

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:

FINDINGS FOR APPROVAL

1.0 CEQA Findings

- 1.1** El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. 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 County finds that through feasible conditions and mitigation measures 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 their corresponding permit monitoring requirements, are 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 Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 General Plan Findings

- 2.1** The proposed use and design conforms to the Low Density General Plan Land Use Designation. The project area is located outside a Community Region, the proposed use and developmental density are consistent with both land use designation and floor area ratio policies as well as the natural resources on site being protected pursuant to General Plan Policies 2.2.1.2 regarding land use designations, 2.2.4.1 regarding density bonus, 2.2.3.1 regarding planned developments, 2.2.1.5 regarding building intensities, 2.2.5.3 regarding general policies for evaluating zone changes, 2.2.5.21 regarding incompatibility with surrounding land uses, 5.2.1.2 regarding adequate water supply, 5.7.1.1 regarding fire protection, 6.2.3.2 regarding adequate fire protection, 7.3.3.4 regarding special setback for riparian areas, and 7.4.4.4 regarding oak woodlands.
- 2.2** In accordance with State law and pursuant to General Plan Policy 2.2.5.3, the County has evaluated the subject zone change request based on the requirements of the General Plan relating to minimum parcel size or maximum allowable density and to assess whether

changes in conditions are present that would support a higher density Zone District. The 19 specific criteria found within General Plan Policy 2.2.5.3 have been analyzed with regards to the above referenced tentative subdivision map, zone change, development plan, and special use permit request. Based on this analysis and the conclusions reached in the staff report, the site is found to be suitable to support the proposed density.

- 2.3** The proposed project is consistent with policies 2.1.5.1 regarding building densities, 2.2.5.21 regarding compatibility with adjoining land uses, 5.2.1.2 regarding adequate water supplies, 5.2.1.3 regarding connecting to a public water system, 5.7.1.1 regarding adequate water for fire protection, 7.3.3.4 regarding buffers and setbacks for wetlands and streams, and 7.4.4.4 regarding oak woodland preservation and mitigation.

3.0 Administrative Findings

3.1 Tentative Subdivision Map

3.1.2 The site is physically suitable for the proposed type and density of development after rezone.

As shown on the Post Oak Tree Development Map (Exhibit H), adequate building areas for each lot are available considering the required wetland setbacks, tree canopy retention, zoning setbacks, and fire safe standards. As such, the site is physically suitable for the proposed type and density of development.

3.1.3 The proposed subdivision is not likely to cause substantial environmental damage.

The proposed subdivision is not likely to cause substantial environmental damage with the implementation of the Mitigation Measure and Conditions of Approval identified in Attachment 1.

3.1.4 The proposed Tentative Map, including design and improvements, is consistent with the General Plan policies and land use map after rezone.

As proposed, the Tentative Map conforms to the Low Density Residential General Plan land use designation and applicable General Plan policies including density, access, tree canopy retention, water service, wetland setbacks, grading, transportation, fire protection, and wastewater disposal.

3.1.5 The proposed tentative map conforms to the applicable standards and requirements of the County's zoning regulations and the Major Land Division Ordinance.

As proposed, the Tentative Subdivision Map conforms with the applicable development standards outlined within the Estate Residential 5-acre Zone District with the addition of the Planned Development Overlay (RE5-PD) and the Major Land Division Ordinance.

3.2 Planned Development

3.2.1 The Development Plan is consistent with the General Plan.

As outlined within the staff report and General Plan consistency findings above, the Development Plan is consistent with all applicable policies of the General Plan concerning land use, transportation and circulation, public services and utilities, public health, safety, and noise element, as well as conservation and open space.

The proposed development is so designed to provide a desirable environment within its own boundaries.

The proposed development plan features approximately 15.4 acres of open space. As such, the development is designed to provide a desirable environment within its own boundaries.

3.2.3 Any exceptions to the standard requirements of the Zone Regulations are justified by the design or existing topography.

A Deviation from the Residential 5-acre Development Standards includes a reduction in the minimum lot size requirement for all residential parcels. This exception to the standard requirements of the RE-5 Zone Regulations is justified to accommodate the Density Bonus Provision of the General Plan.

3.2.4 The site is physically suited for the proposed use.

The 35.19 acre site contains sufficient developable areas to accommodate the proposed residential uses and density.

