

VERIFICATION OF FINAL MAP CONFORMANCE WITH CONDITIONS OF APPROVAL

Final Map TM-F20-0002 – Marble Valley Ridge

TM06-1412– As approved by the Board of Supervisors March 11, 2008

Conditions of Approval

Project Description

1. This rezone, development plan, and tentative map is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits A-N dated February 14, 2008, 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 substantial 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:

Rezone a 14.59 acre parcel containing 4.39 acres of One-Family Residential (R1) and 10.2 acres of Open Space (OS) to 2.77 acres of One-Half Acre Residential-Planned Development (R20,000-PD) and 11.82 acres of Open Space-Planned Development (OS-PD). A tentative map and Development Plan to subdivide the 2.77 acres zoned for residential into three single-family residential parcels ranging in size from 0.86 to 0.98 acres; building envelopes and setbacks are identified on the tentative map. Parcel 1 shall, at a minimum, provide 10 foot side yard setbacks. Parcels 2 and 3 shall provide, at a minimum, 20 foot front and rear yard setbacks. Building envelopes of 10,960 square feet, 10,388 square feet, and 7,450 square feet have been provided on Parcels 1-3, respectively. Proposed Open Space Lot A would be reconfigured, increased in size to include 11.82 acres, and designated non-developable for residential uses to be maintained by a Homeowners Association or other mechanism, in perpetuity. Several alternatives exist for providing water service to the site. Due to the small size of the project and nominal effect of adding three additional single family units to the EID system, the applicant and EID have agreed contribution of fees toward payment of Alternative #2 is the preferred option. As such, the applicant shall pay \$26,940 to EID (in lieu of the improvements) in addition to the Facilities Capacity Charges for the water meter award letter. The in-lieu payment is based on a 10 percent estimated cost to install Alternative #2 and would contribute to the required connection to be constructed by the approved Protzel Tentative Map TM05-1403 and/or proposed Porter Tentative Map TM07-1438, whichever occurs first.

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 substantially conform to the project description above, tentative map, approved hearing exhibits, and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in substantial compliance with this project description, the tentative map, 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.

Rationale: Condition Satisfied. The developer has acknowledged this condition and has submitted final map documentation which complies with this project description. Planning has received confirmation from EID stating that the \$26,940 fee would be satisfied via the engineering plans and associated costs to obtain a Caltrans encroachment permit required prior to construction of a waterline to be installed under US Highway 50. Therefore, the project is consistent with this condition.

CONDITIONS FROM THE MITIGATED NEGATIVE DECLARATION

All mitigation measures listed in this section shall be placed as a note on all grading and/or improvement plan sets.

2. **MM Bio-1:** Prior to the issuance of building permits, the applicant shall pay the Rare Plant Mitigation Area 1 in-lieu fee for Parcels 2 and 3 and Rare Plant Mitigation Area 2 in-lieu fee for Parcel 1. The in-lieu fee shall be based upon the fee that is in place at the time of building permit issuance and shall be made to offset impacts within these mitigation areas based on adopted County policies.

Timing/Implementation: Prior to issuance of building permits

Enforcement/Monitoring: El Dorado County Planning

Rationale: Condition Ongoing. Applicable fees will be assessed and paid prior to building permit issuance.

3. **MM Bio-2:** All grading, improvement, and building plans shall state: "It is the applicant and contractor's responsibility to comply with all applicable state and federal laws and regulations including the Federal and State Endangered Species Acts and the Clean Water Act for all on and/or off-site impacts. The County Grading Permit does not authorize Contractor to conduct activities not permitted by applicable State and Federal agencies in areas subject to State and Federal jurisdiction."

Timing/Implementation: Prior to issuance of grading and building permits

Enforcement/Monitoring: El Dorado County Planning

Rationale: Condition Satisfied and Ongoing. The developer shall provided this statement on all grading, improvement, and building plans.

4. MM Bio-3:

Prior to initiation of the proposed grading or construction activities, a qualified biologist must conduct a site survey during the blooming season (May through June) and provide a report to Planning Services to determine the existence of Stebbins false bindweed. The survey shall be conducted for areas identified for development footprint, which includes the areas necessary for pad development and driveway improvements.

