

## **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 pursuant to *Section 66472.1* of the *California Government Code*:

### **FINDINGS FOR APPROVAL**

#### **1.0 CEQA FINDINGS**

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received during the public review process. The proposed project, as conditioned, will not have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 The Planning Commission finds that through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 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 approved project description and conditions of approval, with the corresponding permit monitoring requirement, is hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 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 at 2850 Fairlane Court, Placerville, CA.

#### **2.0 GENERAL PLAN FINDINGS**

- 2.1 The project is consistent with the High Density Residential (HDR) land use designation of the subject site as defined by General Plan Policy 2.2.1.2. The project consists of a zone change to R1, which is consistent with General Plan Table 2.4 and a tentative map creating 49 single-family residential lots for 28.18 acres, 1.7 units per acre, which is consistent with the five units per acre standard for HDR.
- 2.2 The project is consistent with all applicable Policies of the General Plan. As conditioned, the proposal is consistent with the intent of the following Policies:

- 2.2.1 Policy 2.2.1.2 (HDR definition) because it meets density standards. The project proposes 49 single-family residential lots ranging in size from 10,141 sq. ft. to 62,449 square feet. Those 49 lots for the 28.18 total acres, a density of to 1.7 units per acre which conforms to the General Plan land use designation;
- 2.2.2 2.2.5.3 (rezone criteria) because the project was analyzed for water and wastewater capacity, critical flora and fauna areas, wetland impacts, transportation, existing land use pattern and historical and archeological resources;
- 2.2.3 2.2.5.21 (compatibility with surroundings) because the project provides larger sized parcels and setbacks designed to provide a more efficient transition from the MDR designated lots to the west and the LDR designated lots to the east;
- 2.2.4 5.1.2.1 (adequate utilities and public services), 5.2.1.2 (water for emergency), 5.2.1.4 (available domestic water), 5.7.1.1 (adequate emergency water and related facilities), because review of the El Dorado Irrigation District Facility Improvement Letter, Preliminary Onsite/Offsite Sewer Exhibit, and El Dorado Hills Fire Department recommended conditions of approval have demonstrated there are adequate water and sewer facilities to support the project;
- 2.2.5 6.2.3.2 (adequate emergency vehicle ingress/egress) because the project must adhere to the approved Wildland Fire Safe Plan, and conditions have been added as recommended by the El Dorado Hills Fire Department to assure adequate emergency vehicle ingress/egress;
- 2.2.6 Policy 6.5.1.3 and 6.5.1.8 (noise barriers to achieve acceptable noise levels) because the submitted Environmental Noise Assessment determined that the required masonry wall sound barrier will reduce noise impacts to levels consistent with these policies;
- 2.2.7 7.3.3.4 (impacts to wetlands) because mitigation measures 4-6 have been included to reduce impacts to Dutch Ravine;
- 2.2.8 7.4.1.5 (rare, threatened, endangered species) because the Special Status Plant Surveys have demonstrated their were no rare, threatened, endangered species found within the project site and a mitigation measure has been included to protect migratory bird and nesting raptor species;
- 2.2.9 7.4.4.4 (impacts to oak canopy) because the project has demonstrated it can meet the requirements of Option A onsite by replanting within Lot C and as conditioned that planting will be compliant with the Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.4.4.4 (Option A).

As conditioned and mitigated, the project provides adequate access and site design that ensure compatibility with surrounding land uses, and is consistent with the General Plan policies identified above.

### **3.0 ZONING FINDINGS**

- 3.1 The project is consistent with the El Dorado County Zoning Ordinance Development Standards. With an approved rezone to R1, the 49 lots conform to zoning and the development standards in Section 17.28.040 for minimum lot width of 60 feet, minimum parcel size of 6,000 square feet, building setback requirements of 20 feet in the front yards, 5 feet for the side yards, and 15 feet for the rear yards, as well having the space to comply with the parking requirements of two spaces not in tandem per dwelling unit pursuant to Section 17.18.060.

