

TM15-1527/Z15-0003/Granite Creek Subdivision – As approved by the Board of Supervisors on December 5, 2017

Conditions of Approval

Planning Services

1. This Tentative Subdivision Map is based upon and limited to compliance with the project description, the hearing Exhibit G 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:

TM15-1527 consists of a Tentative Subdivision Map to create nine residential lots ranging in size from 10.02 to 25.17 acres. Access shall be provided via South Shingle Road and Brandon Road. The project shall connect to private wells and private onsite septic systems. The approval includes the following:

Lot Number	Gross Area	Improvements
1	10.04 acres	New Single-family home, driveway improvements and roadway easement , new well, septic system
2	10.03 acres	New Single-family home, driveway improvements, new well, septic system
3	10.04 acres	New Single-family home, driveway improvements, well, septic system
4	10.04 acres	New Single-family home, driveway improvements, well, septic system
5	10.04 acres	New Single-family home, driveway improvements, well, septic system
6	20.09 acres	New Single-family home, driveway improvements, well, septic system
7	21.58 acres	None. (Existing residence, driveway improvements, well, septic system)
8	25.17 acres	Driveway improvements and roadway easement (Existing residence, driveway improvements, well, septic system)
9	10.02 acres	New Single-family home, driveway improvements, well, septic system

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the

protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

2. **Permit Time Limits:** This Tentative Parcel Map shall expire 36 months from the date of approval unless a timely extension has been filed.
3. **Fish and Wildlife Fee:** The applicant shall submit to Planning Services a \$50.00 recording fee and the current Department of Fish and Wildlife fee prior to filing of the Notice of Determination by the County. Please submit check for the total amount to Planning Services and make the check payable to El Dorado County. No permits shall be issued or final map filed until said fees are paid.
4. **Steep Slopes:** Development or disturbance of the project site shall be restricted to areas with slopes not exceeding 30 percent.
5. **Indemnity:** 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 Parcel Map.

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

6. **Final Map Recordation:** Prior to final map recordation, 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.
7. **Park Fees:** The subdivision shall be subject to parkland dedication in-lieu fees based on values supplied by the County Assessor and calculated in accordance with Section 16.12.090 of the County Code. The applicant shall provide proof of payment of parkland dedication in-lieu fees to Planning Services prior to filing the final map.
8. **Agricultural Setback:** The final map shall include a 200 foot setback for all residential structures adjacent to lands zoned for agriculture. Planning Services shall verify the placement of the setback prior to filing the final map.

9. **Fees:** All fees associated with the tentative subdivision map shall be paid prior to filing the final subdivision map.
10. **Liens and Bonds:** Prior to filing a final map, if the subject property is subject to liens for assessment or bonds, pursuant to the provisions of Government Code Section 66493, the owner or subdivider shall either: (a) Pay the assessment or bond in full, or (b) File security with the Clerk of the Board of Supervisors, or (c) File with the Clerk of the Board of Supervisors the necessary certificate indicating provisions have been made for segregation of bond assessment responsibility pursuant to Government Code Section 66493(d).

Mitigation Measures

11. **Mitigation Measure BIO-1:** Development shall avoid wetlands and ephemeral, intermittent, and perennial waters. For wetlands, ephemeral waters, and intermittent waters, no development shall occur within 50 feet. The setbacks from all wetlands, waters, and creeks shall be shown and recorded on the improvement plans and the final map. In the event that project development would result in the fill of Waters of the United States, prior to any grading or construction activities within waters of the United States, the appropriate Section 404 permit will be obtained for any project-related impacts. In association with the Section 404 permit (if applicable) and prior to the issuance of any grading permit, Section 401 Water Quality Certification from the Regional Water Quality Control Board shall be obtained. If it is determined that project development would affect the bed, bank, channel, or associated riparian habitat subject to CDFW jurisdiction under Fish and Game Code Section 1602, a Streambed Alteration Notification shall be submitted to CDFW, pursuant to Section 1600 et seq. of the California Fish and Game Code. If proposed activities are determined to be subject to CDFW jurisdiction, the project proponent shall abide by the conditions of any executed agreement prior to the issuance of a grading permit by El Dorado County.