If no such species is found, no further measures shall be necessary.

a. If such species are found within identified development areas and not planned for removal, the applicant shall obtain a letter from a qualified biologist providing recommendations for protection of such species, including, but not limited to, installation of habitat and/or biological protection fencing (or similar) to protect and buffer such species from impacts.

b. If such species are found within identified development areas and would be removed, consultations and approvals for such take must be made by the California Department of Fish and Game and/or the US Fish and Wildlife Services. A copy of any incidental take permits for related impacts (or similar acknowledgement) must be provided to Planning Services to place in the project file.

Timing/Implementation: Prior to initiation of grading or construction or activities

Enforcement/Monitoring: El Dorado County Planning

Rationale: Condition Ongoing. Compliance confirmation would occur during building and grading permit review and prior to initiation of any grading or construction activities.

5. MM Bio-4:

30 days prior to initiation of any proposed grading or construction activities to occur within the nesting period of Cooper's Hawk and raptors (March 1st through August 31st), and White-tailed kite (February to October) a qualified biologist shall conduct a site survey and provide a report to Planning Services to determine the existence of such species.

a. If no active nests are found, no further measures shall be necessary.

- b. If an active nest is found within 200 feet of an area identified for development, a qualified biologist shall record the location(s) on a site map.
- c. If the species is listed under the Federal or State Endangered Species Act, the appropriate federal or state agency shall be contacted for guidance.
- d. If the species is not federally or state listed but protected under the federal Migratory Bird Treaty Act of 1918, a qualified biologist shall establish a minimum 100 foot buffer (Environmentally Sensitive Area) around the nest tree.
- e. The biologist shall delimit the buffer zone with yellow caution tape, surveyor's flagging, pin flags, and/stakes, etc. The buffer zone shall be maintained until the young have fledged. Construction activities shall not occur within 100 foot of a nest tree while young are in the nest.
- f. The biologist shall monitor the nest weekly during construction to evaluate potential disturbance caused by construction activities. The biological monitor shall have the authority to stop construction if the nesting birds appear to be adversely affected by construction activities.

Timing/Implementation: Prior to initiation of grading or construction or activities

Enforcement/Monitoring: El Dorado County Planning

Rationale: Condition Ongoing. Compliance will be confirmed during grading and building permit review.

6. MM Bio-5:

Prior to initiation of any proposed grading or construction activities, a qualified biologist shall review the grading plans and submit a report to Planning Services identifying potential impact to on-site aquatic habitat, if any.

- a. If not impact are identified, no further measures shall be necessary.
- b. If impacts are identified, twenty-four hours prior to initiation of grading or construction activities, a qualified biologist shall conduct a preconstruction survey of on-site aquatic habitat to be impacted for foothill *yellow-legged frog* and *northwestern pond turtle* and submit a report to Planning Services. If no such species are found, no further measures shall be necessary.

- c. In the event *foothill yellow-legged frog* and/or *northwestern pond turtle* are found in areas of on-site aquatic habitat to be impacted, a qualified biologist shall provide a recommendation for relocation, shall relocate said species, and shall be present during all clearing and grubbing activities to occur within the impacted aquatic habitat. All *foothill yellow-legged frog* and *northwestern pond turtle* found during clearing and grubbing shall be relocated based on the recommendations of the biologist.

Timing/Implementation: *Prior to clearing and grubbing*

Enforcement/Monitoring: *El Dorado County Planning*

Rationale: *Condition Satisfied and Ongoing. Compliance will be confirmed during grading and building permit review.*

7. MM Bio-6:

The applicant shall identify a 100 foot buffer from the edge of the pond located along the eastern property line and from the edge of the stream bank that flows in a southwesterly direction along the northwest corner of the project site, as well as a 50 foot buffer from the edge of the intermittent wetland located midway along the northern property line. The identification shall be made on the final map, Site Plan Review, grading, improvement, and building plans.

- a. Grading and construction activities shall not occur within the identified 100 foot buffers unless the applicant submits a letter prepared by a qualified biologist that states the specified encroachment would not result in any impacts to riparian habitat and/or wetlands.
- b. Although not preferred or anticipated, should EID Alternative #1 improvements be required under US Highway 50 to connect to the EID water line located within Country Club Drive construction can only occur utilizing the jack and bore method previously approved and analyzed. Unless the applicant submits a letter prepared by a qualified biologist that states the specified encroachment would not result in any impacts to riparian habitat and/or wetlands, construction of improvements must begin and end outside of the identified 50 foot buffer and must remain 5 to 10 feet below the existing surface grade.
- c. Driveway improvements within the identified 50 foot buffer shall not encroach north (but can encroach south) of the existing driveway footprint unless the applicant submits a letter prepared by a qualified biologist that states the specific encroachment would not result in any impacts to riparian habitat and/or wetlands.

