

**Conditions**

**Planning Services**

1. This parcel map and rezone is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibit D, dated July 24, 2006, 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:

The parcel map would create two residential parcels. Parcel 1 would be 6.9 acres, and Parcel 2 would be 1.1 acres. The rezone would change the zoning of Parcel 2 from Estate Residential Five-acre (RE-5) to One-acre Residential (R1A). Road improvements to Hillview Court and Hillview Drive would be required as part of the project. No development is proposed in conjunction with the project.

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. 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.
3. The applicant shall be required to pay the Park in-lieu fee of \$150.00 payable to El Dorado County, pursuant to El Dorado County Subdivision Ordinance Chapter 16.12.090.

4. In the event oak canopy is removed, an arborist report identifying the affected canopy shall be submitted. The impacted canopy shall be identified in the report and shall be submitted to Planning Services prior to issuance of a grading permit.
5. The applicant shall replace the affected oak canopy with a 1:1 replacement ratio. Replacement trees shall be planted on-site to the satisfaction of the Development Services Director. An agreement to the satisfaction of County Counsel and the Development Services Director shall be required to ensure the long-term maintenance and preservation of the replacement trees. Maintenance shall be required for a 10-year period. Any trees that do not survive during this period shall be replaced. The replacement trees shall be planted prior to final inspection, and the maintenance agreement shall be provided to Planning Services prior to issuance of a building permit.
6. All Development Services fees shall be paid prior to recordation of the parcel map.
7. 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.
8. The subdivider shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

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

### **Department of Transportation**

9. The applicant shall widen the on-site portion of the Hillview Drive to Standard Plan 101B for a 28-foot wide road without curb, gutter, and sidewalk along the frontage of Parcel 2. 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.
10. The applicant shall improve the on-site portion of Hillview Drive to Standard Plan 101C for a 24-foot wide road along the frontage of Parcel 1. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security prior to the recordation of the parcel map.
11. The applicant shall improve the off-site portion of Hillview Drive to 18 feet pursuant to the Design and Improvement Standards Manual. 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.

12. The applicant shall improve the intersection of Hillview Drive and Miller Road with a minimum 20-foot radius (inside curb) and a minimum 50-foot radius (outside curb) pursuant to Standard Plan 101C. 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.
13. The applicant shall improve the encroachment of Hillview Drive and Hillview Court to the provisions of Standard Plan ~~114~~ 103C. 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.
14. The applicant shall provide a turnaround at the end of Hillview Court to the provisions of Standard Plan 114 prior to recordation of the parcel map. 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.
14. The applicant shall irrevocably offer to dedicate the on-site road and public utilities easement along the project frontage of Hillview Road and Hillview Court prior to recordation of the parcel map. This offer will be rejected by the County.
15. The applicant shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement to construct the improvement of Hillview Drive and Hillview Court. The Improvement Agreement shall be submitted and approved prior to recordation of the parcel map.
16. The applicant shall join and/or form an entity satisfactory to the County to maintain all roads not maintained by the County, both on-site and off-site roads, that are required for access to County or State maintained roads.
17. The applicant shall adhere to all Department of Transportation standard conditions.

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

18. The applicant shall prepare a Fugitive Dust Plan. The plan shall be reviewed and approved by the District prior to issuance of a grading permit.

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

19. The applicant shall implement and develop a Wildland Fire Plan for the project. The Department shall review and approve the plan prior to recordation of the parcel map.
20. Each dwelling shall post address numeral at the intersection of Hillview Drive and the Driveway entrances. The Department shall review and approve the addressing prior to recordation of the parcel map.
21. The limited comments and conditions of this parcel split are based on existing conditions. Any future splits of this parcel shall be opposed by this Department.

#### **El Dorado Hills Community Services District**

22. The parcel shall have the existing Covenants, Conditions and Restrictions (CC&R's) recorded on the new parcels.
23. In accordance with the CC&R's, Section 2, the minimum size for each residence shall be 1,300 square feet.
24. Each residence shall have its own cable television hookup service available.
25. Each residence shall have its own mandatory solid waste collection and recycling services.
26. Any utility connections are to be underground.

#### **County Surveyor**

27. All survey monuments must be set prior to filing the parcel map.
28. 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 designed in Section 16.44.120 B2 with the legal right to improve that access as required by the County Design Manual.
29. 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.