CEQA FINDINGS**

1.1 Pursuant to CEQA Guidelines Section 15162, no subsequent Negative Declaration need be prepared for the project as there has been no substantial change in the project that would cause a significant effect on the environment. This is a five-year review as required by the conditions of approval for the existing telecommunications tower facility authorized under the special use permit. The review for compliance with the conditions

of approval for the special use permit includes any remedial measures to be taken to ensure compliance. There are no changes in circumstances and no new information that identifies new or changes environmental affects or mitigations.

- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

**2.0 ADMINISTRATIVE FINDINGS**

- 2.1 All conditions of approval have been met and the use of the telecommunications facility is in compliance.

**Conditions of Approval**

1. Project Description

This special use permit approval is based upon and limited to compliance with the approved project description 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: Construction and operation a new wireless communications facility to support cellular and emergency agency radio transmission consisting of a 120-foot tall monopine tower that will have branches on top making the total height 128 feet tall, and hold 60 antennas. The pole is proposed to be located within a 3,005 square-foot area enclosed 6-foot tall, green slatted, chain link fence in a shape resembling a triangle somewhat with approximate side lengths of 85 feet, 77 feet, and 70 feet. (For true shape see attached site plan, drawing number A01). Proposed are to be two 12-foot wide entrances with two 6-foot wide gates each. The existing fence will be removed and the area around the existing 26-foot diameter by 20-foot tall water tower will be expanded by cutting 1,240 feet<sup>3</sup> and filling 1,953 feet<sup>3</sup> of the existing soil surface to enlarge the fenced area to the above mentioned dimensions. Two of the existing Comcast Cable microwave antennas mounted on the water tower will remain, and the others will be relocated to the new proposed monopine tower. The monopine is proposed to have the following antennas mounted at nine different levels:

<b>Agency</b>	<b>Proposed Height of Antennas (from ground level)</b>	<b>Number of Antennas</b>
Proposed PCS/Cellular Antennas (Future)	120 feet	12
Proposed PCS/Cellular Antennas (Future)	112 feet	2

<b>Agency</b>	<b>Proposed Height of Antennas (from ground level)</b>	<b>Number of Antennas</b>
Proposed PCS/Cellular Antennas (Future)	105 feet	12
Proposed PCS/Cellular Antennas (Future)	94 feet	12
Proposed PCS/Cellular Antennas (Future)	83 feet	12
El Dorado County Sheriff's Department and El Dorado County Fire Protection District	75 feet	2
Georgetown Divide Public Utility District	65 feet	2
Pacific Gas and Electric Company	55 feet	4
Georgetown Fire Protection District	45 feet	2

Within the approximately 3,005 square-foot fenced area, along with the monopine and water tank are proposed to be two 15 foot by 10-foot future radio equipment locations at the southern fence line, one 20-foot by 15-foot 6-inch future PCS/cellular lease area for equipment cabinets, a potential 5-foot by 10-foot generator area and an 11-foot by 2-foot site house panel for power. The future PCS/cellular lease area is projected in the future to include one equipment shelter with two air conditioning units and one back-up generator. The entire fenced-in area for the tower, water tank and support equipment is proposed be graveled.

The project site is accessed directly from Chipmunk Ridge Road which has a 50-foot wide non-exclusive road and public utility easement and is approximately 550 feet north of the intersection of Chipmunk Trail.

This special use permit authorizes GDPUD maintenance personnel to visit the site at which time the facilities would be inspected to ensure proper maintenance and operation.

2. All site improvements shall conform to the site plan and elevations attached as Exhibits D, E1, and E2.
3. All equipment shelters, cabinets or other auxiliary structures shall be painted in a matching color. The chain link fence shall be covered entirely by dark green colored plastic slats. Said fence shall not have gaps at any portion where it touches ground level and shall have barbed wire attached to the entire top portion. No antenna shall project out past the branch tips. Planning Services-Development Services Division-Planning Services shall verify the painting of the structures and antennas, said fence conditions and

antenna projections within the branches prior to final inspection and approval of the facility. Lighting shall only be used for nighttime maintenance. A security light may be permitted however; it shall operate by a motion sensor only.

4. For collocation purposes, no further review by the Planning Commission shall be required, provided that all ground-mounted equipment is located within the proposed leased area and provided that any one of the proposed carriers installs no more than 12 panel antennas per carrier on the monopine and that there shall not be any increase overall height of the tower and branches.
5. All improvements associated with the communication facility, including equipment shelters, antennae, and fencing shall be properly maintained at all times. Planning Services requires that that all colors of the equipment enclosure and other improvements visible to the public shall be maintained to ensure the appearance remains consistent.
6. The applicant shall assume full responsibility for resolving television reception interference, if any, caused by operation of this facility. The applicant shall take corrective action within 30 days of receipt by Planning Services Development Services Division- Planning Services of any written television interference complaint.
7. All obsolete or unused communication facilities shall be removed by the applicant within six months after the use of that facility has ceased or the facility has been abandoned. The applicant shall notify Planning Services Development Services Division-Planning Services at the time of abandonment and all disturbance related to the communication facility shall be restored to pre-project condition.
8. ~~Due to the ever-changing technology of wireless communication systems, this Special Use Permit shall be reviewed by the Planning Commission every five years. At each five-year review, the permit holder shall provide the Planning Commission with a status report on the then current use of the subject site and related equipment. The Planning Commission shall review the status report and, based on an assessment of the information provided, current wireless communications technology, and possible local or cumulative impacts, determine whether to: (1) Modify the conditions of approval in order to reduce identified adverse impacts; and (2) Initiate proceedings to revoke the special use permit, requiring the facility's removal, if it is no longer an integral part o the wireless communication system. By operation of this condition, it is the intent of the Planning Commission to reserve the right to modify existing or add new conditions, consistent with the language specified above. The failure of the Planning Commission to conduct or complete a five-year review in a timely fashion shall not invalidate this special use permit. The applicant shall pay a fee as determined by the Development Services Director or his designee to cover the cost of processing a five-year review.~~

Due to the ever-changing technology of wireless communication systems, this Special Use Permit shall be reviewed by the County Development Services Division every five years. At each five-year review, the permit holder shall provide the Development Services Department with a status report on the then current use of the subject site and

related equipment. Development Services shall review the status and determine whether to:

- a. Allow the facility to continue to operate under all applicable conditions; or
- b. Hold a public hearing to determine whether to modify the conditions of approval in order to reduce identified adverse impacts; or initiate proceedings to revoke the special use permit, requiring the facility's removal if it is no longer an integral part of the wireless communications system.

By operation of this condition, it is the intent of County to reserve the right to modify or add new conditions, consistent with the language specified above. The failure of the County to conduct or complete a five-year review in a timely fashion shall not invalidate the Special Use Permit. The applicant shall pay a fee determined by the Development Services Director to cover the cost of processing a five-year review on a time and materials basis.

- 9. 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.
- 10. The Georgetown Divide Public Utility District shall participate in the Hotchkiss Hill Road Association as it relates to the cellular communication facility, not to exceed the fee for an individual homeowner.
- 11. Generator maintenance: Any routine maintenance that requires running the generator or automatic cycling of the generator shall be performed between the hours of 9 a.m. and 3 p.m. Monday through Friday.

**El Dorado County Environmental Management Department/Hazardous Materials Division:**

- 142. Under the Certified Unified Program Agency (CUPA) programs, if the operation, at any time, will involve the storage of reportable quantities of hazardous materials for backup power generation, a hazardous materials business plan for the site must be submitted to the Department and applicable fees paid.

**END OF CONSENT CALENDAR**

**DEPARTMENTAL REPORTS AND COMMUNICATIONS**  
**(Development Services, Transportation, County Counsel)**

Lillian MacLeod informed the Commission that at the December 9, 2014 Board of Supervisors meeting the public comment period for the Dixon Ranch Draft EIR had been extended to February 9, 2015.

**COMMISSIONERS' REPORTS**

Commissioner Mathews announced this might be his last meeting.

Commissioner Heflin announced there will be an Iowa Hill meeting on Monday night.

Commissioner Shinault announced that TRPA made the official halt to grading projects.

**PUBLIC FORUM/PUBLIC COMMENT** – None

**AGENDA ITEMS**

**3.** 14-1588 Hearing to consider a request to allow the construction of a wireless telecommunication facility [Special Use Permit S14-0009/AT&T Cell Tower Skyline Drive]\* on property identified by Assessor's Parcel Number 081-102-01, consisting of 0.32 acre, in the South Lake Tahoe area, submitted by New Cingular Wireless, LLC/AT&T; and staff recommending the Planning Commission take the following actions:

- 1) Adopt the Negative Declaration based on the Initial Study prepared by staff; and
  - 2) Approve Special Use Permit S14-0009 based on the Findings and subject to the Conditions of Approval as presented.
- (Supervisory District 5)

Joe Prutch presented the item to the Commission with a recommendation for approval. Mr. Prutch informed the Commission he received 14 public comment letters opposing the project. The main concerns were health and safety and property value dropping.