Timing/Implementation: Prior to filling the final map, Site Plan Review (SPR), grading, improvement, and/or building plans approvals

Enforcement/Monitoring: El Dorado County Planning

Rationale: Condition Satisfied and Ongoing. A 100-foot buffer from both the edge of the pond located along the eastern property line and from the edge of the stream bank along the northwest corner of the project site is shown on the final map. A 50-foot buffer from the edge of the intermittent wetland located midway along the northern property line is shown on the final map. Further compliance will be confirmed during review of grading and building permits.

8. MM Bio-7:

- a. For tree replacement under Policy 7.4.4.4 of the General Plan, oak trees shall be replanted at a rate of 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 or qualified biologist 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 or biologist 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.
- b. Payment of all fees required under Option B of General Plan Policy 7.4.4.4 to the county's Integrated Natural Resources Management Plan (INRMP). Payment of fees shall be at a migration ratio of 2: 1 and based on all impacted oak woodland acreage. Payment of fees and successful completion of this alternative is dependent upon county adoption and implementation of the INRMP by the County and approval of Planning Services.
- c. Acquisition of an off-site conservation easement covering property with healthy oak woodland canopy area of 0.36 acres, equivalent to 100 percent of the oak canopy area proposed to be removed by the project. The conservation easement shall be in close proximity to the project site or within or adjacent to an Important Biological Corridor or Ecological Preserve, as designated in the General Plan. The

conservation easement shall provide for the preservation of the area in perpetuity and shall include such terms, conditions, and financial endowments for monitoring and management deemed necessary by the County to ensure the long term preservation of the oak woodland area. The easement shall be in favor of the County or a County-approved conservation organization.

Timing/Implementation: Prior to approvals of grading permits

Monitoring/Enforcement: El Dorado County Planning

Rationale: Condition Ongoing. Compliance with this condition shall occur through the efforts of the applicant prior to issuance of grading permits.

9. MM Bio-8:

If option a. above is utilized, the applicant shall provide an update letter to be prepared by a qualified professional about the health and progress of the re-planted oak saplings and/or oak acorns for this project.

Timing/Implementation: Prior to issuance of occupancy permits

Monitoring/Enforcement: El Dorado County Planning

Rationale: Condition Ongoing. Compliance with this condition shall occur through the efforts of the applicant prior to issuance of occupancy permits.

10. MM Bio-9:

If option a. above is utilized, Covenants, Conditions, and Restrictions (CC&Rs) shall be established and recorded for this project that would, in part, ensure the survival of replanted oaks by requiring that each property owner share equally in the responsibility in the long term monitoring and maintenance of replanted oaks. The CC&Rs shall require that the property owners coordinate a one year, three years, five years, and ten year monitoring survey to be prepared by a qualified professional for both oak and saplings that would be replaced, as well as a similar fifteen year survey update for acorns. In the event that the re-planted saplings or acorns not survive, they shall be replaced (at the sole and equally shared cost of each property owner) based on County adopted policies and standards, and based on the input of a qualified professional.

Timing/Implementation: Prior to issuance of building permits, occupancy permits, and on-going

Monitoring/Enforcement: El Dorado County Planning

Rationale: Condition Ongoing. Compliance with this condition shall

occur through the efforts of the applicant prior to issuance of building permits and prior to issuance of occupancy permits, and ongoing.

- 11. MM Cultural-1:** The applicant shall consult with Planning Services to coordinate the placement of a non-building buffer on the final map, Site Plan Review (SPR), grading, improvement, and/or building plans, based on the recommendations of the Cultural Resources Study. Planning Services staff shall review such plans and study to ensure the proper placement of the non-building buffer is made, to be labeled 'non-building buffer.'

Timing/Implementation: Prior to issuance of final map, Site Plan Review (SPR), grading, improvement, and/or building plans

Monitoring/Enforcement: El Dorado County Planning

Rationale: Condition Satisfied and Ongoing. A non-building buffer has been placed in an identified area pursuant to the Cultural Resources Study. Further verification of compliance with this condition will occur during any site plan review as well as during review of any grading and building plans.