### **4.0 ADMINISTRATIVE FINDINGS**

#### **4.1 Tentative Subdivision Map Findings**

- 4.1.1 The proposed Tentative Subdivision Map, including design and improvements, is consistent with the General Plan policies and land use map because as proposed, and modified by the Mitigations and Conditions of Approval, the map conforms to the High Density Residential General Plan land use designation and applicable General Plan policies including land use compatibility, lot size, fire safe access and emergency water supply, noise, and mitigation for indigenous oak tree canopy, threatened species, and wetland impacts, as set forth in the General Plan Findings, Section 2.0.
- 4.1.2 The site is physically suitable for the type and density of development proposed because the site contains sufficient developable areas to accommodate the proposed residential use and proposed density of approximately 1.7 units per acre.
- 4.1.3 The design of the subdivision and proposed improvements as conditioned will not cause significant environmental damage or injure fish and wildlife habitat because potential environmental impacts for the subdivision have been minimized by the lot designs and 10,000 plus square foot sizes. The loss of indigenous oak tree canopy will be mitigated by replanting in compliance with the Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.4.4.4 (Option A). The wetlands will be mitigated for minimal impacts by a permanent setback line. The potential for erosion during grading activities will be minimized by adherence to Best Management Practices required during grading.
- 4.1.4 The subdivision will have adequate access to accommodate the proposed density because the project has been conditioned to comply with El Dorado County Department of Transportation and El Dorado Hills Fire Department requirements to assure adequate access.
- 4.1.5 The subdivision will not create serious public health and safety problems or unacceptable fire risk to future occupants to adjoining properties because the map will adhere to Fire Safe and Fire Code standards and the approved Fire Safe Plan which will ensure that the

project does not create serious public health and safety problems or unacceptable fire risk to current and future occupants of adjoining properties.

## 5.0 DESIGN WAIVER APPROVAL FINDINGS

- 5.1 Allow the utilization of road-side ditches and asphaltic concrete (AC) dikes in lieu of curbs and gutters. The support for the design waiver is based on the following findings:
  - 5.1.1 There are special conditions for circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver. The project site is surrounded by existing roadways that were built with A.C. Dikes and over-side drains and the Design Improvement Standards Manual (DISM) 101B Standard Plan, Note 10 makes allowances if the project is connecting to existing A.C. facilities.
  - 5.1.2 Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property. The larger lot sizes were found to be adequate to support the proposal and to require dikes that do not match the existing surrounding ones is an unnecessary hardship and is out of character with the surroundings.
  - 5.1.3 The adjustment or waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public. The proposed A.C. dikes meet the requirements of the El Dorado Hills Fire Department and El Dorado County Department of Transportation.
  - 5.1.4 This waiver would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division because the project has been conditioned to meet all applicable County Codes.

### Conditions of Approval

- 1. This Rezone, and Tentative Subdivision Map is based upon and limited to compliance with the project description, the Conditions of Approval set forth below, and the following Exhibits:

Exhibit E .....	Tentative Map dated May 2012
Exhibit H-1.....	Preliminary Grading and Drainage Plan, and Tree Preservation Plan dated May 2012
Exhibit H-2.....	Road 'F' to Lots 47-49 dated May 2012
Exhibit I .....	Preliminary Onsite/Offsite Sewer Exhibit dated May 2012
Exhibit J .....	Green Valley Connector Exhibit Y dated October 2008

- Exhibit L .....Masonry Sound Wall and Fence Exhibit dated May 2012  
Exhibit M .....Preliminary Landscape Plan dated January 6, 2012  
Exhibit O .....Zoning Map (rezone) dated May 2012

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 approval shall include the following and applies to the parcels identified by Assessor's Parcel Numbers 126-070-22, -23, -30:

- a. Rezone the 28.18 project acres from One-Acre Residential (R1A) to One-Family Residential (R1); and
- b. Tentative Subdivision Map creating 49 single-family residential lots ranging in size from 10,141 sq. ft. to 62,449 square feet, two frontage landscape lots (A 14,233 square feet, and B 13,426 square feet), one 54,855 square foot lot (C) for open space, landscaping, drainage, and retaining walls, one 0.65-acre public roadway lot (Lot F), two gates at the project entrances to Roads B1 and D; and
- c. Design Waiver approval to allow the utilization of road-side ditches and asphaltic concrete (AC) dikes in lieu of curbs and gutters.

