

## **CONDITIONS OF APPROVAL**

### **TM-R22-0001/Bass Lake Estates Revision Planning Commission/January 12, 2023**

(Note: The following are the original Conditions of Approval for Bass Lake Estates Tentative Subdivision Map, as approved by the Board of Supervisors on February 12, 2008 with edits shown in double underlines and ~~strike-throughs~~ for the proposed revision to the tentative subdivision map.

#### **Planning Services:**

1. This parcel map is based upon and limited to compliance with the project description, the Planning Commission hearing exhibit marked Exhibit B (tentative subdivision map) dated December 13, 2007, 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:

Revision to the approved Bass Lake Estates Tentative Subdivision Map (TM06-1420) consists of the following:

Addition of a Phasing Plan (two phases) in accordance with El Dorado County Subdivision Ordinance Section 120.28.010 and Subdivision Map Act Section 66456.1 for financing and phasing purposes. Phase 1 consists of open space and Phase 2 consists of 36 residential lots, the internal roadway, and frontage improvements to Bass Lake Road.

The project is for a Tentative Subdivision Map to create 36 residential lots ranging in size from 3,020 to 5,665 square feet, a Zone Change to add the Planned Development (PD) zoning overlay, and a Planned Development to allow the clustering of units and modification to the development standards. The project includes five design waivers to allow a reduced right-of-way from 60 feet to 50 feet on Trout Lake Court, a reduced sidewalk width from six (6) feet to five (5) feet on Trout Lake Court with improvements limited to one side of the road, and a five-foot meandering sidewalk on the south side of Bass Lake Road, to allow a joint access for parcels 1 and 2, and to reduce the length of the tum pockets and tapers onto Bass Lake Road.

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. The applicant shall provide to Planning Services, a meter award letter or similar document from EID, prior to filing the Final Map.

3. Prior to filing of the final map, the applicant shall complete the annexation process into EID through LAFCO and submit evidence of the satisfaction of this condition to Planning Services upon completion.
4. The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. The applicant shall pay all fees at the time of filing the Final Map.
5. The subdivider shall pay a \$150.00 appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.
6. The developer shall enter into an agreement with the School Districts to pay the sum of \$8,288.00 per residential unit constructed within the boundaries of the subdivision. The agreement shall provide for an annual adjustment in the fee by the increase in the Engineering News Record Construction Cost Index. The increase is calculated by the Districts as of January 1 of each year and implemented on July 1 of each year. The applicant shall contact the County Office of Education prior to the issuance of any building permits to verify the applicable fee at the time of building permit issuance. The owner of record shall pay the fee at the time the building permit is issued. The owner of record shall record on the property the agreement or a notice of restriction to alert subsequent owners of this obligation.
7. Any oak trees removed from the site shall be replaced as specified in the Interim Interpretive Guidelines for El Dorado County. Replacement of removed tree canopy shall be at a 200 tree saplings per acre, or 600 acorns per acre, whether on-site or off-site. A tree planting and preservation plan is required prior to issuance of a grading permit. If the applicant chooses to replace removed trees off-site, an easement for off-site replacement must be obtained prior to the recordation of the Tentative Map. A letter from the certified project arborist verifying the replacement of trees and a contract for intensive to moderate maintenance and monitoring shall be required for a minimum of 15 years after planting. The survival rate shall be 90 percent. Any trees that do not survive during this period of time shall be replaced by the property owner. The arborist contract, planting and maintenance plan, and all compliance documents necessary to meet the Oak Woodlands Interim Interpretive Guidelines shall be provided to Planning Services prior to issuance of a grading permit.
8. Prior to final map, the applicant shall file a Notice of Restriction prohibiting parking along the common driveway easement between parcels 1 and 2.
9. The applicant shall submit to Planning Services a \$50.00 recording fee and a \$1,876.75 Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No permits shall be issued or final map filed until said fees are paid.
10. 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.

11. All Development Services Planning fees shall be paid prior to filing of the Final Map.
12. Prior to final map, the previous map TM96-1320E shall be considered null and void.

**The Department of Transportation:**

***SPECIFIC PROJECT DOT CONDITIONS:***

13. The applicant shall construct the following roadways:

| <b>Table 1</b>             |  |   |
|----------------------------|--|---|
| <b>ROAD NAME</b>           | <b>ROAD WIDTH</b>  | <b>EXCEPTIONS/NOTES</b>   |
| Bass Lake Road             | Overall 36 ft roadway (60 ft ROW), per Std. Plan 101B with Slope easements as needed | 12 foot through lanes, 4 foot shoulders, Type 2 vertical curb & gutter and 6 foot sidewalk along the north side and a 5-foot meandering sidewalk along the south side of Bass Lake Road, per DISM Std. Plan 104 & 110. Required turn pocket channelization will necessitate additional roadway improvements and right of way. |
| Trout Lake Court           | 36 ft roadway (50 ft ROW) per Std. Plan 101B with slope easements as needed          | Type 1 rolled curb and gutter. 5 foot sidewalk (one side only) per DISM Std. Plan 104 & 110.  |
| Access Road for Lots 1 & 2 | 18 ft roadway (25 ft ROW), per Fire Safe Regs & DISM                                 | No curb, gutter, sidewalk, turn-around if required by Fire Prevention Officer   |

Notes for Condition 1 table:

Road widths in the preceding table are measured from curb face to curb face.

Curb face for rolled curb and gutter is 6" from the back of the curb.