- 12. MM Land Use-1:** The applicant shall submit a Site Plan Review (SPR) application for each of the newly created residential parcels to determine consistency with the approved rezone, tentative parcel map, and Planned Development (PD) application. The consistency determination shall be made based upon review of the tentative map, project exhibits, conditions of approval, mitigation measures, ordinances, and policies applicable at the time of the SPR review.

Timing/Implementation: Prior to issuance of building permits

Monitoring/Enforcement: El Dorado County Planning

Rationale: Condition Ongoing. Verification of compliance with this condition would occur during review of each building permit request.

- 13. MM Noise-1:** The backyard area Parcel 1 shall be located at the furthest distance possible away from U.S. Highway 50 and the proposed residence shall be sited between US Highway 50 and the backyard areas. At no time, shall backyard areas including, but not limited to, grassy or play areas, balconies, patios, and/or decks be located between US Highway 50 and the residential structure.

Timing/Implementation: Prior to SPR approval

Monitoring/Enforcement: El Dorado County Planning

Rationale: Condition Ongoing. Verification of compliance to this condition would be confirmed prior to SPR approval, which is required prior to building permit approval.

- 14. MM Noise-2:** Prior to the issuance of building permits on Parcels 2 and 3, the applicant shall illustrate the use of a minimum Sound Transmission Class rating 32 for all second story bedroom windows. Parcel 1 shall require such treatments on all stories. Balconies, patios, and decks on Parcels 2 and 3 shall only be allowed behind and below the berm.

Timing/Implementation: Prior to issuance of building permits

Monitoring/Enforcement: El Dorado County Planning

Rationale: Condition Ongoing. Verification of compliance with this condition would occur prior to building permit issuance.

- 15. MM Noise-3:** Prior to the issuance of building permits on Parcels 1, 2, and 3, the applicant shall illustrate central air and heating units will be installed to allow occupants to close doors and windows as desired to achieve compliance with applicable interior noise level criteria.

Timing/Implementation: Prior to issuance of building permits

Monitoring/Enforcement: El Dorado County Planning

Rationale: Condition Satisfied. Verification of compliance with this condition would occur prior to building permit issuance.

Planning

16. 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 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.

Rationale: Condition Satisfied and Ongoing. Per the applicant, no legal action has been instituted by any party as of the filing of this final map application. Further verification of compliance to this condition would occur throughout the development process, as necessary.

17. This tentative map shall expire within 36 months from the date of approval unless a timely extension has been filed.

Rationale: Condition Satisfied at this time. The developer has acknowledged this condition. The Marble Valley Ridge Tentative Map expires on March 11, 2023.

18. The applicant shall make the actual and full payment of planning processing fees for the rezone, planned development, and tentative map application prior to the County Recorder processing the final map.

Rationale: Condition Satisfied and Ongoing. Applicant shall work with Planning Services to confirm that payment due for the processing of fees associated with the project have been paid prior to recording the final map.

19. Prior to the issuance of building permits, the applicant shall pay Quimby in-lieu fees to Planning Services pursuant to Subdivision Ordinance Section 16.12.090. The applicant shall be subject to a \$150.⁰⁰ appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.

Rationale: Condition Satisfied and Ongoing. The applicant has provided a \$150.00 check for the payment of park in-lieu appraisal fees. Applicant shall work with Planning Services to obtain the fee calculation for parkland dedication in-lieu fees prior to issuance of any building permits.

20. A notice of Restriction on Open Space Lot A shall be filed concurrent with the final map restricting all future residential development activities in perpetuity. With exception to environmental protection and maintenance of the driveways, no future development activities shall be allowed on Open Space Lot A.

Rationale: Condition Satisfied and Ongoing. A draft Notice of Restriction on Open Space Lot A has been provided to Planning Services as part of the final map application packet. Full compliance with this condition shall occur through the efforts of the applicant. Applicant shall work with the County to finalize the NOR. A final notarized NOR shall be provided to Planning Services and the Surveyor's Office prior to recordation of the final map.

21. Concurrent with the final map recording and prior to the County issuing building permits on any parcel Covenants, Conditions, and Restrictions (CC&Rs) must be established for the project to address, at a minimum, the maintenance of Open Space Lot A, existing and proposed improvements to the berm, oak tree replacement and monitory (if any), driveway easements, and driveway encroachments. Planning Services shall review the Covenants, Conditions, and Restrictions (CC&Rs) to ensure consistency with project mitigation, permit conditions, and county standards.