All lots will be served by public water and sewer. The map may be recorded in phases, subject to Development Services Director review.

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.

**Conditions from the Mitigated Negative Declaration**

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

2. **Aesthetics-1:** Landscaping shall be provided along the perimeter six-foot tall masonry sound wall within Lot C, consistent with the Preliminary Landscape Plan, Exhibit M dated January 6, 2012. The final landscape plan shall include vertical shielding of the masonry wall with plants a minimum of five-gallon size. The oak tree replanting

required to mitigate to comply with Policy 7.4.4.4 Option A requirements, as required in Condition 11, may be of the sizes as stated in the Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.4.4.4 (Option A) Amended October 12, 2007.

**Monitoring Responsibility:** Planning Services

**Monitoring Requirement:** The final landscape plan shall be submitted to Planning Services for review and approval prior to issuance of the Building Permit for the sound wall. The applicant shall schedule a site visit with Planning for an inspection of the installed landscaping prior to permit final.

3. **Bio-1: Pre-construction Survey Required:** If vegetation removal is conducted within the nesting period for most migratory bird species and nesting raptor species (between March 1 and August 15), a pre-construction survey for active bird nests shall be conducted by a qualified biologist. If vegetation removal activities are delayed or suspended more than one month after the pre-construction survey, the area shall be re-surveyed. If active bird nests are identified, vegetation removal in these areas shall be postponed until after the nesting season, or a qualified biologist has determined the young have fledged and are independent of the nest site. No known active nests shall be disturbed without a permit or other authorization from USFWS or CDFG.

**Monitoring Responsibility:** Planning Services

**Monitoring Requirement:** The applicant shall conduct all construction activities outside the nesting season or perform a pre-construction survey and obtain all necessary permits prior to initiation of construction activities. This requirement shall be placed on the grading plans. Planning Services shall review the surveys prior to issuance of a grading permit and/or removal of any trees within the project site.

4. **Bio-2: Streambed Alteration Agreement:** A Streambed Alteration Agreement, pursuant to Fish and Game Code 1602, shall be obtained by the applicants, from the California Department of Fish and Game, if applicable, for the Road F Dutch Ravine stream crossing and any other activities affecting the bed, bank, or associated riparian vegetation. The Agreement shall address the following to the satisfaction of the Department of Fish and Game:

The applicant will purchase 300 feet of channel credits at a mitigation bank (six-feet wide and 50-feet in length, and implement best management practices to adequately offset impacts associated with the road crossing. This shall be completed before a County grading permit is issued for the crossing.

**Monitoring Responsibility:** Planning Services

**Monitoring Requirement:** The applicant shall provide a copy of the 1602 Streambed Alteration Agreement to Development Services prior to issuance of the grading permit. If

it has been determined by Fish and Game that said permit does not apply after their review of the development plans for the project, the applicant shall provide Planning Services with verification from Fish and Game that no Agreement is needed for the project, prior to issuance of a building and/or grading permit for the project area.

5. **Bio-3:** No Disturbance Buffer: A 50-foot setback line shall be shown on the Final Map that begins at all high-water marks or the outer boundary of any adjacent wetlands identified in the Jurisdictional Delineation, dated January 2009, and as determined by the Corps of Engineer's verified wetland delineation of waters of the United States. No development shall occur within the setback area. The setback shall be shown on the Final Map.

**Monitoring Responsibility:** Planning Services

**Monitoring Requirement:** Prior to filing of the Final Map, Development Services shall verify that the setback is shown on the Final Map. The setback lines shall be shown on any development plan for Lots 47-49 submitted to Development Services Department. The Department shall verify that no development occurs within the setback prior to issuance of any development permit.

