

CONDITIONS OF APPROVAL

Rezone Z15-0001/Parcel Map P15-0001/Dryden Planning Commission/November 12, 2015

1. This Tentative Parcel Map is based upon and limited to compliance with the project description, the hearing exhibits marked

Exhibit E..... Proposed Rezone Map

Exhibit F..... Tentative Parcel Map, dated March 4, 2015

and Conditions of Approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval would constitute a violation of permit approval.

The project description is as follows:

- a. The project allows the creation of four parcels from a 16.63 acre site identified by Assessor’s Parcel Number 016-410-10. All parcels shall be served by public water and sewer. The approval includes the following:

Lot Number	Gross Area	Improvements
1	0.34 acres	Dilapidated commercial building to be demolished
2	0.42 acres	Dilapidated commercial building to be demolished
3	0.45 acres	Dilapidated commercial building to be demolished
4	15.42 acres	Single Family residence/accessory building to remain

- b. Design Waivers of El Dorado County Design and Improvement Standards Manual (DISM) to allow the following:

1. Roadway width minimum of 18 feet per Standard Plan 101C to be reduced to 12 feet for connecting road to proposed Lots 1, 2, and 4;
2. Right of way width minimum of 50 feet per Standard Plan 101C to be reduced to 20 feet for connecting road to proposed Lots 1, 2, and 4;
3. Roadway structural requirement of 2.5 inches of hot mix asphalt over 6 inches of class 2 aggregate base per Standard Plan 101C to be waived; and
4. The requirement for a fire turnout on Lot 4 per El Dorado County Standard Plan to be waived.

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

Development Services Division

2. **Archeological Resources:** The following shall be incorporated as a note on any future grading/improvement plans:

In the event archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a “unique archaeological resource”, contingency funding and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archaeological mitigation takes place.

If the find is determined to be a “unique archaeological 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”.

Development Services shall verify the inclusion of this notation on any future grading/improvement plans prior to the issuance of a permit.

3. **Human Remains:** The following shall be incorporated as a note on any future grading/improvement plans:

In the event of the discovery of human remains, all work shall cease and the County Coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The Coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the Coroner of the discovery or recognition of the human remains. If the Coroner determines that the remains are not subject to his or her authority and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with

Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

Development Services shall verify the inclusion of this notation on any future grading/improvement plans prior to the issuance of a permit.

4. **Permit Time Limits:** This Tentative Parcel Map shall expire 36 months from the date of approval unless a timely extension has been filed.
5. **Park In-Lieu Fee:** The applicant shall be required to pay a Park-in-Lieu fee of \$150.00 payable to El Dorado County, pursuant to El Dorado County Subdivision Ordinance Chapter 16.12.090. Check shall be submitted to the Development Services Department. A receipt showing compliance with this condition shall be submitted by the applicant to Planning Services prior to filing of the parcel map.
6. **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 to Planning Services and make the check out to El Dorado County. No permits shall be issued or Parcel Map filed until said fees are paid.
7. **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.

8. **Demolition:** Prior to recording the Parcel Map, at a minimum the building on Lot 1 shall be removed, or at least that portion of the building located within the road and utility easements and within the setbacks per Section 130.58.040 of the Zoning Ordinance. A building permit is required prior to demolition.

Transportation Division

9. **Easement:** A 20-foot wide access easement on Lots 1, 2, and 3 fronting State Highway 89 shall be recorded on the Parcel Map.

Surveyor's Office

10. All survey monuments must be set prior to filing the Parcel Map.
11. Provide a Parcel Map Guarantee, issued by a title company, showing proof of access to a State or County Maintained Road as defined in 120.44.120(B)(2).
12. The road serving the development shall be named by filing a completed Road Name Petition, with the County Surveyors Office. Proof of any signage required by the Surveyor's Office must be provided to our office prior to filing the Parcel Map.
13. Situs addressing for the project shall be coordinated with the Meeks Bay Fire Protection District and the County Surveyors Office prior to filling the Parcel Map.
14. Prior to filing the Parcel Map, a letter will be required from all agencies that have placed conditions on the map. The letter will state that "all conditions placed on P15-0001 by (that agency) have been satisfied". The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.

Air Quality Management District (AQMD)

15. 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. The project shall adhere to the regulations and mitigation measures for fugitive dust emissions during the construction process. In addition, a Fugitive Dust Mitigation Plan (DMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction if the project requires a grading Permit from the County (Rules 223 and 223.1).
16. Paving: Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).
17. Painting/Coating: The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
18. 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).
19. 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.

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

Tahoe City PUD

21. The applicant shall work with the Tahoe City PUD to obtain the appropriate permits for the demolition of the commercial building(s).