Chris Hatch, Shore to Shore Wireless, on behalf of AT&T. He gave an overview of the project to the Commission and was available for questions.

Commissioner Stewart concerned with lighting on the tower, the visual effects of the pine trees if the tops are trimmed and the running of the air conditioning units. He was also concerned with the fence height and how the shelter looked.

Commissioner Shinault described the existing beacon light and his concern with the visual effects if the pine trees were trimmed.

Lori London, resident, provided photos to the Commission of the view from her home of the cell tower site and asked them if this was their property would they want a cell tower in their yard or in their neighbors yard? Would they want their children or grandchildren playing under the cell tower? What are the long term health effects? There are no long term health studies. What about the peaceful sierra nights disturbed by the air conditioning units? If any of their answers are no, then they should vote no.

Lew Green, resident, discussed Tahoe Regional Planning Agency (TRPA) denial in 2007 and read a quote from the minutes. He stated that TRPA has not received an application for the project from the applicant. He has plenty of cell coverage. He is opposed of the project and wants the project to be denied.

Marc Royer, resident, is opposed of the project and concerned about health risks, safety, renters, property value and he stated that nothing good will come of this project.

Richard Ginsky, resident, is opposed of the project, too much commercial activity in a residential neighborhood, concerned with health and safety and property value declining and if 2 more carriers that might mean more shelters and more noise due to the air conditioning units.

Chair Mathews closed public comment.

Chris Hatch stated that AT&T does value all comments and opinions made by the public. He discussed how microwaves and florescent lights in a home have high electromagnetic exposure and health concerns are not a legitimate factor for a governing body to deny a project and asked the Commission to consider approving this project.

Commissioner Heflin asked if there were more carriers on the cell tower will there be more base units. Chris Hatch responded yes, however the base units are now smaller and are able to fit inside much smaller shelters. Commissioner Heflin commented the project does impact the character of the neighborhood and was not in favor of it.

Commissioner Stewart asked if AT&T could locate their equipment outside the shelter. Mr. Hatch stated that AT&T does not have the ability to locate equipment outside the shelter. Their equipment has fans and does not meet the noise requirements. Commissioner Stewart commented he could support the project with a lot of changes and he was not in favor of it.

Commissioner Shinault commented that the project would be an irritant to the residents downhill as well as the visual effects on the neighborhood and he was not in favor of it.

Commissioner Mathews commented on the concerns of health issues, property values and would like to wait and see what the Tahoe Regional Planning Agency was going to do.



Ensued discussion between County Counsel and the Commission regarding alternative coverage analysis.

There was no further discussion.

**Motion: Commissioner Stewart moved, seconded by Commissioner Mathews, and carried (4-0), to conceptually deny without prejudice and directed staff to return on the January 22, 2015 meeting with Findings for Denial.**

**AYES: Heflin, Shinault, Stewart, Mathews**  
**NOES: None**  
**ABSENT: Ridgeway**

*[Clerk's Note: At 10:35am Commissioner Shinault left his seat on the Commission]*

**4.** 14-1589 Hearing to consider a request to allow the construction of a wireless telecommunication facility [Special Use Permit S14-0008/Alibi Verizon Wireless Cell Site]\* on property identified by Assessor's Parcel Number 331-270-01, consisting of 8.51 acres, in the El Dorado area, submitted by Verizon Wireless; and staff recommending the Planning Commission take the following actions:

- 1) Adopt the Negative Declaration based on the Initial Study prepared by staff; and
  - 2) Approve Special Use Permit S14-0008 based on the Findings and subject to the Conditions of Approval as presented.
- (Supervisory District 3)

Joe Prutch presented the item to the Commission with a recommendation for approval and referenced Staff Memo dated December 3, 2014.

Mark Lobaugh, applicant provided an overview of the project and was available for questions.

Commissioner Stewart and Commissioner Mathews both commented on the type of pine and the height of it.

Chair Mathews closed public comment.

There was no further discussion.

**Motion: Commissioner Heflin moved, seconded by Commissioner Stewart, and carried (3-0), to take the following actions: 1) Adopt the Negative Declaration based on the Initial Study prepared by staff; and 2) Approve Special Use Permit S14-0008 based on the revised Findings and subject to the revised Conditions of Approval as identified in the Staff Memo dated December 3, 2014.**

**AYES: Stewart, Heflin, Mathews**  
**NOES: None**  
**ABSENT: Ridgeway, Shinault**

This action can be appealed to the Board of Supervisors within 10 working days.

**Findings**

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

**1.0 CEQA FINDINGS**

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.
- 1.4 The revision to the size of the lease area (631.6 additional square feet) for the cell tower facility is not considered a “substantial revision” pursuant to Section 15.073.5.c.4 of the CEQA Guidelines and, therefore, recirculation of the Negative Declaration is not required.

**2.0 GENERAL PLAN FINDINGS**

- 2.1 The project is consistent with the Medium Density Residential (MDR) land use designation of the subject site as defined by General Plan Policy 2.2.1.2. The project consists of a telecommunications tower, which is consistent with the allowed uses for the Residential Estate Five-Acre (RE-5) Zone District with an approved Special Use Permit.
- 2.2 As conditioned, and with adherence to Zoning Ordinance, the project is consistent with all applicable Policies of the General Plan, including:
  - 2.2.1 Policy 2.2.5.21 (compatibility with surroundings) because as conditioned, it would be compatible with surrounding uses, have minimal impacts on visual resources, existing utilities, existing emergency response access and times, and will create noises at insignificant levels. There are adequate services to facilitate the site, such as water, power and telephone communication facilities. The project provides improved cellular service for phone, as well as internet and emergency communications to the El Dorado area;
  - 2.2.2 Policy 5.1.2.1 (adequate utilities and public services) because the project will connect to existing electrical and telecommunication facilities currently existing within the parcel;

- 2.2.3 Policy 6.2.3.2 (adequate access) because the project will utilize an existing paved driveway surface for half the access with a new gravel driveway for the second half; and
- 2.2.4 Policy 6.5.1.7 (noise exposure) because the project will have noise levels anticipated to comply with the County's standards listed in Table 6-2 in the General Plan that limit acoustical noise emission levels.

### **3.0 ZONING FINDINGS**

- 3.1 The project site is zoned Residential Estate Five-Acre (RE-5), which allows wireless communication facilities with an approved special use permit, provided the applicant follow standards and permitting requirements defined in Section 17.14.210 of the Zoning Ordinance. These standards include screening, compliance with setbacks, and proper maintenance.
- 3.2 As proposed and conditioned, the project meets all applicable development standards contained within the Zoning Ordinance because sufficient screening, setbacks, and maintenance have been provided and/or conditioned.

### **4.0 SPECIAL USE PERMIT FINDINGS**

#### **4.1 The issuance of the permit is consistent with the General Plan.**

The proposed use is consistent with the policies and requirements in the El Dorado County General Plan, as discussed in the General Plan section of the Staff Report. The proposed use is consistent with all applicable policies as set forth in Finding 2.0.

#### **4.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.**

The use will not significantly conflict with the adjacent uses as the ground-support equipment will be buffered from view by on-site natural vegetation, and the tower antennas will be buffered by the manufactured pine branches. The view of the tower will be buffered by the existing trees surrounding the tower. As conditioned, the project is anticipated to result in insignificant environmental, visual, and noise impacts to surrounding residents. The proposed use is not anticipated to create hazards that would be considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood based on the data and conclusions contained in the staff report. At five percent or less of the public safety standard established by the FCC, the risk of RF emissions to the surrounding public is remote.

#### **4.3 The proposed use is specifically permitted by Special Use Permit.**

The proposed use complies with the requirements of Zoning Ordinance Section 17.14.210.E through J (facility requirements/analysis) and 17.28.210 (minimum yard setbacks for RE-5 Zone District).