6. **Bio-4:** Water Quality Certification: A Water Quality Certification, Section 401 permit, if applicable, shall be obtained by the applicant from the California Regional Water Quality Control Board for applicable project improvements. The Certificate shall include the following, subject to California Regional Water Quality Control Board approval:
- a. The applicant will prepare a Storm Water Pollution Prevention Plan for approval. That plan will describe methods for ensuring downstream water quality during construction and will be implemented before construction begins.
  - b. Work areas will be separated by buffers and orange construction fencing to delineate the preserved riparian areas. No grading will be allowed within the fenced-off buffer zones.
  - c. Waste and construction materials will be placed where they will not run off into the stream, or they will immediately be removed off-site.
  - d. The project will include a Continuous Deflection Separation system to remove oil and other substances from runoff within the project area before it is discharged to Dutch Ravine. This system will be maintained by the property owner as described in the Contech Stormwater Solutions technical manuals.

**Monitoring Responsibility:** Planning Services

**Monitoring Requirement:** The applicant shall provide a copy of the Section 401 permit to Development Services prior to issuance of the grading permit. If it has been determined by the California Regional Water Quality Control Board that said permit does not apply after their review of the development plans for the project, the applicant shall provide Planning Services with confirmation from them of that determination prior to

issuance of a building and/or grading permit for the project area. The Storm Water Pollution Prevention Plan shall be reviewed and approved by Building Services or DOT prior to issuance of a grading permit.

7. **Cultural Resources 1:** During the course of grading activities within the perimeter of the Charles Dixon Farm Site as defined by Figure 1 of the Phase 1 Archeological Study of the Wilson Estates Project, dated January 2011, archeological monitoring shall occur. If previously unidentified or subsurface archeological sites or features are discovered, work shall stop at that location and the discovery shall be examined for its potential significance and removed if deemed of scientific value, after which work can proceed once again.

**Monitoring Responsibility:** Planning Services

**Monitoring Requirement:** A note shall be placed on the grading plans for this particular area of the project. Planning Services shall confirm that the mitigation has been included on the plans prior to issuance of any grading permit for this particular area of the project.

8. **Cultural Resources 2:** An interpretive sign shall be designed in consultation with the El Dorado County Historical Museum to commemorate the location of the Charles Dixon Farm and the Live Oak School. The sign shall be located in an appropriate location near the site and along Malcolm Dixon Road.

**Monitoring Responsibility:** Planning Services and Applicant

**Monitoring Requirement:** The applicant shall provide Planning Services with proof this has been completed prior to approval and recordation of the final map.

9. **Noise 1:** A six-foot high noise barrier shall be constructed in compliance with the Environmental Noise Assessment Wilson Estates, Bollard and Associates, May 3, 2012. The barrier shall be constructed of concrete or masonry block, or precast concrete. The wall shall be constructed and located as shown in the Masonry Sound Wall & Fence Exhibit L, dated May 2012, and shall not result in the removal of oak trees.

**Monitoring Responsibility:** Planning Services and Applicant

**Monitoring Requirement:** Planning Services shall review the final development plan for the construction of the wall prior to issuance of the building and/or grading permit. Planning Services shall confirm that the wall has been constructed in compliance with this mitigation measure prior to building permit final, which shall occur prior to approval and recordation of the final map.

## El Dorado County Planning Services

10. Notice of Restriction: A Notice of Restriction shall be recorded with, and noted on, the final map that states that the Lots A and B shall be utilized for frontage landscape lots, and Lot C for open space, landscaping, drainage, and retaining walls and that they shall not be utilized for residential development.
11. Fencing/Walls: The project shall construct the following fencing, as shown in Exhibit L:
  - a. A six-foot tall masonry sound wall within Lot C and along the west boundary of Lot 38, and a portion of the east boundary of Lot 23;
  - b. A six-foot tall solid wood fence along the western boundary of Lots 1, 2 and 39-41, and southern boundary of Lots 43-46 and 1.
12. Oak Woodland: The project shall mitigate for the loss of 0.20 acres of oak tree canopy as shown on Exhibit H-1, Preliminary Grading and Drainage Plan, and Tree Preservation Plan dated May 2012, at a 1 to 1 ratio within Lot C, in compliance with the Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.4.4.4 (Option A). The final landscape/oak tree planting plan shall be substantially consistent with Exhibit M, Preliminary Landscape Plan dated January 6, 2012, and shall be reviewed and approved by Planning Services prior to issuance of any grading or building permit for the masonry wall/Lot C area. Said final landscape/oak tree planting plan shall indicate that all on-site replacement oak trees be of 15-gallon size.  
  
