

Conditions

Planning Services

1. This Parcel Map is based upon and limited to compliance with the project description, the Zoning Administrator hearing exhibit marked Exhibit D (tentative parcel map) dated August 15, 2007, 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:

The project would allow a two lot parcel map. Parcel 1 would be 1.00 acre and Parcel 2 would be 1.92 acres. Parcel 1 has been developed and is served by public water and an onsite septic wastewater system. Parcel 2 would be served by public water and an onsite septic wastewater 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. During all grading and construction activities in the project area on the proposed parcels, an archaeologist or Historian approved by the Development Services Director shall be on-call. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent and/or future parcel owner shall ensure that all such activities cease within 50 feet of the discovery until the on-call archaeologist can examine the find in place and determine its significance. If the find is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after appropriate measures are taken or the site is determined not to be of significance.

3. 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.
4. The applicant shall be required to pay Park-in-Lieu fees of \$150.00 payable to El Dorado County, pursuant to El Dorado County Subdivision Ordinance Chapter 16.12.090.
5. Prior to recordation of a ~~building permit~~ the parcel map, all ~~Development Planning Services~~ fees due on the parcel map shall be paid.
6. 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.

Department of Transportation

Project Specific Conditions

7. The applicant shall widen the onsite portion of Lakeview Drive and Presley Lane; to ~~28~~ 24 feet wide pursuant to *Standard Plan 101B* (curb, gutter, and sidewalk is not required). The existing roadway drainage facilities shall be improved to current County Standards. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the recordation of the parcel map.
- 9 ~~8~~. The applicant shall irrevocably offer (or verify existing offer) to dedicate, in fee, the onsite 25 foot road and public utilities easement, along the project frontage for

Lakeview Drive and Presley Lane prior to the recordation of the map. This offer will be rejected by the County.

Standard Conditions

- ~~14~~ 9. The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
- ~~15~~ 10. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Major Land Division Ordinance, prior to filing the final map.
- ~~16~~ 11. A final drainage study shall be prepared by the project proponent and submitted with the subdivision grading and improvement plans to the approval of the Department of Transportation. All drainage facilities identified in the drainage study shall be included in the subdivision grading and improvement plans.
- ~~17~~ 12. 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.
- ~~18~~ 13. 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 Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations.
- ~~19~~ 14. All on and off-site road improvement requirements required as conditions of approval and/or mitigation measures shall be analyzed in the environmental document for this development project to the appropriate extent under CEQA . Any improvements that are not thoroughly analyzed shall include a discussion and justification under that particular impact analysis within the CEQA document as to the circumstances preventing such analysis along with a method and time frame for any future analysis. Mitigation measures that are included in the 5 year CIP must have the CEQA processing completed to fulfill this condition as funded and programmed per the 2004 General Plan Policy TC-Xf.
- ~~20~~ 15. Grading plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD

shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. The County shall issue no building permits until the Department of Transportation approves the final grading and erosion control plans and the grading is completed.

- ~~21~~ 16. The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
- ~~22~~ 17. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer shall provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
- ~~23~~ 18. Construction activities shall be conducted in accordance with the County noise regulation or limited to the following hours and days: 7:00 a.m. to 7:00 p.m. on any weekday; 8:00 a.m. and 5:00 p.m. on weekends and federally recognized holidays.
- ~~24~~ 19. The applicant shall pay the traffic impact fees in effect at the time a building deemed complete.

Environmental Management

- ~~25~~ 20. The applicant shall submit a soils test to Environmental Management. The Department shall review and approve the test prior to recordation of the parcel map.

The applicant shall make applications and pay the appropriate fees for the destruction of all wells onsite. Environment Management shall verify the destruction of all onsite wells prior to recordation of the parcel map.

Air Quality Management District

- ~~26~~ 21. The applicant shall prepare an Asbestos Dust Mitigation Plan. The District shall review and approve the plan prior to commencement of project construction.
- ~~27~~ 22. The applicant shall adhere to all District rules during project construction.

Surveyor's Office

- ~~29~~ 23. All survey monuments must be set prior to filing the parcel map.
- ~~30~~ 24. The applicant shall provide a parcel map guarantee, issued by a title company, showing proof of access to a State or County Maintained Road as defined in 16.44.120(B)(2) with the legal right to improve that access as required by the County Design Manual.
- ~~31~~ 25. Prior to filing the parcel map, a letter to the County Surveyor will be required from all agencies that have conditions placed on the map. The letter will state that all conditions placed on the map by that agency have been met.

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 FINDING

- 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 project will not affect wetlands, water courses, riparian lands, unique plant or animal life and habitats, or other terrestrial matters under the jurisdiction of the California Department of Fish and Game (CDFG). The project is subject to the CDFG environmental filing fee of \$1,800 and a \$50 El Dorado County processing fee based on *CDFG Code Section 711.4* and *Senate Bill 1535*.
- 1.4 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.

2.0 ADMINISTRATIVE FINDINGS

- 2.1 The proposed parcel map conforms to the El Dorado County General Plan;**

The project site is designated as Medium Density Residential (MDR). The parcel map would create parcels which are consistent with the density requirements and minimum parcel size requirements within the MDR land use designation.

2.2 The parcel map conforms to the El Dorado County Zoning Ordinance;

The project site is zoned One-acre Residential (R1A). The parcel map would create parcels which would be consistent with the minimum parcel size requirements and the development standards of the R1A Zone District.

3.0 TENTATIVE MAP FINDINGS

3.1 The proposed map is consistent with applicable general and specific plans;

The parcel map would be consistent with the density requirements and minimum parcel size of the Medium Density Residential (MDR) land use designation. The project would be consistent with applicable General Plan policies as presented in the staff report.

3.2 The design or improvement of the proposed division is consistent with applicable general and specific plans;

The project would be served by public water and onsite wastewater systems which would be consistent with the General Plan. The project would be required to make road improvements consistent with the General Plan and the Design and Improvement Standards Manual.

3.3 The site is physically suitable for the type of development;

Adequate areas onsite are available for septic wastewater systems, driveways, and building envelopes consistent with the General Plan and the development standards of the Zoning Ordinance.

3.4 The site is physically suitable for the proposed density of development;

The project would create one additional parcel. Adequate conditions onsite exist that would allow for the increased density.

3.5 The design of the division or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;

The required site improvements will not cause significant impacts to the environment or

wildlife. The project would result in road widening and onsite residential development. No important plant or wildlife species would be damaged as a result of the project.

3.6 The design of the division or the type of improvements is not likely to cause serious public health hazards;

The project would result in the creation of one additional parcel. The potential residential development and required road improvements would not create public hazards in the surrounding area.

3.7 The design of the division or the improvements are suitable to allow for compliance of the requirements of section 4291 of the Public Resources Code;

The project would allow for future residential development to comply with the setback requirements of the R1A Zone District and the Fire Safe Regulations.

3.8 The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

No public easements exist through the project site. The required road improvements would be constructed within existing easements and would not create conflicts with future development associated with the project.