**Conditions of Approval**

**Planning Services**

1. This Special Use Permit is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below:

- Exhibit E-1 .....Overall Site Plan, Sheet A-1; ~~June 26, 2014~~ November 12, 2014
- Exhibit E-2 .....Enlarged Site Plan, Sheet A-2; ~~June 26, 2014~~ November 12, 2014
- Exhibit E-3 .....Equipment and Antenna Layouts, Sheet A-3; ~~June 26, 2014~~ November 12, 2014
- Exhibit E-4 .....Southern Elevations, Sheet A-4.1; ~~June 26, 2014~~ November 12, 2014
- Exhibit E-5 .....Northern Elevations, Sheet A-4.2; ~~June 26, 2014~~ November 12, 2014
- Exhibit F.....Visual Simulations
- Exhibit G.....Oak Woodland Canopy Map

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.

Approval of the Special Use Permit allows the construction and operation of a new wireless communications facility to support cellular transmission within the existing 8.51-acre parcel identified by Assessor's Parcel Number 331-270-01, and consisting of the following:

- a. Up to six panel antennas mounted centerline at the height of 99.5 feet on a 102.5-foot tall monopine tower, with the top branches not to exceed 107.5 feet;
- b. One 12 by 17 foot concrete equipment shelter within a ~~an approximately 22 by 46~~ 29 by 56 foot lease area to house equipment cabinets and associated equipment;
- c. One six foot tall chain link fence topped with one foot of barbed wire constructed around the perimeter of the ground equipment and tower, with one access gate;
- d. One 5 by 10 foot concrete pad for a 132 gallon 30 kW emergency standby generator; and
- e. An aggregate base access road measuring approximately 12 feet wide by 350 feet in length from the end of the paved driveway to the cell tower site.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions

thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

### Planning Division

2. **Expiration:** Pursuant to Zoning Ordinance Section 17.22.250, implementation of the project shall occur within 24 months of approval of this permit, otherwise the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with Conditions of Approval.
3. **Responsibility for Interference:** The applicant shall assume full responsibility for resolving television reception interference or other electrical interference caused by the operation of this facility. The applicant shall take corrective action within 30 days of the receipt of any written complaint.
4. **Co-locating:** For co-location purposes, no further review by the Planning Commission shall be required provided that all ground-mounted equipment is located within the proposed lease area, and that there shall not be an increase in overall height of the tower nor substantial increase in breadth of antennas.
5. **Facility Appearance and Screening:** All equipment shelters, cabinets or other auxiliary structures shall be painted in a matching color to comply with the screening requirements of Section 17.14.210.F of the Zoning Ordinance. The pole shall be painted dark brown and the antennas shall be painted with non-reflective paint and maintained to match the color of the branch needles. All antennas shall either be covered with antenna socks that shall match the color and texture of the branch needles or painted to match the color of the branch needles. The branches shall be installed with random lengths that create an asymmetrical appearance conforming to the shape of a natural pine tree. No antenna shall project out past the branch tips. Planning Services shall verify the painting of all structures prior to final inspection and approval of the facility.
6. **Facility Maintenance:** All improvements associated with the communication facility, including equipment shelters, antennae, and fencing shall be properly maintained at all times. Colors of the panels, equipment enclosure, and other improvements visible to the public shall be maintained to ensure the appearance remains consistent.
7. **Generator Maintenance:** Any routine maintenance that requires running the generator or automatic recycling of the generator shall be performed between the hours of 9:00 a.m. to 3:00 p.m. Monday through Friday.
8. **Conditions Compliance:** Prior to issuance of a building permit or commencement of any use authorized by this permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an

inspection by Planning Services prior to Building Permit final for any Building Permit for verification of compliance with applicable Conditions of Approval.

9. **Obsolete Equipment:** All obsolete or unused communication facilities shall be removed within six months after the use of that facility has ceased or the facility has been abandoned. The applicant shall notify Planning Services at the time of abandonment and all disturbance related to the communication facility shall be restored to pre-project conditions.
10. **Five-Year Review:** Due to the ever-changing technology of wireless communication systems, this Special Use Permit shall be reviewed by the County Development Services Department every five years. At each five-year review, the permit holder shall provide the Development Services Department with a status report on the then current use of the subject site and related equipment. Development Services shall review the status and determine whether to:
  - a. Allow the facility to continue to operate under all applicable conditions; or
  - b. Hold a public hearing to determine whether to modify the conditions of approval in order to reduce identified adverse impacts; or initiate proceedings to revoke the special use permit, requiring the facility's removal if it is no longer an integral part of the wireless communications system.

By operation of this condition, it is the intent of County to reserve the right to modify or add new conditions, consistent with the language specified above. The failure of the County to conduct or complete a five-year review in a timely fashion shall not invalidate the Special Use Permit. The applicant shall pay a fee determined by the Development Services Director to cover the cost of processing a five-year review on a time and materials basis.

11. **Compliance Responsibility:** The operator (lessee) and property owner (lessor) are responsible for complying with all conditions of approval contained in this Special Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the owner and the operator.
12. **Payment of Processing Fees-Development Services:** The applicant shall make the actual and full payment of Planning and Building Services processing fees for the special use permit and building permits prior to issuance of a building permit.
13. **Archeological Resources:** The following shall be incorporated as a note on the grading/improvement plans:

In the event archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a "unique archaeological resource", contingency funding, and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the

avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archaeological mitigation takes place.

If the find is determined to be a “unique archeological resource”, the archaeologist shall determine the proper method(s) for handling the resource or item in accordance with Section 21083.2(b-k). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken or the site is determined a “nonunique archeological resource”.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

14. **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.

15. **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 developer and land owner 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 special use permit.

The County shall notify the applicant of any claim, action, or proceeding, and the County shall cooperate fully in the defense.

16. **Oak Tree Protection and Replacement:** Grading and construction activities will require compliance with oak tree protection measures as described in the *Tree Survey, Preservation, and Replacement Plan for the Alibi Verizon Site*, by Foothill Associates, dated October 16, 2014. The applicant shall plant oak trees or acorns in compliance with said Tree Survey and the Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.4.4.4.

#### **Environmental Management-Solid Waste and Hazardous Materials Division**

17. **Hazardous Materials:** Under the CUPA programs, if the operation will involve the storage of reportable quantities of hazardous materials (55 gallons, 500 pounds, 200 cubic feet) for backup power generation, a hazardous materials business plan for the site must be submitted to the Community Development Agency/Environmental Management Division and applicable fees paid.

#### **Air Quality Management District (AQMD)**

18. **Asbestos Dust:** Current county records indicate this subject property is located within the Asbestos Review Area. An Asbestos Dust Mitigation Plan (ADMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to project construction. (Rules 223 and 223.2) if the project will move more than 20 cubic yards of earth or requires a Grading Permit. The project shall adhere to the regulations and mitigation measures for fugitive dust emissions asbestos hazard mitigation during the construction process. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223 and 223.2.
19. **Paving:** Project construction may involve road development and shall adhere to AQMD Rule 224 Cutback and Emulsified Asphalt Paving Materials. (Rule 224).
20. **Painting/Coating:** The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.



21. **Construction Emissions:** During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at ARB's website here: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>. An applicability flow chart can be found here: [http://www.arb.ca.gov/msprog/ordiesel/faq/applicability\\_flow\\_chart.pdf](http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf). Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation.
22. **New Point Source:** Prior to construction/installation of any new point source emissions 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 and 523).
23. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be under permit from the California Air Resources Board (CARB). A copy of the current portable equipment permit shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment and daily hours of operations of each piece of equipment.

#### **Diamond Springs/El Dorado Fire District**

24. The applicant shall adhere to pertinent codes and standards from the California Code of Regulations Title 24 Part 9 California Fire Code (CFC), as amended by the Diamond Springs/El Dorado Fire Protection District (FPD), to the satisfaction of the FPD.

**5.** 14-1590 Hearing to consider the following requests: 1) General Plan Amendment amending the land use designation from Medium Density Residential (MDR) to Low Density Residential (LDR); 2) Zone change from Single-Family Three-Acre Residential (R3A) to Estate Residential Five-Acre (RE-5); and 3) Parcel Map creating three parcels ranging in size from 5 to 8.5 acres [General Plan Amendment A07-0015/Rezone Z07-0049/Parcel Map P06-0006/Noland Parcel Map]\* on property identified by Assessor's Parcel Number 042-680-32, consisting of 18.84 acres, in the Camino/Pollock Pines Community Region, submitted by Chad Noland; and staff recommending the Planning Commission recommend the Board of Supervisors take the following actions:

- 1) Adopt the Negative Declaration, based on the Initial Study prepared by staff;
  - 2) Approve General Plan Amendment A07-0015 based on the Findings as presented;
  - 3) Approve Zone Change Z07-0049 based on the Findings as presented; and
  - 4) Conditionally approve Parcel Map application P06-0006, based on the Findings and subject to the Conditions of Approval as presented.
- (Supervisory District 2)

Aaron Mount presented the item to the Commission with a recommendation to the Board of Supervisors for approval. Mr. Mount distributed a Staff Memo dated December 10, 2014 referencing the California Department of Fish and Wildlife Review Response. He also informed the Commission of a typo in Condition of Approval #11 that should read 18 feet in width and not 18 inches.