Prior to recording any final map, building envelopes shall be designated for each parcel on which one or more oak tree exists. The building envelope shall be designed to avoid disturbance of any tree not shown on Exhibit H-1 as being removed as part of the subdivision grading improvements. The envelopes shall be recorded with the final map.
13. Map Time Limits: The map shall remain in effect for three years from the date of approval. If the map has not been recorded within this timeframe, an extension may be requested prior to expiration of the map. The required application fees shall be paid to process the time extension.
14. Compliance with Conditions: At the same time of a filing of a Final Map, and at submittal of any grading permit 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 that applies at each said stage. Planning Services shall verify compliance prior to issuance of the road improvement grading permit and concurrent with the filing of a Final Map.
15. Processing Fees: Prior to filing of the Final Map, Development Services shall verify that all Development Services Department fees have been paid.

16. Fish and Game Fee: T Fish and Game Fee: The applicant shall submit to Planning Services a \$50.00 recording fee and a \$2,156.25 Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No permits shall be issued until said fees are paid.
17. Water Meter Award Letter: A water meter award letter from El Dorado Irrigation District or similar assurance from the water purveyor, guaranteeing water service upon demand to each of the lots created, shall be submitted to Development Services at the time of Final Map filing.
18. Park In-lieu Fees: Pursuant to Section 16.12.090, the project is responsible for parkland dedication which shall be satisfied by 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 appraisal, the applicant shall pay the park fee, to the El Dorado Hills Community Services District, and shall submit the receipt to El Dorado County Development Services with the Final Map.
19. Liens for Assessment or 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).
20. Archeological Resources: If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and Native American Heritage Commission shall be contacted per Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed. If archaeological sites or artifacts are discovered, the subdivider shall retain an archaeologist to evaluate the resource.

If the resource is determined to be important, as defined in Appendix K of the CEQA Guidelines, mitigation measures, as agreed to by the subdivider, archaeologist, and Planning Services shall be implemented. Treatment of Native American remains and/or archaeological artifacts shall be the responsibility of the subdivider and shall be subject to review and approval by Planning Services.

21. HOA and CC&RS: A Homeowner's Association (HOA) shall be formed that shall be responsible for enforcement of the Covenants, Conditions, and Restrictions (CC&Rs) which shall be recorded for each parcel. Said CC&Rs shall, at a minimum, include the following provisions:

- a. Responsibility for the ongoing maintenance and monitoring of the shared private road easement area, as well as Open Space Lots A-C, that are entirely within the subdivision boundary as shown on TM11-1504, Exhibit E, as well as the associated drainage facilities, and fire safety management of those areas in accordance with the approved Fire Safe Plan dated September 2, 2011. The landscaping for Lots A, B, and C shall be designed and installed to comply with the guidelines established by the ‘Streetscape Master Plan’ published and adopted by the El Dorado Hills Community Services District. The ongoing maintenance and monitoring Lots A, B, and C may become the responsibility of a future Landscaping and Lighting Assessment District, if one is established. The ownership deeds to the Open Space Lots A, B, and C shall be held by the HOA and shall remain commonly-held open space for their mutual use, not to be utilized for residential uses.
- b. Responsibility for the ongoing maintenance, and access rights for, any fences and walls constructed on the subdivision’s perimeter property lines, as well as the six-foot tall masonry sound wall within Lot C, and the other fences described above in Condition 10, and shown in Exhibit L.
- c. Ensuring that no construction or grading of any kind shall occur within the non-building setback areas shown on the Final Map 50-feet on both sides of Dutch Ravine, with the exception of required access road improvements over a headwall with an open bottom drain crossing as shown in Exhibit H-2, to Lots 47-49.
- d. Providing to El Dorado Hills Community Services District (EDHCSD) a copy of any landscape and streetscape designs for any HOA projects, for EDHCSD records.
- e. Development of accommodations to store a minimum of three waste and recycle material containers in an area not visible from the street, on each residential lot in consideration of the EDHCSD mandatory waste management services requirements.
- f. Development, implementation, and maintenance of the Wildland Fire Safe Plan, William Draper, Registered Professional Forester #898, dated September 2, 2011, that is approved according to State Fire Safe Regulations and shall address the homes that back up to the open wildland areas that surround this project.
- g. Language that restricts any future modifications by the HOA of County required provisions without prior County approval.