3.2.5 Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities.

Public water and sewer service would be provided to the project site by EID. El Dorado Irrigation District provided a letter dated February 22, 2007 indicating that the project could have adequate sewer and water capacity to serve the proposed project provided additional improvements are made to the system. The Department of Transportation (DOT) has conditioned the project accordingly to reflect the additional traffic. The Fire District has provided conditions of approval to reflect additional residential units, ~~annexation by LAFCO~~, and private entry gate.

3.2.6 The proposed uses do not significantly detract from the natural land and scenic values of the site.

The project includes approximately 15.4 acres of open space to preserve the natural landscape and scenic value of the site as well as provide wildlife habitat.

3.3 Design Waiver Approval and Denial Findings

3.3.1 Allow Lot 4 to exceed a 3:1 depth to width ratio

APPROVAL

- A. *There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.*

Due to the steep topography of Lot 4 the increased lot depth would provide appropriate building envelope

- B. *Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.*

Strict application of the requirement for Lot 4 to meet the *El Dorado County Design and Improvement Standards* for a lot that exceeds a 3:1 depth to width ratio would reduce the potential development envelope.

- C. *The adjustment or waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.*

Increased lot depth to width ratio would not be injurious to adjacent properties or detrimental to the public health, safety, and welfare.

- D. *The waivers 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.*

The requested design waiver would not hinder the County's implementation of the Subdivision Map Act as outlined in Article II of Chapter 16 of County Code or any of the other applicable ordinances discussed within the staff report.

3.3.2 Allow two 12 foot paved lanes with unpaved shoulders for road and cul-de-sac (Court A)

DENIAL

- A. *There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.*

The waiver request is not consistent with the El Dorado County Design and Improvement Standards Manual for road width. The Department of transportation has conditioned the project to match the road width of the connecting portion of Uplands Drive.

- B. *Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.*

Strict application of the requirement for parcels to meet the *El Dorado County Design and Improvement Standards* should be implemented into the project to match the existing portion of Uplands Drive.

- C. The adjustment or waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.*

A reduction in the required road widths could be injurious to adjacent properties or detrimental to the public health, safety, and welfare.

- D. The waivers 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.*

The requested design waiver would hinder the County's implementation of the Subdivision Map Act as outlined in Article II of Chapter 16 of County Code or any of the other applicable ordinances discussed within the staff report.

3.3.3 Reduce the right-of-way width requirement to a 50 foot right-of-way in place of 60 foot right-of-way

APPROVAL

- A. There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.*

Requiring a 60 foot right-of way would require excessive road improvements and removal of oak canopy. A 50 foot easement would align with the existing Uplands Drive Road right-of-way.

- B. Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.*

Strict application of the requirement for lots to meet the *El Dorado County Design and Improvement Standards* for road right-of-way would introduce excessive road improvements for access to parcels. A 50 foot easement would align with the existing Uplands Drive Road right-of-way.

- C. The adjustment or waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.*

A reduction in road right-of-way would not be injurious to adjacent properties or detrimental to the public health, safety, and welfare.

- D. The waivers 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.*

The requested design waiver would not hinder the County's implementation of the Subdivision Map Act as outlined in Article II of Chapter 16 of County Code or any of the other applicable ordinances discussed within the staff report.

3.4 Special Use Permit

3.4.1 The issuance of the permit is consistent with the General Plan

The special use permit request would not be consistent with General Plan Policy 6.2.3.2 where a gate would hinder emergency vehicle access as well as the ability for private vehicles to evacuate the area in an emergency situation. Chapter 17.14 of the Zoning Ordinance regulates fencing and encroachments into required yards. Section 17.14.155 (E) specifically states that “Fences shall not be permitted within road easement or County road right-of-way.”

3.4.2 The proposed use would not be detrimental to public health, safety or welfare, or injurious to the neighborhood.

The County cannot approve construction of a gate within County right-of-way without processing a General Vacation, where all property owners would have to agree to and provide authorization and easements for a gate on their private property. The applicant has not provided the necessary documentation, which could allow the Department of Transportation to process a General Vacation.