Monitoring Requirement: The 50-foot setback from wetlands and waters shall be identified on the Final Map prior to recordation, and this mitigation measure and the associated setback shall be noted on future grading and residential construction plans. Planning and Building Department shall verify the inclusion of this requirement on the Final Map.

Monitoring Responsibility: El Dorado County Planning and Building Department.

12. **Mitigation Measure BIO-2:** If any grading or construction activities occur during the nesting season (March 1 to August 31), a preconstruction survey for the presence of special-status bird species or any nesting bird species shall be conducted by a qualified biologist within 500 feet of proposed construction areas, no more than 14 days prior to construction activities. During the survey, a qualified wildlife biologist shall inspect the impact area and adjacent areas for nesting birds. The survey shall be submitted to Planning Services for review. If the survey does not identify any nesting birds on or near

the construction site, further mitigation is not required. However, should any bird (regulated by MBTA or Fish and Game Code) be found nesting on or near the construction site (within 500 feet of construction activities), the project applicant, in consultation with El Dorado County and CDFW, shall avoid bird nests located in the construction area during breeding season while the nest is occupied by adults, eggs, or young. If active nests are identified in these areas, CDFW and/or USFWS shall be consulted to develop measures to avoid “take” of active nests prior to the initiation of any construction activities. The occupied nest shall be monitored by a qualified wildlife biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a no-disturbance buffer around the nest site. The size of the buffer shall be determined in consultation with El Dorado County and CDFW. Highly visible temporary construction fencing shall delineate the buffer. If a legally protected species nest is located in a tree designated for removal, the removal shall be deferred until after August 31, or until the adults and young are no longer dependent on the nest site, as determined by a qualified biologist.

Monitoring Requirement: The applicant shall conduct all construction activities outside the nesting season or perform a pre-construction survey and the necessary avoidance measures prior to initiation of construction activities. This mitigation measure shall be noted on the Final Map, in a notice of restriction that shall be recorded on the property and future grading and residential construction plans. If a pre-construction survey is required, the Planning and Building Department shall verify the completion of survey prior to issuance of grading permit.

Monitoring Responsibility: El Dorado County Planning and Building Department.

13. **Mitigation Measure BIO-3:** Prior to the commencement of grading at the project site, a California Department of Fish and Wildlife (CDFW)-approved biologist shall conduct a focused survey for big-scale balsamroot. The survey shall be conducted during the evident and identifiable period. If big-scale balsamroot is not found, no further action is necessary. If big-scale balsamroot is found, the project proponent shall either avoid impacts, or submit a mitigation plan to CDFW and El Dorado County. The success criteria of the mitigation plan shall result in no net loss of big-scale balsamroot.

Monitoring Requirement: A qualified botanist shall oversee the installation of temporary orange fencing prior to the commencement of grading at the project site, between construction areas and avoided big-scale balsamroot. This mitigation measure shall be noted on the Final Map, in a notice of restriction that shall be recorded on the property and future grading and residential construction plans.

Monitoring Responsibility: El Dorado County Planning and Building Department.

14. **Mitigation Measure CUL-1:** No development will be permitted within the site boundary of Loci A-L, as identified in the Cultural Resources Study, without additional

archaeological study. If development is proposed for these locations, Phase I archaeological testing shall be conducted.

Monitoring Requirement: The applicant shall conduct all construction activities outside the boundary of Loci A-L, as identified in the figures in the Cultural Resources Study (Historic Resource Associates, January 1997). This mitigation measure shall be noted on future grading and residential construction plans. Planning and Building Department shall verify the inclusion of this requirement on the Final Map, in a notice of restriction that shall be recorded on the property, and future grading and residential construction plans.