The Covenants, Conditions and Restrictions (CC&Rs) shall be submitted to Development Services for review, and County approval, prior to filing of the Final Map.

22. **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, as provided in Section 66474.9(b) of the Government Code.

The subdivider shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

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

**El Dorado County Department of Transportation**

Project Specific Conditions:

23. **Road Design Standards:** The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM), as shown in Table 1. The improvements shall be completed to the satisfaction of the Department of Transportation (DOT) 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</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>
Road "B1" Road "D" Road "E" <i>(onsite)</i>	Std Plan 101C	28 ft	50 ft	Two 14 foot wide lanes, Type "A" AC dike. No Curb, gutter or sidewalk. 25 MPH Design Speed.
Road "B2" Court "A" Court "B"	Std Plan 101C	36 ft	50 ft	Two 18 foot wide lanes, Type "A" AC dike on one side. No Curb, gutter or sidewalk. 25 MPH Design Speed
Road "F"	Std Plan 101C	24 ft	50 ft	Two 12 foot wide lanes. No Curb, gutter or sidewalk.

\* 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” from the back of the curb.

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

24. **Multi-Project Area of Benefit:** Upon the applicant’s request, the County will form and implement, at the applicant’s expense, a public improvement financing district for funding or reimbursement of the costs of off-site public improvements to be constructed as identified in the Exhibit X & Y entitled Malcolm Dixon Area Traffic Circulation Plan. The applicant shall prepare and submit for County’s approval and adoption a proposed Area of Benefit and supporting Engineers Estimate and Report for the purpose of financing and reimbursement of required off-site land acquisitions, widening and (re-) construction of public improvements as may be appropriate. The proposed Area of Benefit shall include but not be limited to parcels APN: 110-020-12, 126-100-18, 19, 23, & 24 and 126-070-22, 23 & 30. The Area of Benefit Engineer’s Report shall be prepared and submitted and the proposed public financing district formed prior to the filing of the Final Map. For development projects within the proposed public financing district Area of Benefit, County shall require consent by the land owner to the public financing district and participation in the funding or reimbursement and/or construction of the off-site public improvements for Malcolm Dixon Area Traffic Circulation Plan on a pro rata share of residential lots or equivalent share basis as a condition of approval. For development projects which may derive benefit from the public improvements to be constructed as part of the Malcolm Dixon Area Traffic Circulation Plan, County shall require participation in the funding and reimbursement and/or construction of the off-site public improvements for Malcolm Dixon Area Traffic Circulation Plan on a pro rata share of residential lots or equivalent share basis as a condition of project approval.
25. **Area of Benefit Improvements:** The following Area of Benefit Improvements are required of all projects party to the Area of Benefit. This project’s proportional share and financial responsibility for these improvements shall be determined by the Engineer’s Report. These improvements shall be completed to the satisfaction of DOT prior to filing of the final map.

