

**Conditions of Approval**

**I. PROJECT DESCRIPTION**

1. This tentative subdivision map is based upon and limited to compliance with the project description, the Planning Commission hearing exhibit marked Exhibit E “Revised Tentative Map,” dated January 10, 2008 and revised 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:

TM05-1398-R consists of a revision to the approved tentative subdivision map that created two lots ranging in size from 1.22 to 7.18 acres on an 8.4 acre site. Water will be provided to the lots by the El Dorado Irrigation District and sewage disposal will be provided by individual on-site septic systems. A driveway from St. Ives Court will provide access to Lot 1 while Lot 2 will be served by connecting to Mineshaft Lane. The Mineshaft Lane driveway will be utilized by Lot One for emergency access only. The project will not result in direct impact to the El Dorado Bedstraw plants.

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.

**II. MITIGATED NEGATIVE DECLARATION CONDITIONS OF APPROVAL**

2. To protect 123 existing El Dorado bedstraw plants, the applicant shall record a deed restriction on lot number one for the area, as shown on Revised Exhibit E, “Deed Restriction Area,” to include the existing El Dorado bedstraw plants prior to final map recordation. The deed restriction shall restrict tree removal, landscaping and other activities incompatible with the continued growth of the El Dorado bedstraw. (New MM BIO 1)

**Monitoring:** Planning Services staff shall review the deed restriction area prior to final map filing.

### III. PROJECT CONDITIONS OF APPROVAL

#### Planning Services

3. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent 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 finds 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.
4. 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.
5. A meter award letter or similar document shall be provided by the water purveyor prior to filing the final map.
6. 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 fees shall be paid at the time of filing the final map.
7. The subdivider shall be subject to a \$150.<sup>00</sup> appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.
8. The final map shall include a 25-foot non-building setback from all ponds and a 25-foot non-building setback from all wetlands at the subject site as delineated on Exhibit E. A 100-foot setback from all ponds and wetlands shall be shown for septic systems.
9. Prior to final map approval, the applicant shall provide proof of legal access to Mineshaft Lane for the proposed lots.
10. This revised tentative map shall expire within 36 months from date of approval unless a timely extension has been filed.
11. All fees associated with the tentative subdivision map shall be paid prior to recording the final subdivision map.

12. 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.

### **Air Quality Management District**

13. Prior to the start of project construction, an asbestos dust mitigation plan (ADMP) shall be submitted with appropriate fees to and approved by the Air Quality Management District (AQMD).
14. If naturally occurring asbestos is encountered during project construction, all project driveways and roads shall be paved or require the application of a minimum of three inch depth asbestos free gravel.
15. The applicant shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
16. The applicant shall contact the AQMD prior to commencement of any burning. Burning of vegetative wastes that result from “Land Development Clearing” must be permitted through the AQMD. Only vegetative waste materials are permitted to be disposed of using an open outdoor fire.
17. During construction, all activities shall apply standard Best Management Practices (BMPs) to control dust during construction. These practices shall be incorporated into the project and include:
  - Application of water on disturbed soils and unpaved roadways a minimum of three times per day;
  - Using track-out prevention devices at construction site access points;
  - Stabilizing construction area exit points;
  - Covering haul vehicles;
  - Restricting vehicle speeds on unpaved roads to 15 miles per hour; and
  - Replanting disturbed areas as soon as practical and other measures, as deemed appropriate to the site, to control fugitive dust.

### **Transportation Division**

18. The applicant shall obtain an encroachment permit for and construct a Standard Plan 103B-1 driveway connection onto the cul-de-sac of Mineshaft Lane.
19. An emergency-vehicular access only restriction shall be placed across lot 2 for lot 1 with the filing of the final map.
20. The applicant shall provide a soils report at time of improvement plan or grading permit application addressing, 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.
21. Any import or export to be deposited within El Dorado County shall require an additional grading permit for that offsite grading.
22. 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.
23. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to the Transportation Division with the drainage and geotechnical reports in PDF format and the record drawings in TIF format.

### **El Dorado County Fire Protection District**

24. Driveways serving Lot 2 and providing the emergency vehicle access to Lot 1 shall be 12-feet wide, have a 13-foot six-inch vertical clearance, and be capable of supporting a 40,000 pound load with an all-weather surface. If a driveway becomes longer than 150 feet in length, a fire-safe turnaround will be required subject to fire district review and approval. Driveways in excess of 200 feet in length and less than 20 feet in width shall be provided with turnouts in addition to turnarounds.
25. Any future proposed project gates are subject to fire district approval.

### **Surveyor's Office**

26. 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 the surety of work to be done by bond or cash deposit. Verification of set survey monuments, or amount of bond or deposit shall be coordinated with the County Surveyor's Office.