John Wilbanks, Agent, was present and available for questions.

Warren Wiley, resident, commented he had no objections to the project but had some concerns with the roads meeting County standards, wear and tear during construction, fire safety and water supply.

Dave Spiegelberg, Transportation, discussed the road requirements over 3,000 feet in elevation in accordance with County Standard Plan 101C and commented the applicant did not ask for a Design Waiver.

John Wilbanks stated that groundwater and wells are currently not an issue and resurfacing all of Arundel Road is out of the question.

Aaron Mount stated applicant is requesting a Design Waiver.

Chair Mathews closed public comment.

There was no further discussion.

**Motion: Commissioner Stewart moved, seconded by Commissioner Heflin, and carried (3-0), to recommend the Board of Supervisors take the following actions: 1) Adopt the Negative Declaration, based on the Initial Study prepared by staff; 2) Approve General Plan Amendment A07-0015 based on the Findings as presented; 3) Approve Zone Change Z07-0049 based on the Findings as presented; 4) Conditionally approve Parcel Map application P06-0006, based on the Findings and subject to the Conditions of Approval as corrected; a) Condition of Approval #11 to reference road width to be 18 feet and not 18 inches; and 5) Approve Design Waiver to place Double Chip Seal over 6 inch Aggregate Base in lieu of the 2.5 inch Hot Mix Asphalt over 6 inch Aggregate Base as specified in Condition of Approval #11, provided findings can be made.**

**AYES: Stewart, Heflin, Mathews**  
**NOES: None**  
**ABSENT: Ridgeway, Shinault**

**Findings**

**1.0 CEQA FINDINGS**

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

**2.0 GENERAL PLAN FINDINGS**

- 2.1 The proposed parcel map conforms to the General Plan in that the parcel is located within the Camino/Pollock Pines Community Region and the proposed use and development density are consistent with the proposed amended land use designation to Low Density Residential.

**2.2 The project is consistent with General Plan Policy 2.2.5.21.**

General Plan Policy 2.2.5.21 requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses. The project site is surrounded by both existing and proposed residential land uses, which would be compatible with the proposed development.

**2.3 The project is consistent with General Plan Policies 5.2.1.2.**

General Plan Policy 5.2.1.2 requires that adequate quantity and quality of water for all uses, including fire protection be provided with proposed development. All lots within the project will have a well approved by the El Dorado County Environmental Management Division. The individual wells will provide domestic water and provide water for fire protection. Residential fire sprinklers will be required for each home at the building permit stage. All houses will have their own water tank for its domestic water, fire protection and fire sprinklers. The actual tank size will be determined once fire spinkler systems are designed for each specific residence. All fire sprinklers will meet NPFA 13-D standards and be approved by the El Dorado County Fire Protection District.

**2.4 The project is consistent with General Plan Policy 5.2.1.3.**

General Plan Policy 5.2.1.3 requires all medium-density residential, high-density residential, multifamily residential, commercial, industrial and research and development projects shall be required to connect to public water systems when located within Community Regions and to either a public water system or to an approved private water systems in Rural Centers. The requested reduction in General Plan land use density from Medium Density Residential to Low Density Residential will bring the project into compliance with this Policy as higher density-serving infrastructure is not yet available for the project site. The closest public water infrastructure is approximately 3,500 feet away from the project parcel.

**2.5 The project is consistent with General Plan Policy 5.2.3.4**

General Plan Policy 5.2.3.4 requires all applications for divisions of land which rely on groundwater for domestic use demonstrate that groundwater is adequate as part of the review and approval process. Water wells are required to be constructed to the standards specified in "Water Well Standards", State of California, Department of Water Resources, Bulletin 74-81 (and supplements); and must be capable of providing to each connection a minimum of five gallons per minute, either from the well itself or a combination of well and storage, at a minimum of 15 pounds per square inch pressure. The property owner would be required to demonstrate to the satisfaction of the Environmental Management Division that a safe and reliable water source will be provide to each parcel prior to filing the Parcel Map and therefore, would be consistent with the General Plan.

**2.6 The project is consistent with General Plan Policy 5.3.1.7**

General Plan Policy 5.3.1.7 requires that in Community Regions, all new development shall connect to public wastewater treatment facilities. In Community Regions where public wastewater collection facilities do not exist project applicants must demonstrate that the proposed wastewater disposal system can accommodate the highest possible demand of the project. The Camino/Pollock Pines Community Region does not have public sewer service. The project would be served by individual sewage disposal areas. Percolation tests and preliminary septic system designs were completed for each proposed parcel and the report was reviewed and approved by the Environmental Management Division. The applicant would submit the results of the soil mantels and percolations tests, with the septic system design to the Environmental Management Department for approval at time of building permit application.

**2.7 The project is consistent with General Plan Policy 5.7.1.1**

General Plan Policy 5.7.1.1 requires the applicant demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection be provided concurrent with development. The El Dorado County Fire Protection District would provide fire protection service to the project site. A Fire Safe Plan is required prior to

filing of the parcel map, which requires water storage, fire hydrant placement, and fire sprinklers to ensure adequate fire protection infrastructure.

**2.8 The project is consistent with General Plan Policy 6.2.3.2.**

General Plan Policy 6.2.3.2 directs the applicant to demonstrate that adequate access exists, or can be provided for emergency vehicles and private vehicles to access and evacuate the area. The project would comply with the Fire District minimum Fire Safe standards for roadways, access driveway, and turnaround capacity at time of site construction. The proposed parcel map is consistent with Title 14 Fire Safe Regulations for dead-end roadway length. The length of the access route from the project parcel to Starkes grade is approximately 1,200 feet which is less than the maximum allowed length of 2,640 feet for parcels zoned five to 19.99 acres and for the adjacent parcels zoned for one to 4.99 acres of 1,320 feet. Additionally, Arundel Road does not serve more than 24 existing or potential parcels and does not exceed 2,640 feet as required by the Design and Improvements Standards Manual. The project would be in compliance with this policy.

**3.0 ZONING FINDINGS**

**3.1 The proposed use is consistent with Title 17.**

The project, as proposed and conditioned is consistent with the Zoning Ordinance because the three parcels have been designed to comply with the requested zone change to Estate Residential Five-Acre (RE-5) and the development standards provided within Section 17.28.210 of the Zoning Ordinance.

**4.0 PARCEL MAP FINDINGS**

**4.1 The proposed tentative map, including design and improvements, is consistent with the General Plan.**

The proposed Parcel Map is consistent with the General Plan as set forth in Findings 2.0.

**4.2 The proposed Parcel Map conforms to the applicable standards and requirements of the County's zoning regulations and Minor Land Division Ordinance.**

The parcels have been analyzed in accordance with Section 17.28.210 of the Zoning Ordinance (Development Standards) and would comply with the required minimum lot area and minimum lot width requirements. As proposed and conditioned, the Parcel Map conforms to the development standards within the requested RE-5 zone district and the Minor Land Division Ordinance.

**4.3 The site is physically suitable for the proposed type and density of development.**

The proposed development meets the density and minimum parcel sizes allowed in the requested Low Density Residential land use designation and conforms to the minimum

parcel size and development standards of the RE-5 zone district. Further, it would be compatible with the surrounding development pattern.

4.4 **The proposed subdivision is not likely to cause substantial environmental damage.**

The project impacts have been analyzed in the Negative Declaration and applicable conditions of approval have been applied to reduce potential impacts so that the project would not cause substantial environmental damage.