3.4.3 The proposed use is specifically permitted by special use permit pursuant to this Title.

Chapter 17.14 contains the miscellaneous development requirements of the County Zoning Ordinance. Although gates are not specifically mentioned, Section 17.14.155 (E) specifically states that “Fences shall not be permitted within road easement or County road right-of-way.” Therefore, pursuant to Section 17.28.200, in order to authorize other general provisions itemized in Chapter 17.14 (fences or gates in a road easement), a Special Use Permit must be approved by the Planning Commission. In this case the Department of Transportation does not support the entry gate within County maintained right-of-way.

Conditions of Approval

1. This tentative subdivision map, zone change, development plan, and special use permit approval is based upon and limited to compliance with the project description, the Planning Commission exhibits marked Exhibit E, F, G, H , and I, dated July 24, 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 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:

The project includes a request for a zone change from Estate Residential Five-acre (RE-5) to Estate Residential Five-acre, with a Planned Development Overlay (RE-5/PD), a Tentative Subdivision Map to create 12 residential lots ranging in size from 1 acre to 7.2 acres and one open space lot totaling 15.4 acres. Access to the proposed subdivision would be from a roadway connection to the south at the existing Uplands Drive. A

special use permit request is also included to allow an off-site private entry gate. The project also includes a request for an Option “B” proposal to relocate the private entry gate within the project site. Design waivers have been requested to allow Lot 4 to exceed a 3:1 depth to width ratio, allow two 12 foot paved lanes with unpaved shoulders for road and cul-de-sac (Court A), and allow a 50 foot right-of-way in place of 60 foot right-of-way.

The allowable density shall comply with Table 1 below:

TABLE 1: Density Calculation			
Acreage 35.46 acres	Allowable Density for LDR	Allowable Density in RE-5 Zone District	Allowable Units With Density Bonus
	Minimum 5-acre Parcels	Minimum 5- acre Parcels	1.5 Density Bonus Units
# of Lots	7	7	12

The gross and net lot area shall comply with Table 2 below:

Table 2 : Gross Acreage	
Lot Number	Acreage
1	1.2
2	1
3	1
4	1
5	1
6	1
7	1
8	1
9	1
10	1
11	1
12	7.2
Lot A	15.4

The oak removal as part of construction of the on-site access road and future residential development of the site shall comply with Table 3 below:

Table 3: Oak Tree Canopy Removal Summary

Total Oak Canopy to Be Removed (acres)	Canopy Removed for Road Improvements (acres)	Canopy Removed for Residential Development (acres)
8.1	1.4	6.7

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.

Conditions of Approval 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. To avoid take of active raptor nests, pre-construction surveys shall be conducted by a qualified biologist no more than 30 days prior to initiation of proposed development activities. Pre-construction surveys shall follow protocol guidelines issued by the California Department of Fish and Game (CDFG). If no active raptor nests are found to occur, necessary tree removal shall proceed. If active raptor nests are found on or immediately adjacent to the site, the following actions shall be taken in order to avoid impacts to nesting raptors:
 2. Prohibit construction within 150 feet of any trees containing active raptor nests; these areas shall be marked with fencing or tape in order to clearly delineate areas where construction is prohibited.
 3. Construction shall not resume within 150 feet of any identified nest until the end of the typical nesting season; August 31. Construction may resume prior to the end of the nesting season, only if all raptor fledges have left the nest.
 4. Construction shall not resume prior to consultation by the applicants biologist and with the California Department of Fish and Game to determination that the proposed project would not result in a “take” of any rare, threatened, endangered or special status species.

Monitoring: The applicant shall provide Development Services with a letter from a qualified biologist verifying compliance, prior to issuance of a grading permit.

Project Conditions of Approval

Planning Services

3. The applicant shall pay the mitigation in-lieu fee or replace onsite for all oak canopy removed as part of road and infrastructure improvements, as shown on Exhibit H. The

mitigation fee shall be paid at a 1:1 ratio as required by the Oak Woodland Conservation Ordinance and shall be based on the fee established by the Board of Supervisors. The applicant shall provide to Planning Services proof of payment of the mitigation in-lieu fee or a replacement plan prior to issuance of a grading permit or removal of any oak trees.