Monitoring Responsibility: El Dorado County Planning and Building Department.

15. **Mitigation Measure CUL-2:** 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”.

Should the archaeologist determine that Native American tribal archaeological resources are present on the site, he or she shall contact, the Native American Heritage Commission. The Native American Heritage Commission will notify the person it believes to be the most likely descendant. Upon the discovery of the Native American resource, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American cultural resource is located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations. Grading and construction activities may resume after appropriate measures are taken.

Monitoring Requirement: This mitigation measure shall be noted on future grading and residential construction plans. Planning and Building Department shall verify the inclusion of this requirement on the Final Map, and future grading and residential construction plans.

Monitoring Responsibility: El Dorado County Planning and Building Department.

16. **Mitigation Measure CUL-3:** 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. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American.

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.

Monitoring Requirement: This mitigation measure shall be noted on the future grading and residential construction plans. Planning and Building Department shall verify the inclusion of this requirement on the Final Map, and future grading and residential construction plans.

Monitoring Responsibility: El Dorado County Planning and Building Department.

17. **Tribal Resources:** Prior to all ground disturbance activities the land owner shall contact the Native American Heritage Commission to determine the most likely descent of the indigenous peoples of the project vicinity. The land owner shall commence in consultation with the most likely descendent, regarding prehistoric cultural resources. This condition of approval shall be completed to the satisfaction of the most likely descendent. Documentation of condition satisfaction shall be submitted to planning by the landowner and most likely descendent prior to the final map.

Transportation Department

18. **Road Design Standards:** The applicant shall construct an access roads to Lot 9 through Lot 1, as shown on the tentative map. The on-site portion of driveways for Lot 9 is not required for filing of the final map, but will be constructed with any future building permit issued for those parcels. At locations where the roads split into 2 separate roads / driveways, the applicant shall construct a turnaround as shown on the Tentative Map, and as approved by the Fire District and County Engineer. The applicant shall construct turnouts at locations as required by the fire department. Vehicle turnouts shall be inside the road easement.
19. **Offer of Dedication:** The project shall offer to dedicate, in fee, the rights of way for South Shingle Road 30-foot wide as shown on the tentative map. The project shall also offer to dedicate, in fee, the rights of way on Brandon Rd 25-foot wide as shown on the tentative map. These offers will be accepted the County.
20. **Encroachment:** The applicant shall construct an encroachment on Lot 1 per County Standard plan 103D. The applicant shall obtain an encroachment permit for any work within the County right of way.
21. **Maintenance Entity:** The proposed project must form an entity for the maintenance of public and private roads 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 of the current project. Transportation Department shall review the document forming the entity to ensure the provisions are adequate prior to filing of the final map.

South Shingle Rd is an existing County maintained road shown on General Plan Exhibit TC-1 and will be accepted by County without a Maintenance Entity. Brandon Rd is also a County maintained road and will also be accepted by the County without a maintenance entity.

22. **Consistency with County Codes and Standards:** 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 Department and pay all applicable fees prior to filing of the final map.

Additionally, the project improvement plans and grading plans shall conform to the County *Grading, Erosion and Sediment Control Ordinance, Grading Design Manual, the Drainage Manual, Storm Water Ordinance (Ord. No. 5022), Off-Street Parking and Loading Ordinance, all applicable State of California Water Quality Orders, the State of California Handicapped Accessibility Standards, and the California Manual on Uniform Traffic Control Devices (MUTCD).*

23. **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.

24. **Regulatory Permits and Documents:** All regulatory permits or agreements between the Project and any State or Federal Agency shall be provided to the Transportation Department with the Project Improvement Plans. These project conditions of approval and all regulatory permits shall be incorporated into the Project Improvement Plans.
25. **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 the Transportation Department with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
26. **Road Improvements:** Brandon Road shall be widened to 20 feet with 1-foot shoulders, in all areas where the road width measurements are less than aforementioned width requirement, up to the farthest eastern portion.