Rationale: Condition Satisfied. Draft CC&Rs have been provided as part of the final map application packet. Full compliance with this condition shall occur through the efforts of the applicant. Applicant shall work with the County to finalize the CC&Rs. A final CC&R document shall be provided to Planning Services and the Surveyor's Office prior to recordation of the final map.

22. At the discretion of the Deputy Director of Planning Services, the applicant can request specific encroachments into identified wetland buffers. The applicant shall submit a letter prepared by a qualified biologist that states the specified encroachment would not result in any impacts to riparian habitat and/or wetlands. Should the report identify impacts, no such encroachments could occur without a Planning Commission decision, at a noticed public hearing with proper CEQA assessments. Fees associated with the processing of a Planning Commission request for such encroachments shall be paid by the applicant.

Rationale: Condition Satisfied and Ongoing. Applicant has not requested any specific encroachments into identified wetland buffers. Further verification of compliance with this condition would occur during grading and building permit review.

23. The Site Plan Review (SPR) on Parcels 1, 2, and 3, shall substantially conform to exhibits labeled 'Noise and Visual Analysis Exhibit Parcels 1-3' and the tentative map for building envelopes and established setbacks, location of building pads associated to steep slopes, finished floor elevations, fence lines, backyard areas shielded from noise sources, and site line building elevations to US Highway 50. SPRs processing fees shall be based on a deposit and 'Time and Materials Agreement' for reimbursement for County time spent on such reviews.

Rationale: Condition Ongoing. Verification of compliance with this condition would be confirmed during SPR review and further verified during building and grading permit review.

24. Central air and heating units shall be screened from public view. Roof mounted units shall not be allowed. The location of outdoor equipment associated with central air and heating units shall be shown on the Site Plan Review (SPR) plans and building plans for each parcel.

- Rationale: Condition Ongoing. Verification of compliance with this condition would be confirmed during SPR review and further verified during building permit review.*
25. Propane tanks shall be screened from public view. The location of propane tanks shall be shown on the Site Plan Review (SPR) plans and building plans for each parcel.
- Rationale: Condition Ongoing. Verification of compliance with this condition would be confirmed during SPR review and further verified during building permit review.*
26. Prior to the issuance of building permits, the applicant shall connect to the existing El Dorado Irrigation District (EID) water lines and provide a copy of the meter award letter to Planning Services to be placed in the project file.
- Rationale: Condition Ongoing. Confirmation of issuance of Meter Award Letters would occur during building permit review and prior to issuance of building permits.*
27. Prior to occupancy, the applicant shall connect to the existing El Dorado Irrigation District (EID) 6 inch sewer line located in Crazy Horse Road.
- Rationale: Condition Ongoing. Verification would be confirmed prior to occupancy permit issuance.*
28. At no time shall gates be installed across the driveway easements for Parcels 1, 2, and 3. The existing gate serving parcel 45 of final map I-107 located across the existing 30 foot wide public utility and driveway easement shall remain. Primary driveway access and gate openers shall be made available to property owners of Parcel 1 of this project, in perpetuity. At no time shall primary driveway access for Parcel 1 occur over and across the primary driveway access for Parcel 2 which connects to Crazy Horse Road.
- Rationale: Condition Ongoing. Verification of compliance would be confirmed prior to building permit issuance.*
29. All fencing shall be designed to meet the County's Fence Ordinance Section 17.14.155. All fencing shall be kept free of graffiti and each individual property owner shall be responsible for meeting this requirement.
- Rationale: Condition Ongoing. Verification of compliance would be confirmed prior to building permit issuance.*
30. Common area lighting is not permitted. All necessary outdoor lighting shall be designed to meet the County's Lighting Ordinance Section 17.14.170.

Rationale: Condition Ongoing. Verification of compliance would be confirmed prior to building permit issuance.

31. For Parcels 1, 2, and 3, the CC&Rs shall contain a provision regulating refuse and recycling materials and storage. Such storage shall occur out of public view and shall only be located curbside on trash/recycling pick-up days.