**Conditions of Approval**

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 feet 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.
6. 14-1591 Hearing to consider the following requests: 1) General Plan Amendment amending the land use designation from Multifamily Residential (MFR) to High Density Residential (HDR); 2) Rezone from Multifamily Residential-Design Control (RM-DC) to One-Family Residential (R1); 3) Tentative map to subdivide into 58 total lots; and 4) Design waiver of the following Design and Improvement Standards Manual (DISM) standards: (a) Reduction of Right-of-Way for A through C Drives from 50 feet to 40 feet; B) Reduction of road width for A through C Drive from 36 feet to 29 feet; C) Allow driveway to be within 25 feet from a radius return, allow 10-foot wide driveway for single car garages and 16-foot wide driveway for two-car garages, and omit 4-foot taper to back of curb; and D) Reduce standard sidewalk width from 6-foot wide to 4-foot wide and allow sidewalk on one side of the internal road only [General Plan Amendment A14-0005/Rezone Z14-0009/Tentative Map TM14-1514/El Dorado Springs 23]\* on property, identified by Assessor's Parcel Number 117-010-05, consisting of 21.65 acres,

in the El Dorado Hills area, submitted by Standard Pacific Homes Corporation; and staff recommending the Planning Commission recommend the Board of Supervisors take the following actions:

- 1) Adopt the Mitigated Negative Declaration based on the Initial Study;
- 2) Adopt the Mitigation Monitoring Reporting Program in accordance with CEQA Guidelines Section 15074(d), incorporated as Conditions of Approval as presented;
- 3) Approve General Plan Amendment A14-0005 based on the Findings as presented;
- 4) Approve Rezone Z14-0009 based on the Findings as presented;
- 5) Approve Tentative Map TM14-1514 based on the Findings and subject to the Conditions of Approval as presented; and
- 6) Approve the following Design Waivers based on the El Dorado County Design and Improvement Standards Manual (DISM):
  - (a) Reduction of Right-of-Way for A through C Drives from 50 feet to 40 feet;
  - (b) Reduction of road width for A through C Drives from 36 feet to 29 feet;
  - (c) Allow driveway to be within 25 feet from a radius return, allow 10-foot wide driveway for single car garages and 16-foot wide driveway for two-car garages, and omit 4-foot taper to back of curb; and
  - (d) Reduce standard sidewalk width from 6-foot wide to 4-foot wide and allow sidewalk on one side of the internal road only.  
(Supervisory District 1)

Mel Pabalinas presented the item to the Commission with a recommendation to the Board of Supervisors for approval and referenced Staff Memo dated December 9, 2014.

Mike McDougal, MJM Properties, representing the applicant, provided an overview of the project to the Commission and was available for questions. Mr. McDougal also thanked Commissioner Mathews for his years of service.

Chair Mathews closed public comment.

There was no further discussion.

Commissioner Stewart and Commissioner Heflin both thanked Commissioner Mathews for his years of service.

**Motion: Commissioner Mathews moved, seconded by Commissioner Stewart, and carried (3-0), to take the following actions: 1) Adopt the Mitigated Negative Declaration based on the Initial Study; 2) Adopt the Mitigation Monitoring Reporting Program in accordance with CEQA Guidelines Section 15074(d), incorporated as Conditions of Approval as amended; 3) Approve General Plan Amendment A14-0005 based on the Findings as presented; 4) Approve Rezone Z14-0009 based on the Findings as presented; 5) Approve Tentative Map TM14-1514 based on the Findings and subject to the Conditions of Approval as amended in the Staff Memo as follows: a) Amend Conditions of Approval 2 and 3 as identified in the Staff Memo dated December 9, 2014; and 6) Approve the following Design Waivers based on the El Dorado County Design and Improvement**

**Standards Manual (DISM): (a) Reduction of Right-of-Way for A through C Drives from 50 feet to 40 feet; (b) Reduction of road width for A through C Drives from 36 feet to 29 feet; (c) Allow driveway to be within 25 feet from a radius return, allow 10-foot wide driveway for single car garages and 16-foot wide driveway for two-car garages, and omit 4-foot taper to back of curb; and (d) Reduce standard sidewalk width from 6-foot wide to 4-foot wide and allow sidewalk on one side of the internal road only.**

**AYES: Heflin, Stewart, Mathews**  
**NOES: None**  
**ABSENT: Ridgeway, Shinault**

## **Findings**

### **1.0 CEQA FINDINGS**

An Initial Study has been conducted to determine if the proposed project would have a significant effect on the environment. Supporting technical studies, including Air Quality Analysis/Greenhouse Gas Analysis, Traffic Impact Analysis, Biological Resources Assessment, Geotechnical Engineering Study, Cultural Resources Inventory and Evaluation, and Environmental Noise Assessment, are referenced in this Initial Study. Based on the Initial Study, a Mitigated Negative Declaration have been determined as specific impacts to Biological Resources and Noise have been identified that would be subject to mitigation measures minimizing its effects to a less than significant level.

The documents and other materials, which constitute the record of proceedings upon which this decision is based, are in the custody of the Development Services Department-Planning Services 2850 Fairlane Court Placerville, CA 95667.

Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The project description and conditions of approval, which include the original mitigation measures, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

### **2.0 ADMINISTRATIVE FINDINGS**

#### **General Plan**

#### **2.1 Land Use Element- General Plan Policies 2.1.1.7 (Development within Community Region) 2.2.1.2 (Land Use Type and Density), 2.2.1.3 (Population Range), 2.2.5.3 (Rezone Consistency), 2.2.5.21 (Development Compatibility).**

The project is appropriately located in the Community Region of El Dorado Hills where public services such as water, sewer, emergency services, and schools exists and would



adequately serve the project. The project density of 2.26 dwelling units/acre (du/ac) is consistent with the density under High Density Residential. The subdivision would be compatible with the surrounding residential development in the area. Impacts to on-site biological and cultural resources and habitat shall either be preserved as part of the project or mitigated accordingly. The project is consistent with the recorded density restrictions on the property.

**2.2 Land Use Element- General Plan Policy 2.2.5.4 (Application of Planned Development).**

The number of lots is below the 50-lot quantity. Therefore, project is consistent with this policy and does not require a Planned Development.

**2.3 Land Use Element- General Plan Policy 2.2.5.21 (Project Compatibility).**

El Dorado Springs 23 subdivision shall be a part of the existing and planned residential density and design in this area of El Dorado Hills.

**2.4 Circulation and Transportation Element- General Plan Policies TC-Xe, TC-Xf, TC-Xg, TC-Xh (Levels of Service and Concurrency).**

The proposed development would be accessed via improvement and connection to existing road infrastructure currently serving the residential neighborhood. As analyzed and determined by the Transportation Division, the proposed development would not worsen the existing Level of Service (LOS) in the area. As conditioned, payment of standard traffic impact mitigation (TIM) fees shall be required prior to issuance of the residential building permits.

**2.5 Public Services and Utility Element- General Plan Policies 5.1.2.1, 5.1.2.2, 5.1.2.3, 5.2.1.3 (Adequacy of Public Utility for Water and Sewer Services).**

The proposed development is within the El Dorado Irrigation District (EID) service area where public water and sewer utilities currently exist. The development would be required to improve and connect to these infrastructures in order to obtain the service. A Facility Plan Report (FPR), which details the necessary facility improvements, would be required subject to review and approval by EID. An EID meter award letter would be required as proof of rights to service prior to filing of the Final Map.

**2.6 Public Services and Utility Element- General Plan Policies 5.4.1.1, 5.4.1.2 (Drainage and Erosion).**

The subdivision is designed to address storm drainage using open ditch and underground pipes, subject to Design and Improvement Standards Manual (DISM) construction and design standards. Best Management Practices shall be enforced in order to minimize erosion effects during site construction. Impacts to wetlands would be mitigated through

permitting requirements from the issuing agencies including the U.S. Army Corps of Engineers and California Regional Water Quality Board.

**2.7 Health and Safety Element- General Plan Policies 6.2.3.1 and 6.2.3.2 (Fire Protection Services), 6.5.1.1 (Noise).**

The project is located within the El Dorado Hills Community Region, where fire protection service is provided by the El Dorado Hills Fire Department. This site is designated as moderate in terms of fire hazard. Specific project conditions of approval, including minimum fire suppression and road standards, shall be applied subject to verification by the Fire Department prior to any construction. Site development shall be required to implement and adhere to specific provisions identified in the approved Wildfire Safe Plan. Vehicular noise along White Rock Road shall be mitigated to a less than significant level with construction of a soundwall.

**3.0 Zoning**

The subdivision is consistent with the applicable provisions of the Zoning Ordinance including requirement for density, lot size regulation, and yard setbacks.

**4.0 Subdivision Ordinance**

**4.1 That the proposed map is consistent with the applicable general and specific plans;**

As discussed above, the project is consistent with applicable policies of the General Plan including density, neighborhood compatibility, and availability of infrastructures necessary to serve the project.

**4.2 That the design or improvement of the proposed subdivision is consistent with the applicable general and specific plans;**

The project and required improvements have been designed in conformance with the applicable policies of the General Plan, including allowable density, infrastructure availability, and preservation of sensitive resources.

**4.3 That the site is physically suitable for the type of development;**

The site is physically suitable for the proposed residential development. The topography of the site would be able to accommodate the development; sensitive areas would be preserved in open space areas; and affected wetland features would be mitigated through permitting requirements.