<b>Table 2</b>			
<b>ROAD NAME</b>		<b>ROAD WIDTH</b>	<b>EXCEPTIONS/NOTES</b>
<b>AREA OF BENEFIT</b> Off-Site Malcolm Dixon Road Widening From STA:10+00 to STA:28+20	Std Plan 101B County Maintained System	24ft (50ft R/W) EP to EP	Two 12 foot wide lanes and 3 foot wide shoulder per Exhibit X. 2”AC overlay over existing section. No vertical profile change. 3”AC/8”AB section for pavement extension or as recommended in Soils report.
<b>AREA OF BENEFIT</b>	Std Plan 101B	24ft (50ft R/W)	Two 12 foot wide lanes, AC dike and

Off-Site Malcolm Dixon Road Reconstruction From STA:28+20 to STA: 40+51	County Maintained System	Including slope easements. EP to EP	3 foot wide shoulder per Exhibit X. Omit shoulders at (e) Box Culvert location. 3"AC/8"AB or as recommended in Soils report. For design speed see Exhibit X.
<b>AREA OF BENEFIT</b> New Connection Reconstruction portion From STA: 20+20 to STA: 21+70.	Std Plan 101B County Maintained System	24ft (50ft R/W) Including slope easements. EP to EP	Two 12 foot wide lanes, AC dike and 2 foot wide shoulder per Exhibit X. 3"AC/8"AB section or as recommended in Soils report. For design speed see Exhibit X.
<b>AREA OF BENEFIT</b> Off-Site New Connection From STA:10+00 to STA:15+44	Std Plan 101B County Maintained System	36ft (60ft R/W) Including slope easements. FC to FC	36 foot travel way, curb, gutter and 6 foot wide shoulder per Exhibit X. 3"AC/8"AB section or as recommended in Soils report. For design speed see Exhibit X. 36 feet will accommodate two 11-foot travel lanes and a 10-foot striped turn pocket if necessary and 2-foot gutter pans on each side.

26. Offer of Dedication, Interior Roads: Developer shall irrevocably offer to dedicate in fee, a 50 foot wide road and public utilities easement as determined by DOT, and for all other onsite roadways, prior to the filing of the map. Slope easements shall be included as necessary. This offer will be rejected by the County.
27. Offer of Dedication, Connector Road between Malcolm Dixon Road and Green Valley Road: The applicant shall irrevocably offer to dedicate, in fee, 60 feet of right of way for the on-site portion of the New Connector Road, prior to filing the map. This offer will be accepted by the County.
28. Offer of Dedication, Malcolm Dixon Road: The applicant shall irrevocably offer to dedicate, in fee, ~~the~~ any necessary right of way to ~~measure~~ a maximum of 30 feet measured from the center line south ~~for the on-site portion of Malcolm Dixon Road~~ along the entire property frontage for any portion of Malcolm Dixon Road located on site as shown on the tentative map, prior to filing the map. This offer will be accepted by the County.
29. Offer of Dedication, Green Valley Road: The applicant shall irrevocably offer to dedicate, in fee, ~~the~~ any necessary right of way to ~~measure~~ a maximum of 50 feet measured from the center line north ~~for the on-site portion of Green Valley Road~~ along the entire property frontage for any portion of Green Valley Road located on site as shown on the tentative map, prior to filing the map. This offer will be accepted by the County.

30. Encroachment Permit(s): The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment from the access roadway onto Malcom-Dixon Road to the provisions of County Design Standards 103D. The applicant shall obtain an encroachment permit from DOT and shall construct the two roadway encroachment(s) from the access roadway(s) onto “New Connection” Road to the provisions of County Design Standards 103D. The improvements shall be completed to the satisfaction of the DOT or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
31. Turnaround: The applicant shall provide a turnaround to the provisions of County Design Standard 114 or approved equivalent by local fire district. The improvements shall be completed to the satisfaction of the DOT or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
32. 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.
33. Gates, Turnarounds: All gates shall be designed and constructed with turnarounds acceptable to the Department of Transportation and the Fire Department. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
34. Signal Modification: The developer shall provide a signal cycle length optimization design for Green Valley Road at El Dorado Hills Boulevard/Salmon Falls Road. The design shall be substantially completed to the approval of the Department of Transportation prior to the filling of the map
35. Off-site Easements: Applicant shall provide all necessary recorded easements for the drainage, slope and road improvements crossing the property line prior to approval of the improvement plans.
36. Maintenance Entity: The proposed project shall form an entity for the maintenance of any shared or common: private roads, parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping, signs, and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the map.
37. Performance Bond: The construction of all required improvements shall be completed with the presentation of the final map to the Planning Director before presentation of the

final map to the Board of Supervisors for its approval. For improvements not completed, the subdivider shall provide a 100 percent performance surety and a 50 percent labor and materials surety by separate bond, cash deposit, assignment, or letter of credit from a financial institution. For improvements which have been completed, the subdivider 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 County Department of Transportation. The developer shall pay the traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.