Rationale: Condition Satisfied and Ongoing. Draft CC&R's have been provided as part of the final map submittal. The draft CC&Rs provide specific regulations regarding garbage and refuse disposal. Therefore, the project is consistent with this condition. Full compliance with this condition shall occur through the efforts of the applicant. Applicant shall work with the County to finalize the CC&Rs. A final CC&R document shall be provided to Planning Services and the Surveyor's Office prior to recordation of the final map. Additional verification would occur during building permit review and prior to issuance of building permits.

32. Prior to the approval of occupancy permits for each parcel, the applicant shall schedule an inspection with Planning Services for verification of compliance with applicable conditions of approval numbered 19 thru 33. The applicant shall provide evidence that each of these conditions have been satisfied and such information shall be included in the project file for reference.

Rationale: Condition Ongoing. Verification of compliance with this condition would occur prior to occupancy permit issuance.

33. In the event a heritage resource or other item of historical or archaeological interest is 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 and determine its significance. If the find is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after the appropriate measures are taken or the site is determined not to be of significance. Planning Services shall review the grading plans prior to the issuance of a grading permit.

Rationale: Condition Ongoing. Verification of compliance with this condition would be confirmed upon building and grading permit review.

34. 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. Planning Services shall review the grading plans prior to the issuance of a grading permit.

Rationale: Condition Ongoing. Verification of compliance with this condition would be confirmed upon building and grading permit review.

Cameron Park Community Services District

35. Prior to the recording of the final map, the applicant shall form a Home Owner's Association or other mechanism and establish the CC&Rs for the project.

Rationale: Condition Satisfied and Ongoing. Draft CC&Rs have been provided as part of the final map application packet. Full compliance with this condition shall occur through the efforts of the applicant. Applicant shall work with the County to finalize the CC&Rs. A final CC&R document shall be provided to Planning Services and the Surveyor's Office prior to recordation of the final map.

36. Prior to the approval of building permits, the applicant shall consult with the Cameron Park Community Services District (CPCSD) to address requirements associated with the Landscaping and Lighting Assessment District (LLAD), including, but not limited to, the payment of fees in place at the time of building permit issuance.

Rationale: Condition Ongoing. Verification of compliance with this condition would occur prior to issuance of building permits.

37. Prior to the issuance of building permits, the applicant must make the payment for all applicable Park and Recreation impact fees. Fees shall be assessed based on the fees in place at the time of building permit issuance.

Rationale: Condition Ongoing. Verification of compliance with this condition would occur prior to issuance of building permits.

Department of Transportation (Zone of Benefit)

38. Prior to final map recording, the applicant shall provide written confirmation of how the project may or may not affect the Cambridge Oaks Zone of Benefit #98391 shall be provided in the form of a professionally prepared Engineer's Report consistent with the requirements for the formation of a zone of benefit, except that no legal description and boundary map are required (Exhibits A and B to the Report). The report shall contain a map depiction of the entire existing zone of benefit, including the existing drainage facilities as well as the plan for the proposed project, Marble Valley Ridge Estates TM 06-1412. The cost apportionment shall include the existing facilities and any additional facilities that are planned and depicted for Marble Valley Ridge Estates.

Rationale: Condition Satisfied. A professionally prepared Engineer's Report is included within the final map application documentation. DOT has confirmed their review and approval of the Engineer's Report. Therefore, the project is consistent with this condition.

39. Any additional drainage facilities built in the project area that tie into the existing drainage facilities shall be maintained by the zone of benefit, not by the HOA.

Rationale: Condition Satisfied. DOT has confirmed that the project engineer's report was approved. An easement was included for the drainage to be covered under the ZOB with an annual special tax of less than \$200. Therefore, the project is consistent with this condition.

40. Prior to the recordation of the final map, the applicant shall consult with the Department of Transportation Zone of Benefit to consider the requirement of an irrevocable offer of dedication (IOD) for drainage easements and maintenance based on the written confirmation be provided.

Rationale: Condition Satisfied. DOT has confirmed that the project engineer's report was approved. An easement was included for the drainage to be covered under the ZOB with an annual special tax of less than \$200. Therefore, the project is consistent with this condition.

41. Prior to the recordation of the final map, if there are no additional facilities added with the proposed project, the plans and Engineer's Report will serve as written confirmation. If additional facilities are proposed, the Engineer's report will serve as written confirmation that the apportioned cost requirements for all facilities in the zone will not exceed the current per parcel annual special tax amount of \$200.00.