**4.4 That the site is physically suitable for the proposed density of development;**

The density of the project can be accommodated on the site. The lots and roads are adequately sized and designed; necessary infrastructures to serve the site would be

accommodated within identified right-of-way and easements; and sensitive resources identified to be preserved are located in open space areas.

**4.5 That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish and wildlife or their habitat;**

As analyzed in the Initial Study for the project, identified project effects to biological resources shall be mitigated to less than significant level. Therefore, the project is not likely to cause substantial environmental damage or injure wildlife or their habitat.

**4.6 That the design of the subdivision or the type of improvements is not likely to create serious public health and safety problems or unacceptable fire risks to occupants or adjoining properties;**

The project is required to construct improvement in accordance with the conditions of approval and applicable regulations so as to not create public health and safety problems for future residents and/or the adjoining residential neighborhood.

**4.7 The board of supervisors shall not deny approval of a final map pursuant to section 66474 of the Subdivision Map Act if a tentative map has been approved for the proposed subdivision and if the board finds that the final map is in substantial compliance with the previously approved tentative map;**

Prior to recordation, the final map for this subdivision shall be reviewed and verified for conformance with the approved tentative map.

**4.8 That the design of the subdivision or the type of improvements will not conflict with easement, acquired by the public at large, for access through or use of property within the proposed subdivision.**

Subject to conditions of approval, all necessary utility and right-of-way easements for the project are appropriately depicted on the submitted plans and shall be further verified for any conflicts by the County Surveyor's Office at the time of filing of the Final Map for any portions of the approved tentative map.

**5.0 Design Waivers**

The Design Waivers requested are subject to specific findings under Section 16.08.020 of the El Dorado County Subdivision Ordinance described below.

- A. There are special conditions or circumstances peculiar to the property proposed to be subdivided which would justify the waiver.
- B. Strict application of the design or improvement requirements of this chapter would cause extraordinary and unnecessary hardship in developing the property.
- C. The waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.

D. The waiver would not have the effect of nullifying the objectives of this Article or any other law or ordinance applicable to the subdivision.

The following describes the requested Design Waivers and responds to the required findings.

**Design Waiver 1:** Reduction Right-of-Way for A through C Drive from 50 feet to and 40 feet; and

**Design Waiver 2:** Reduction of road width for A through C Drive from 36 feet to 29 feet.

A. Reduced right-of-way and roadway width will better conform to the existing topography and natural features on the site. This waiver will also aid in creating a more efficient clustering of housing within the development. The increased right of way and road width would require more extensive grading work, increasing the potential for wetland impacts and increasing impervious area.

B. Wider road rights-of-way and roadway width would unnecessarily increase the physical landform disturbance and the potential for wetland impacts.

C. The Project is proposing a gated community with private streets. The proposed roadway width is consistent with County Standard Plan 101B and County adopted fire regulations. This waiver is not anticipated to be detrimental to the health, safety, convenience, and welfare of the public.

D. The waivers would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable, as the requested waivers exclusively apply to this subdivision.

**Design Waiver 3:** Allow driveway to be within 25 feet from a radius return, allow 10-foot wide driveways for single car garage and 16-foot wide driveways for two-car garage, and omit 4-foot taper to back of curb;

A. Application of this waiver will provide for more flexibility and creative design opportunities, and provide for a more unique overall subdivision appearance while reducing project impervious area.

B. Strict application will limit final product choices and create unnecessary hardship.

C. The Project proposes a gated community with private streets. With low anticipated traffic volumes, this waiver is not anticipated to be detrimental to health, safety, convenience, and welfare of the public.

- D. The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance as this waiver exclusively applies to this subdivision.

**Design Waiver 4:** Reduce standard sidewalk width from 6-foot wide to 4-foot wide, and allow on one side of the internal road, only

- A. Narrow sidewalks will better conform to the existing topography and features of the site and will contribute to a reduction in project impervious area.
- B. Strict application of this standard will unnecessarily increase physical landform disturbance, the potential for wetland impacts, impervious area and decrease the quality of preserved open spaces.
- C. The Project proposes a gated community with private streets. Sidewalks will accommodate pedestrian circulation. This waiver is not anticipated to be detrimental to health, safety, convenience, and welfare of the public.

General Plan Policy TC-5a requires sidewalks and curbs only in subdivisions where residential lots are less than 10,000 sf. All residential lots within the proposed subdivision are larger than 10,000 sf. The County and the project applicant shall ensure that sidewalks have an unobstructed width of 4-foot, or the unobstructed width shall meet the current regulatory standard in place at the time of improvement plan approval, whichever is greater.

The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance as this waiver exclusively applies to this subdivision.

### **Conditions of Approval**

#### **Project Description**

1. The General Plan Amendment, Rezone, Tentative Subdivision map and Design Waivers are based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits F, G, and H 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 consists of the following:

- A. General Plan Amendment amending the land use designation from Multifamily Residential (MFR) to High Density Residential (HDR);
- B. Rezone amending the zoning designation from Multifamily Residential-Design Control (RM-DC) District to One-Family Residential (R1) District;
- C. Tentative map subdividing 21.65 acres property into 58 total lots consisting of 49 residential lots, one private road lot (Lot R1), future Right-of-Way lot (R2), and seven open space/landscape lots. The map includes a Phasing Plan for the financing or phasing of the residential development into two phases; and
- D. Design waiver of the following Design and Improvement Standards Manual (DISM) standards:
  1. Reduction of Right-of-Way for A through C Drives from 50 feet to and 40 feet;
  2. Reduction of road width for A through C Drive from 36 feet to 29 feet.
  3. Allow driveway to be within 25 feet from a radius return, allow 10-foot wide driveway for single car garages and 16-foot wide driveway for two-car garages, and omit 4-foot taper to back of curb; and
  4. Reduce standard sidewalk width from 6-foot wide to 4-foot wide, allow sidewalk on one side of the internal road, only

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

### Planning Services

The following are mitigation measures from the Initial Study/Mitigated Negative Declaration.

2. **MM BIO-1 Pre-construction Surveys Required:** MM BIO-1 Pre-construction Surveys Required: ~~A~~Pre-construction surveys (for species listed in Table 1 of the Biological Resources Assessment prepared by Foothill Associates, dated February 12, 2014 and updated in the letter dated December 8, 2014,) shall be conducted on the project site and adjacent properties, as access allows, by a qualified biologist(s) no more than ~~30~~ 14 days prior to the onset of construction activities. To maximize the potential for locating ~~to determine~~ if burrowing owls on or adjacent to the site, the survey shall be conducted before 10 AM or within 2 hours prior to dusk and a final survey will be conducted within 24 hours prior to the start of construction. If construction will take place during the

nesting season (March 15- September 15), potential Swainson's hawk nest trees within ¼-mile of the project site should be surveyed, as access allows. If construction is scheduled to begin outside the bloom period (March – June), then an additional focused survey for special-status plant species shall be conducted during the bloom period. The results of pre-construction surveys should be submitted to the County and regulatory agencies as appropriate. ~~or other migratory birds occupy the site.~~

If non-listed special-status plant species are identified on the site in an area that will not be disturbed, the population should be preserved in place and protected with high-visibility fencing. If impacts are unavoidable, then a mitigation plan documenting the procedures for relocating the population to the on-site open space should be prepared and submitted to the County for approval. If State or federally-listed plant species are identified during the pre-construction surveys, then the CDFW and USFWS should be consulted, as appropriate, for applicable avoidance and mitigation measures.

If special-status species or active avian nests of burrowing owls or other migratory birds are identified on or adjacent to the site during the pre-construction survey, a buffer zone shall be established as recommended by the project biologist. The Active nests should be monitored until the young have fledged and the nest is no longer in active use. If any special-status species is found on site during construction, work in the immediate vicinity will cease until a qualified biologist provides take avoidance measures. If relocation of a special-status species is required, the project biologist will coordinate with the County and regulatory agencies as required, for approval of the relocation methods and procedures prior to relocation.

~~California Department of Fish and Wildlife (CDFW) shall be consulted for current guidelines and methods for passive relocation of any raptor found on the site. For example, if an active owl burrows are located during the pre construction survey, it is recommended a 250 foot buffer zone may be established around each burrow with an active nest until the young have fledged, and are able to exit the burrow. If occupied burrows are found with no nesting occurring, or if active burrows are found after the young have fledged, or if development commences after the breeding season (typically February August), passive relocation of the birds involving installation of a one way door at the burrow entrance should be performed.~~

If construction activities are delayed by a period of one year or more, a qualified biologist(s) shall conduct additional surveys for any new, previously unidentified special status species that may occur on the project site, which are listed by CDFW and/or USFWS.