14. The applicant shall construct the required frontage improvements to Bass Lake Road consistent with the approved improvement plans for the Silver Springs Subdivision that were prepared by Stantec Consulting Inc. and modified, as necessary, to accommodate this project. The applicant shall provide curb, gutter, and sidewalk to the requirements as specified in Condition 1, and right and left turn channelization for access to this development. 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 filing of the final map.

The applicant shall enter into a reimbursement or cost sharing agreement with the owner/developer of the Silver Springs subdivision providing that the cost of the improvements to Bass Lake Road be shared on a reasonable basis, and that the party actually constructing the improvements shall be reimbursed by the non-constructing party at the time that the non-constructing party seeks the recording of a final map. Should such an agreement not be in place and recorded on the subdivision property prior to the recording of a final map, and the improvements to Bass Lake Road have been constructed, or are being constructed by the Silver Springs developer, the applicant shall, as a condition to recording a final map, pay a reasonable share of the cost of the improvements. Evidence of such payment, or the arrangement for such payment upon the recording of the final map, shall be presented as part of the filing for a final map. For the purposes of this condition the improvement costs to be shared shall be those from curb to curb and shall not include the cost of frontage improvements (curb, gutter and sidewalk) or improvements designed to serve only one of the projects, such as turn lanes at the entrances. The cost of construction shall be deemed to include all costs associated with construction of the improvements including design, engineering, permitting, environmental review, surveying, staking, inspections and physical construction. If an agreement cannot be reached by the parties as to a reasonable share of cost, or the total allocable costs, a determination may be made by the County as to a reasonable methodology for determining the total cost and the reasonable share of such costs attributable to each party.

15. The applicant shall construct Trout Lake Court to the requirements as specified in Condition 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 filing of the final map.
16. The applicant shall design and construct a left turn pocket on Bass Lake Road at the northerly intersection with Trout Lake Court. The DOT will work with the applicant to limit the pocket and transitions to the extent possible while maintaining conformance with the El Dorado County curve design and speed criteria. 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 filing of the final map.
17. The applicant shall design and construct a right in/right out at the southerly intersection of Trout Lake Court and Bass Lake Road. This design shall include providing a raised traffic island and curbing to prevent left turn movements at this intersection according to the provisions of the Caltrans Highway Design 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 filing of the final map.
18. The applicant shall design and construct both roadway encroachments from Trout Creek Court onto Bass Lake Road to the provisions of DISM, Standard Plan 103D. These 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 filing of the final map.
19. The applicant shall connect the five-foot wide meandering sidewalk along the frontage of Bass Lake Road, southerly to the existing sidewalk that connects to the adjoining Bass Lake

- Village Subdivision, and northerly connecting to the Woodleigh Lane intersection according to the provisions in the DISM Std. Plan 104 & 110. 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 filing of the final map.
20. A vehicular access restriction shall be placed along the entire frontage of Bass Lake Road, except at the Trout Lake Court encroachments, prior to the filing of the final map.
  21. The applicant shall irrevocably offer to dedicate, in fee, on the final map, the required right of way, with the appropriate slope easements as needed, as specified in Condition 1 for the on-site portion of Bass Lake Road along the entire property frontage. This offer will be accepted by the County.
  22. The applicant shall provide a 50 foot wide non-exclusive road and public utility easement (R & PUE) for Trout Lake Court and a 25 foot wide R & PUE for the on-site access roadway that serves Parcel 1 & 2, prior to the filing of the final map.
  23. 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.
  24. As specified in the Conditions of Approval, the subdivider is required to perform off-site improvements. If it is determined that the subdivider 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 subdivider'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 or parcel map, the subdivider 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 percent contingency:
    - a. A legal description and plat, of the land necessary to be acquired to complete the off site 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 subdivider 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.

25. The applicant shall adhere to all DOT standard conditions as specified on Attachment A, which were provided to the applicant on July 5, 2007.

**Cameron Park Fire Protection District:**

26. The District shall require three new hydrants. The location and type of fire hydrants shall be reviewed and approved by the Fire District prior to filing the final map.
27. The applicant shall prepare a Fire Safe Plan for the project. The Fire District shall review and approve the plan prior to filing of the final map.
28. The applicant shall stripe one side of Trout Lake Court as 'No Parking.' Adequate signage shall be required along the striped side of Trout Lake Court. The Fire District shall review and approve the striping and signage prior to filing of the final map.

**Cameron Park Community Services District**

29. The developer shall pay adequate parks fees, based on County appraisal. The developer shall ensure that any CC&Rs established for the project are reviewed and approval by the CSD.

**Department of Environmental Health- Air Quality Management District**

30. Project applicant shall adhere to Rules 223, 223.1, and 223.2 during construction. The applicant shall submit a Fugitive Dust Plan to and receive approval by the District prior to the issuance of a grading permit and start of project construction.
31. Project construction shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
32. Burning of wastes on-site requires the applicant contact the District prior to the commencement of any burning for necessary burn permit requirements. Only vegetative waste materials are permitted to be disposed of using an open outdoor fire.
33. The project construction shall adhere to District Rule 215 Architectural Coatings.
34. The applicant shall submit a list to the District stating which mitigation measures the applicant must comply with to reduce impacts to air quality from equipment exhaust emissions during all construction involved in this project for approval prior to issuance of a Grading Permit.

**Surveyor's Office:**

35. All survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval, or the developer shall have surety of work to be done by bond or

cash deposit. Verification of set survey monuments, or amount of bond or deposit to be coordinated with the County Surveyors Office.

36. The roads serving the development shall be named by filing a completed Road Name Petition with the County Surveyors Office prior to filing the final map.