Rationale: Condition Satisfied. DOT has confirmed that the project engineer's report was approved. An easement was included for the drainage to be covered under the ZOB with an annual special tax of less than \$200. Therefore, the project is consistent with this condition.

Department of Transportation

42. The applicant shall obtain an encroachment permit from DOT and construct the roadway encroachment (with the minimum required sight distance) from the on-site driveways onto Crazy Horse Road to meet County Standard Plan 103A-1, prior to the recordation of the map.

Rationale: Condition Satisfied. DOT has confirmed the construction of driveways has occurred per an approved encroachment permit. Therefore, the project is consistent with this condition.

43. The applicant shall form and/or verify the existence of an entity, to the satisfaction of DOT, for maintenance of all on-site shared driveways and drainage facilities, prior to the recordation of the final map.

Rationale: Condition Satisfied and Ongoing. Draft CC&Rs have been provided as part of the final map application submittal. Full compliance with this condition shall occur through the efforts of the applicant. Applicant shall work with the County to finalize CC&Rs and/or ZOB documents. Both documents, as necessary, shall be submitted in their final form to DOT and the Surveyor's Office prior to recordation of the final map.

44. The final map shall show all utility, road and drainage easements per the recommendation of the utility purveyors and the County Engineer. Final determination of the location of said easements shall be made by the County Engineer. Said easements shall be irrevocably offered to the County.

Rationale: Condition Satisfied. Utility, road and drainage easements are shown on the final map. DOT has confirmed that the final map includes a statement irrevocably offering said easements to the county. DOT sign off on Improvement Plans and final map mylar confirms compliance with this condition. Therefore, the project is consistent with this condition.

45. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.

Rationale: Condition Ongoing. Confirmation of compliance would occur during building, grading, and/or encroachment permit review.

46. 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 plans shall incorporate the findings of detailed geologic and geotechnical investigations.

Rationale: Condition Satisfied. The El Dorado County Department of Transportation has confirmed consistency with this condition. Therefore, the project is consistent with this condition.

47. 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.

Rationale: Condition Satisfied and Ongoing. DOT has confirmed consistency with this condition. Therefore, the project is consistent with this condition at this time. Further verification of consistency would occur during any grading and building permit review.

48. Grading plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. The County shall issue no building permits until the Department of Transportation approves the final grading and erosion control plans and the grading is completed.

Rationale: Condition Satisfied and Ongoing. DOT has confirmed consistency with this condition. Therefore, the project is consistent with this condition at this time. Further verification of consistency would occur during any grading and building permit review.

49. 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.

Rationale: Condition Ongoing. Verification of compliance would be confirmed during building and grading permit review.

50. This project disturbs more than one acre of land area (43,560 square feet). At the time that an application is submitted for improvement plans or a grading permit, 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 State of California. 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 SWRCB, with a duplicate copy submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.

Rationale: Condition Satisfied and Ongoing. DOT has confirmed that the Improvement Plans include a project note concerning this condition requirement and that the project note is adequate for DOT's approval. Further compliance with this condition shall occur prior to issuance of any building permits and prior to commencement of any construction activities.

51. The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants, Conditions, and Restrictions (CC&Rs).

Rationale: Condition Satisfied and Ongoing. The draft CC&Rs contain this statement. DOT has confirmed that the statement provided within draft CC&Rs is adequate for DOT approval. Full compliance with this condition shall occur through the efforts of the applicant. Applicant shall work with the County to finalize the CC&Rs. A final CC&R document shall be provided to Planning Services and the Surveyor's Office prior to recordation of the final map.

52. Construction activities shall be conducted in accordance with the County noise regulation or limited to the following hours and days: 7 a.m. and 7 p.m., Monday through Friday, and 8 a.m. and 5 p.m. on weekends, and on federally-recognized holidays. Exceptions are allowed if it can be shown that construction beyond these times is necessary to alleviate traffic congestion and safety hazards.

Rationale: Condition Satisfied and Ongoing. DOT has confirmed that project Improvement Plans include a note concerning construction noise and time of day allowance. DOT confirmed this note as adequate for DOT approval. Further compliance with this condition shall be confirmed during grading, building, and other construction activities.

El Dorado County Fire Protection District

53. Prior to the issuance of building permits, the applicant must consult with the El Dorado County Fire Protection District about required fees, plan reviews, and/or site visits for this project. Plan review fees are \$120.