Air Quality Management District

27. **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 if a grading permit is required by the County or if the project moves more than 20 cubic yards of soil. (Rules 223 and 223.2). 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.
28. **Paving:** Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).
29. **Painting/Coating:** The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
30. **Open Burning:** Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only dry vegetative waste materials originating from the property may be disposed of using an open outdoor fire (Rule 300 Open Burning).
31. **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 Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation.

32. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be registered with the California Air Resources Board (CARB). A copy of the current portable equipment registration 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.
33. **Fireplaces:** No wood-burning stoves or fireplaces shall be installed in any residence. Any new fireplaces in shall be powered with natural gas.

Surveyor's Office

34. All survey monuments must be set prior to the 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.
35. The roads serving the development shall be named by submitting a completed Road Name Petition, with 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.
36. Situs addressing for the project shall be coordinated with the County Surveyors Office prior to filling the Final Map.

El Dorado Hills Fire Department, on behalf of Latrobe Fire Protection District:

37. The potable water system with the purpose of fire protection for this development will be accomplished by use of a Storage Tank at each building site. The size of the tank will be determined by using NFPA 1142 "Water Supplies for Suburban and Rural Firefighting" and El Dorado County Fire Prevention Standard "Rural Water Supply Without a Purveyor." The Fire Department will assist the applicant with design of the system. Tank sizes will be a minimum of 10,000 gallons of water.
38. All homes shall be fire sprinklered in accordance with NFPA 13D and Fire Department requirements.
39. A fire hydrant from the tank water supply is required. The exact location of each hydrant shall be determined by the Fire Department.

40. In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire protection water tanks shall be installed and in service (on the parcel being developed) prior to combustibles being brought onto the site as specified by the Fire Department, Standard B-003 and Standard D-003.
41. Lots that back up to wildland open space shall be required to use non-combustible type fencing.
42. This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump/dip section of roadway.
43. This development shall be conditioned to develop and implement a Wildland Fire Safe Plan that has been approved by the Fire Department.
44. The driveways serving this project shall be:
 - a. Designed to a maximum of 16% grade and can be increased to 20% if paved.
 - b. The following shall apply to the driveways:
 - 1) Lot 1 - turnout near the midpoint of the driveway.
 - 2) Lot 2 – no turnout or turnaround required.
 - 3) Lot 3 - turnout near the midpoint of the driveway and turnaround shall be provided at all building site.
 - 4) Lot 4 - turnout near the midpoint of the driveway and turnaround shall be provided at all building site.
 - 5) Lot 5 - turnout near the midpoint of the driveway and turnaround shall be provided at all building site.
 - 6) Lot 6 - turnout near the midpoint of the driveway and turnaround shall be provided at all building site.
 - 7) Lot 7 – Turnout near the midpoint of the driveway and a turnaround complying with Title 14 shall be provided at all building sites.
 - 8) Lot 8 – Turnout near the midpoint of the driveway and a turnaround complying with Title 14 shall be provided at all building sites.

- 9) Lot 9 – turnout near the midpoint of the driveway and turnaround shall be provided at all building site.
- c. All driveways shall be 12’ wide and be cleared of vegetation to an unobstructed vertical clearance of not less than 15 feet.
45. No parking will be allowed on Brandon Road or South Shingle Road.
46. Any gate shall meet the El Dorado Hills Fire Department Gate Standard B-002.
47. A legal entity (HOA) shall be created with authority for maintaining and enforcing all fuel treatment mitigation measures if homeowners fail to implement or maintain.
48. The driveway/roadway allowing access to Lots 9 and 10 off of Brandon Road will be allowed to be a minimum 12’ (feet) wide and shall comply with all aspects of the driveway standard for El Dorado County, including but not limited to turnouts, turnarounds, paving/all-weather surface, and grades.

Environmental Management

49. Evidence of a safe and reliable water supply is required prior to filing the Final Map.