If the additional surveys identify new and/or previously unidentified special status species, informal Consultation must be initiated with California Department of Fish and Wildlife (CDFW) and/or United States Fish and Wildlife Service (USFWS) to determine appropriate avoidance measures.

The applicant shall follow the appropriate avoidance measures issued by CDFW and/or USFWS, and no construction activities shall occur on the project site until the avoidance measures are issued and implemented. If no species or active nests are found, then no further action is required, and construction activities may proceed upon approval by Planning Services.

3. **MM BIO-2: Wetland Permit.** ~~A wetland delineation performed on the site shall be submitted to the Corps for verification and the~~ The appropriate Section 404 permit shall be acquired for any project-related impacts to jurisdictional features. If a Section 404 permit is required for the proposed project, water quality concerns during construction would be addressed with a Section 401 water quality certification from the Regional Water Quality Control Board.

Aquatic features to be preserved on or adjacent to the project site will be protected during construction using best management practices, including but not limited to, erosion control measures, soil stabilization, and spill prevention and handling procedures. Post-construction impacts to aquatic features will be minimized or avoided through project design and in accordance with County General Plan policies.

Mitigation for permanent loss of aquatic features will be mitigated through off-site replacement at an approved mitigation bank to ensure no net loss of wetland or riparian habitat. Temporary impacts to aquatic features will be mitigated by restoration to pre-project conditions.

**Monitoring Responsibility:** Planning Services

**Monitoring Requirement:** Prior to issuance of Grading Permit, the applicant shall provide proof of acquisition of Section 404 and 401 permits and appropriate mitigation credits to ensure no net loss of aquatic features.

4. **MM NOI-1 Noise Mitigation:** The applicant shall construct a minimum of 6-foot tall soundwall along the rear property lines of the residential lots along White Rock Road. The location shall be in accordance with Figure 2 of the *Environmental Noise Analysis* prepared by Bollard Acoustical Consultants dated March 28, 2014.

Monitoring Responsibility: Planning Services

Monitoring Requirement: Details of the soundwall shall be incorporated into the Improvement and Grading Plans for the subdivision. The entire soundwall shall be constructed prior to final occupancy of the first residential unit.

5. **MM NOI-2 Noise Mitigation:** The applicant shall implement use of standard residential construction (wood or stucco siding, STC-27 windows, door weatherstripping, exterior wall insulation, composition plywood roof) on all two-story residential units.

Monitoring Responsibility: Planning Services



Monitoring Requirement: Details of the construction materials shall be incorporated into the Building Permit Plans for all residential building permits.

6. **Human Remains:** If human remains are encountered during earth-disturbing activities within the project area, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. If the remains are determined to be Native American in origin, both the Native American Heritage Commission (NAHC) and any identified descendants shall be notified by the Coroner and recommendations for treatment solicited (CEQA Guidelines Section 15064.5; Health and Safety Code Section 7050.5; Public Resources Code Sections 5097.94 and 5097.98). This requirement shall be noted on grading plans and shall be verified prior to issuance of grading permits.

In the event that previously unknown cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archeologist shall make recommendations on the measures to be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds, in accordance with Section 15064.5 of the CEQA Guidelines. Cultural resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites.

7. **Tentative Map Expiration:** This tentative map shall expire 36 months from the date of approval unless a timely extension is filed.
8. **Landscape Plan:** Landscaping plans for Lots A, B and G shall be coordinated with the Rolling Hills Community Services District, and reviewed and approved by the Development Services Department-Planning Services Division as part of Improvement Plan review. The landscaping shall be installed prior to issuance of occupancy of first residential unit.
9. **Development Services Division Fees:** Prior to final map approval, the applicant shall pay all Development Services Division fees associated with this application.
10. **Notice of Determination:** The applicant shall submit to Planning Services a \$50.00 recording fee and a Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No final map shall be filed until said fees are paid.
11. **Meter Award Letter:** A meter award letter or similar document shall be provided by the water purveyor prior to recordation of the final map.
12. **Liens and Bonds:** Prior to filing the Final Map, if the subject property is subject to liens for assessment or bonds, pursuant to the provisions of Government Code Section 66493, the owner or subdivider shall either: (a) Pay the assessment or bond in full, or (b) File security with the Clerk of the Board of Supervisors, or (c) File with the Clerk of the Board of Supervisors the necessary certificate indicating provisions have been made for

segregation of bond assessment responsibility pursuant to Government Code Section 66493 (d).

13. **Hold Harmless:** 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.

**Transportation Division-Specific Conditions**

14. **Road Design Standards:** The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM), modified as shown in Table 1. The improvements shall be completed to the satisfaction of the El Dorado County Transportation Division (EDCTD) or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map: (the requirements outlined in Table 1 are minimums)

<b>Table 1. El Dorado Springs 23 Tentative Map Road Improvements</b>				
<b>ROAD NAME</b>	<b>DESIGN STANDARD PLAN</b>	<b>ROAD WIDTH*/ SHOULDER WIDTH</b>	<b>RIGHT OF WAY**</b>	<b>EXCEPTIONS/ NOTES</b>
“A” Drive “B” Drive “C” Drive	Std Plan 101B (3-inch AC over 8-inch AB Min. or as recommended by geotechnical engineer)	29 ft	40 ft	Two 12.5 foot wide lanes, Type 1 rolled Curb and gutter, 4-foot sidewalk on one side of street. 25 MPH Design Speed. (DISM Pg 17, Sec 2.E. C,G & S))

\* Road widths are measured from curb face to curb face or edge of pavement to edge of pavement if no curb (traveled way). Curb face for rolled curb and gutter is 6 inches from the back of the curb.

\*\* Non-exclusive road and public utility easements included

15. **Encroachment Permit White Rock Road “A” Drive:** The applicant shall obtain an encroachment permit from EDCTD and shall construct both roadway encroachments from the access roadway onto White Rock Road to the provisions of County Design Standards 103E. “A” Drive shall be aligned with the existing intersection of White Rock

- Road and Carson Crossing Drive and the profile set to accommodate future widening of White Rock Road. The improvements shall be completed to the satisfaction of the EDCTD or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
16. **Encroachment Permit White Rock Road “C” Drive:** The applicant shall obtain an encroachment permit from EDCTD and shall construct both roadway encroachments from the access roadway onto White Rock Road to the provisions of County Design Standards 103E. The Roadway “C” Drive shall be a right-in right-out access on to White Rock Road and shall be signed and striped in conformance with the latest version of the California Manual Uniform Traffic Control Devices (MUTCD). The “C” Drive profile shall be set to accommodate future widening of White Rock Road. The improvements shall be completed to the satisfaction of the EDCTD or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
  17. **“A” Drive - Left Turn Channelization on White Rock Road:** The applicant shall design and construct a left turn pocket on to the western project access road according to the provisions of the Caltrans Highway Design Manual and/or AASHTO. The improvements shall be included in the project improvement plans and completed to the approval of the EDCTD or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
  18. **Offer of Dedication, White Rock Road:** The project is adjacent to the White Rock Road Widening (2 to 4 lanes) – Manchester Drive to Sacramento County Line project listed in the County’s Capital Improvement Program as project No. GP137. This segment of White Rock Road is also within the Sacramento Southeast Transportation Corridor. The applicant shall irrevocably offer to dedicate, in fee, the necessary right of way to measure typically 62 feet from the center line of White Rock Road for the on-site portion of White Rock Road along the entire property frontage, as shown on the tentative map, and prior to filing the map. This offer will be accepted by the County.
  19. **Gates, Location:** Pursuant to Article 2, Section 1273.11 of the SRA Fire Safe Regulations, all gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road. Additionally, gate entrances shall be at least two feet wider than the width of the traffic lane(s) serving that gate.
  20. **Gates, Turnarounds:** All gates shall be designed and constructed with turnarounds acceptable to the EDCTD and the Fire Department. The improvements shall be completed to the satisfaction of the EDCTD or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
  21. **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. EDCTD shall review the document forming the entity to ensure the provisions are adequate prior to filing of the map. EDCTD recommends that a Home Owner's Association be created and assume responsibility for maintenance of all drainage, storm water quality, and roadway facilities within the project.

22. **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).
23. **Performance Bond:** The construction of all required improvements shall be completed with the presentation of the final map to the Development Services Director before presentation of the final map to the Board of Supervisors for its approval. For improvements not completed, the sub divider shall provide a 100 percent performance surety and a 50 percent labor and materialness surety by separate bond, cash deposit, assignment, or letter of credit from a financial institution. For improvements which have been completed, the sub divider 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 EDCTD.
24. **Subdivision Improvement Agreement & Security:** The developer shall enter into a Subdivision Improvement Agreement (SIA) with the EDCTD for all onsite roadway, drainage infrastructure, grading, etc. The developer shall complete the improvements to the satisfaction of EDCTD or provide security to guarantee performance of the SIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing the final map.