Rationale: Condition Ongoing. Compliance would be verified during building permit review.

54. Prior to the approval of building permits, the applicant shall consult with the Fire District to install two new fire hydrants. Hydrants will be Muller model 200 Centurion and are approved as shown.

Rationale: Condition Ongoing. Compliance would be verified during building permit review.

55. Minimum fire flow required is 1,000 gallons per minute (gpm) at 20 pounds per square inch (psi) for a period of two hours.

Rationale: Condition Satisfied and Ongoing. Per TM06-1412 review and approval, with payment of \$26,940 to EID, fire flow would be confirmed as adequate. EID has provided confirmation that the intent of the \$26,940 fee payment will be satisfied via the engineering plans and associated costs to obtain a Caltrans encroachment permit required prior to construction of a waterline to be installed under US Highway 50. EID confirmation of water

supply provides confirmation of adequate fire flow per the approved FIL as reviewed pursuant to TM06-1412.

56. A 20 foot wide all weather fire access road is required to connect Parcels 1 and 3. This may be accomplished with 12 feet of asphalt and/or using a chip seal or pavement with 3 inches of aggregate base shoulders.

Rationale: Condition Satisfied. A 20-foot-wide all weather access road has been constructed between Parcels 1 and 3. Therefore, the project is consistent with this condition.

57. Access driveways to Parcels 2 and 3 shall not be gated.

Rationale: Condition Ongoing. Compliance would be confirmed during building permit review.

58. A Fire District approved opticon gate opening device shall be added to the Knox key switch that is in place.

Rationale: Condition Ongoing. Compliance would be confirmed during building permit review.

Environmental Management

59. Prior to approval of grading and/or improvement plans, the applicant shall provide an Asbestos Dust Mitigation Plan (ADMP) and application with the appropriate fees to be reviewed and approved by the County Air Quality Management District (AQMD). The ADMP shall comply with the requirements of Rule 223, 223.1, and/or 223.2.

Rationale: Condition Ongoing. An ADMP will be required during grading permit review.

60. All project construction activities shall adhere to AQMD Rule 224 for Cutback and Emulsified Paving Materials.

Rationale: Condition Ongoing. Confirmation would occur during building, grading, and encroachment permit review.

61. All project architectural coatings shall adhere to AQMD Rule 215.

Rationale: Condition Ongoing. Confirmation would occur during building permit review.

62. Any burning of wastes that result from 'Land Development Clearing' must be permitted through the AQMD. Only vegetative waste material may be disposed of using an open outdoor fire pursuant to AQMD Rule 300.

Rationale: Condition Ongoing. Compliance to this condition would be verified during grading, building, and encroachment permit review.

63. The following measures shall be implemented during construction activities to maintain the air quality standards established by the AQMD. The standards include: use of low emission on-site mobile construction equipment, maintenance of on-site equipment to manufacture's specifications, retardation of on-site diesel engine injection timing by two to four degrees, use of electricity from power poles rather than temporary gasoline or diesel generators, use of reformulated low-emission diesel fuel, use of catalytic converters on gasoline powered equipment, substitution of electric and gasoline powered equipment for diesel-powered equipment where feasible, inactive construction equipment shall not remain idling for periods in excess of two minutes, materials shall be scheduled for delivery during off-peak hours, configure construction parking to minimize traffic interference, and develop a construction traffic management plan.

Rationale: Condition Ongoing. Compliance would be confirmed during building and grading permit review.

64. Prior to the construction or installation of any new point source emission units or non-permitted emission units such as gasoline dispensing facilities, boilers, internal combustion engines, the applicant shall submit an authority to construct application to be reviewed and approved by the AQMD. Submittal of the application shall include facility diagram(s), equipment specifications, and emission factors.

Rationale: Condition Ongoing. Compliance would be confirmed during building and grading permit review.

County Surveyor

65. 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 Surveyor's Office.

Rationale: Condition Satisfied. A receipt confirming payment of Monumentation Bonds to the Surveyor's Office was provided on February 7, 2023. Therefore, the project is consistent with this condition.

66. Provide a Parcel Map Guarantee, issued by a title company, showing proof of access to a State or County Maintained Road as defined in 16.44.120(B)(2).

Rationale: Condition Ongoing. A Parcel Map Guarantee document must be provided to the Surveyor's Office within 10 days or less from the date of final map recordation.