38. Subdivision Improvement Agreement & Security: The developer shall enter into a Subdivision Improvement Agreement (SIA) with the Department of Transportation for all onsite roadway, drainage infrastructure, grading, etc. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the SIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the final map.

#### DOT Standard Conditions

39. Improvement Plans and Cost Estimate: 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.
40. Easements: All applicable existing and proposed easements shall be shown on the project plans.
41. Signage: The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Department of Transportation prior to the filing of the map. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
42. Water Quality Stamp: All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.
43. Construction Hours: Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 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.
44. DISM Consistency: The developer shall obtain approval (as modified by these conditions herein) of project improvement plans and cost estimates consistent with the

Subdivision Design and Improvement Standards Manual (dated May 1986, revised May 1990), from the County Department of Transportation, and pay all applicable fees prior to filing of the final map

45. 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.
46. 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 Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado “Design and Improvement Standards Manual”, the “Grading, Erosion and Sediment Control Ordinance”, the “Drainage Manual”, the “Off-Street Parking and Loading Ordinance”, and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of DOT prior to occupancy clearance.
47. Grading Plan Review: Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
48. RCD Coordination: The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
49. 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 Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and

proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.

50. Drainage Study / SWMP Compliance: The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.

The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:

- a. The site can be adequately drained;
- b. The development of the site will not cause problems to nearby properties, particularly downstream sites;
- c. 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.
- d. 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 Department of Transportation prior to the filing of the final map or the applicant shall obtain an approved improvement agreement with security.

51. 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.

52. 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.
53. 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.
54. Off-site Improvements (Security): Prior to the filing of a final map or parcel map, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required offsite improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in the amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.
55. Off-site Improvements (Acquisition): As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the applicant’s expense and within 120 days of filing the Final Map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map, the applicant shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20% contingency:
  - a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
  - b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
  - c. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements.

In addition to the agreement the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

56. Electronic Documentation: Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
57. TIM Fees: The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.

### **El Dorado County Air Quality Management District**

58. 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.
59. Paving: Project construction shall adhere to AQMD Rule 224 Cutback and Emulsified Asphalt Paving Materials.
60. 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).
61. Painting/Coating: The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
62. 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.
63. 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)
64. 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.

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

65. A secondary means of egress shall be provided prior to any construction or be phased per State Fire Safe regulations.
66. 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. 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.
67. Mueller Dry Barrel fire hydrants shall be installed in conformance with El Dorado Irrigation District specifications 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.

68. 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.
69. There shall be no parking on the roadway B1, D, E, and F. Curbs shall be painted and signs installed to Fire Department standards prior to recording the final map, or included as part subdivision improvement agreement.
70. Court “A” shall not exceed 800 feet in length.
71. Road “F” shall not exceed 150 feet in length.
72. No traffic calming device that utilizes a raised bump/dip section of roadway shall be installed.
73. 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.
74. Any gate shall meet the El Dorado Hills Fire Department Gate Standard B-002. The Department shall inspect the gates for compliance prior to building permit final.
75. The Wildland Fire Safe Plan, William Draper, Registered Professional Forester #898, dated September 2, 2011, shall be implemented. This shall address the homes that back up to the open wildland areas that surround this project. Provisions for on-going maintenance shall be contained in the CC&Rs as required by Condition 21.

### **El Dorado County Surveyor**

76. All survey monuments must be set prior to filing the final map or the developer shall show proof of surety, for work to be done, by bond or cash deposit. Verification of the survey monuments, or amount of bond or deposit to be coordinated with the County Surveyors Office prior to filing the final map.
77. 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.