#### **Transportation Division-Standard Conditions**

25. **Improvement Plans and Cost Estimate:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the County Subdivision Design and Improvement Standards Manual from the EDCTD, and pay all applicable fees prior to filing of the final map.
26. **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 EDCTD prior to the filing of the map. The signing and striping shall be designed and constructed per the latest version of the California Manual Uniform Traffic Control Devices (CaMUTCD).
27. **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).
28. **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.
29. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.
  30. **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.
  31. **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 EDCTD for review and approval. The plan shall be in conformance with the County of El Dorado Design and Improvement Standards Manual (DISM), 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 EDCTD prior to occupancy clearance.
  32. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the EDCTD. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the EDCTD 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.
  33. **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 EDCTD. The EDCTD shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
  34. **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 EDCTD. 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.

35. **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 EDCTD.

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 EDCTD prior to the filing of the final map or the applicant shall obtain an approved improvement agreement with security.

36. **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.
37. **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.

38. **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.
39. **Storm Water Drainage BMPs:** Storm drainage from on-and off-site impervious surfaces (including roads) shall be collected and routed through specially designed water quality treatment facilities (BMPs) for removal of pollutants of concern (e.g. sediment, oil/grease, etc.), as approved by EDCTD. This project is located within the area covered by El Dorado County’s municipal storm water quality permit, pursuant to the National Pollutant Discharge Eliminated System (NPDES) Phase II program. Project related storm water discharges are subject to all applicable requirements of said permit. BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) storm water runoff in accordance with Section E.12 of El Dorado County’s NPDES Municipal Storm water Permit (State Water Resources Control Board NPDES General Permit No. CAS000004).

With the Improvement Plans, the applicant shall verify that the proposed BMPs are appropriate to treat the pollutants of concern from this project. A maintenance entity of these facilities shall be provided by the project applicant. EDCTD shall review the document forming the entity to ensure the provisions are adequate prior to filing of the final map.

40. **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 EDCTD with the record drawings, drainage report, structural wall calculations, and geotechnical reports in PDF format.
41. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.
42. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.

#### **Air Quality Management District**

43. **Wood-burning devices:** The installation of open hearth wood-burning fireplaces or woodstoves shall be prohibited in favor of more energy-efficient and less polluting heating devices using cleaner burning fuels such as natural gas, propane or electricity. If fireplaces are desired, AQMD recommends using “natural-gas or propane only” fireplaces with flues/chimneys designed to only accommodate natural gas /propane

- burning. Conformance with this requirement shall be verified prior to issuance of building permit.
44. **Electric Vehicle Charging:** All private garages or parking stalls reserved for residents shall include at a minimum a Level 1 (110V AC) electrical outlet near the vehicle for charging of plug-in electric vehicles (PEV). These outlets shall be on their own separate circuit to facilitate the future installation of Level 2 PEV charging infrastructure. Conformance with this requirement shall be verified prior to issuance of building permit.
  45. **Exterior Electrical Outlets:** Electrical outlets shall be provided along the front and rear exterior walls of residential homes to allow for the use of electric landscape maintenance tools. Conformance with this requirement shall be verified prior to issuance of building permit.
  46. **Fugitive Dust:** The project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM<sub>10</sub>) in the form of dust. The project shall adhere to the regulations and mitigation measures for fugitive dust emissions during the construction process. In addition, a Fugitive Dust Mitigation Plan (DMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction. (Rules 223 and 223.1)
  47. **Paving:** Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224). Conformance with this requirement shall be verified prior to approval of grading plans.
  48. **Painting/Coating:** The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings. Conformance with this requirement shall be verified prior to issuance of building permit.
  49. **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). Conformance with this requirement (to be reflected as note on plans) shall be verified prior to approval of grading plans.
  50. **Construction Emissions:** During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at ARB's website here: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>. An applicability flow chart can be found here: [http://www.arb.ca.gov/msprog/ordiesel/faq/applicability\\_flow\\_chart.pdf](http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf). Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation. Conformance with this requirement (to be reflected as note on plans) shall be verified prior to approval of grading plans.



51. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be under permit from the California Air Resources Board (CARB). A copy of the current portable equipment permit shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, daily hours of operations of each piece of equipment. Conformance with this requirement (to be reflected as note on plans) shall be verified prior to approval of grading plans.

#### **El Dorado Hills Fire Department**

52. **Fire Flows:** The potable water system with the purpose of fire protection for this residential development shall provide a minimum fire flow of 1,000 gallons per minute with a minimum residual pressure of 20 psi for a two-hour duration. This requirement is based on a single family dwelling 6,200 square feet or less in size. All homes shall be fire sprinklered in accordance with NFPA 13D and Fire Department requirements. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval of Improvement Plan.
53. **Fire Hydrant:** This development shall install Mueller Dry Barrel fire hydrants or any hydrant approved by the El Dorado Irrigation District for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 500 feet. The exact location of each hydrant shall be determined by the Fire Department. Conformance with this requirement (to be reflected as note on plans) shall be verified prior to approval of Improvement Plans.
54. **Fire Hydrant Reflector:** In order to enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and State Fire Safe Regulations. Conformance with this requirement, as noted on plans, shall be verified prior to approval of Improvement Plans.
55. **Fire Hydrant Installation:** In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to combustibles being brought onto the site as specified by the Fire Department, Standard B-003. Conformance with this requirement, as noted on plans, shall be verified prior to approval of Improvement Plans.
56. **Wild Fire Safe Plan:** This development shall be conditioned to develop and implement a Wildland Fire Safe Plan that is approved by the Fire Department. Lots that back up to wildland open space shall be required to use non-combustible type fencing. Conformance with this requirement, as noted on plans, shall be verified prior to approval of Improvement Plans.
57. **Open Space Lot D:** At the end of A Drive, there shall be access for fire equipment into the open space Lot D.

58. **Landscape Lot E:** Lot E shall be designed so that fire crews can walk and gain access into the open space Lot F.
59. **Traffic Calming Device Restriction:** This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump/dip section of roadway. Conformance with this requirement, as noted on plans, shall be verified prior to approval of Improvement Plans.
60. **Gates:** Any gate shall meet the El Dorado Hills Fire Department Gate Standard B-002. Conformance with this requirement, as noted on plans, shall be verified prior to approval of Improvement Plans.
61. **Parking Provisions:** Parking will be allowed on one side of the street only. The curbs adjacent to the sidewalk will be painted red or signed every 25 feet “no parking fire lane.” This shall be white letters on a red background. No parking is allowed in either gated entry area. Conformance with this requirement, as noted on plans, shall be verified prior to approval of Improvement Plans.
62. **Dead End Road:** This project may be phased so long as dead end roads do not exceed 800feet or 24 parcels; whichever comes first. Conformance with this requirement, as noted on plans, shall be verified prior to approval of Improvement Plans.

#### County Surveyor’s Office

63. **Survey Monuments:** All survey monuments must be set prior to filing the Final Map or the developer shall have surety of work to be done by bond or cash deposit. Verification of set survey monuments, or amount of bond or deposit to be coordinated with the County Surveyors Office prior to the filing of the Final Map.
64. **Road Name:** The roads serving the development shall be named by submitting a completed Road Name Petition to the County Surveyors Office prior to filing the Final Map with the Board of Supervisors. Proof of any signage required by the Surveyor’s Office must also be provided prior to filing the Final Map. All associated fees will be the responsibility of the applicant.

#### Rolling Hills Community Services District

65. **Park In-lieu Fee:** Pursuant to Section 16.12.090 of the El Dorado County Subdivisions Ordinance, the project is responsible for parkland dedication which shall be satisfied through payment of park in-lieu fees. The applicant shall submit a request for Park-in-Lieu fee appraisal to Planning Services, with a check for \$150.00 made out to the El Dorado County Assessor. Upon completion of the appraisal, the applicant shall pay the park fee to the Rolling Hills Community Services District and shall submit a copy of the receipt to El Dorado County Development Services Division-Planning Services prior to filing the Final Map.

66. **Park Maintenance Fee:** Prior to Final Map recordation, the applicant shall provide a copy of the executed agreement with the Rolling Hills Community Services District detailing the payment of the park maintenance fee.

**ADJOURNMENT**

Meeting adjourned at 12:15 p.m.

APPROVED BY THE COMMISSION  
Authenticated and Certified:

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Walter Mathews, Chair