4. ~~The applicant shall pay the mitigation in-lieu fee for all oak canopy removed as part of individual lot development, as shown on Exhibit H. The mitigation fee shall be paid at a 1:1 ratio as required by the Oak Woodland Conservation Ordinance and shall be based on the fee established by the Board of Supervisors. The applicant shall provide to Planning Services proof of payment of the mitigation in-lieu fee prior to issuance of a grading permit.~~

The following shall be noted on the final map:

As a reference to Tree Survey, Preservation , and Replacement Plan (PD07-0019) a total of 1.4 acres (60,984 sq. ft.) of oak canopy proposed to be removed as a result of individual lot development shall be distributed evenly among Lots 1-11 requiring individual homeowners to either pay and/or replace oak canopy loss for individual lot development at a 1:1 ratio up to 5, 544 sq. ft. Additional removal beyond 5, 544 sq. ft. for individual lot development shall be required to pay and/or replace oak canopy at a 2:1 ratio.

3. The applicant shall provide to Planning Services, a meter award letter or similar document from EID, prior to filing the Final Map.
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. Planning Services shall verify that the fees have been paid at the time of filing the Final Map.
5. The subdivider 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.
6. At time of final map filing, open space lots (Lot A) shall be dedicated to a Homeowner's Association or similar entity as open space with an appropriate maintenance program.
7. At time of final map filing, CC & R's shall be submitted and reviewed by Planning Services.
8. ~~The map shall be recorded and constructed in phases consistent with the phasing plan included within the Tentative Subdivision Map, Exhibit E. Open Space (Lots A) shall be dedicated prior to the time of filing of the first phase of the map.~~ At time of map recording, open space (Lot A) shall be dedicated to a Homeowner's Association or similar entity as Open Space with an appropriate maintenance program.
9. This Tentative Subdivision Map shall expire in 36 months from date of approval unless a timely extension has been filed.

10. All fees associated with the Tentative Subdivision Map shall be paid prior to filing the Final Subdivision Map.
11. 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 shall cooperate fully in the defense.

12. Construction activities shall be limited to the hours of 7 a.m. to 7 p.m. during weekdays and 8 a.m. to 5 p.m. on weekends and 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. Planning Services shall verify this requirement is placed on the Grading Plans prior to issuance of a grading permit.
13. Prior to issuance of a grading 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. The applicant shall also schedule an inspection by Planning Services if deemed necessary prior to issuance of a grading permit for verification of compliance with applicable conditions of approval.
14. The Final Map shall be amended to show a 100' foot perennial stream setback from the high water mark of New York Creek
- ~~14. Conditions of Approval numbers 28 through 39 shall not be applicable to the project if the Special Use Permit for entry gates is denied.~~

Environmental Management-Air Quality

15. Prior to grading permit issuance, a fugitive dust plan shall be submitted to the Air Quality Management District (AQMD) for review and approval.
16. The applicant shall obtain and comply with all necessary permits from the Air Quality Management District prior to issuance of a grading permit.

Surveyor's Office

17. 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.
18. The roads serving the development shall be named by filing a completed road name petition with the County Surveyor's Office prior to filing the final map.

El Dorado Hills Fire Department

19. The potable water system for the purpose of fire protection for this project shall provide a minimum fire flow of 1,000 gallons per minute. The fire flow must have a duration of two hours with no less than 20 psi residual pressure. The Fire Department shall verify that adequate fire flow is available prior to filing the final map.
20. The developer shall install Mueller Dry Barrel fire hydrants consistent with El Dorado Irrigation District specifications for fire protection. The spacing between fire hydrants shall not exceed 500 feet. The exact location of each fire hydrant shall be determined by the El Dorado Hills Fire Department, prior to filing the final map.
21. All access roadways and fire hydrants shall be installed prior to issuance of any building permit, as specified by the El Dorado Hills Fire Department Standard 103.
22. Driveways shall not exceed 20% grade. Any driveway exceeding this requirement shall require the installation of fire sprinklers per NRPA 13D.
23. The applicant shall provide a Wildland Fire Safe Plan that is approved by the Fire Department, prior to filing the Final Map.
24. No traffic calming devices shall be installed that utilize a raised bump section of roadway, as determined by the Fire Department.
25. All lots within the subdivision that are one acre or greater shall provide a minimum 30 foot building setback, as required by the California Fire Safe Regulations. Any reductions in setbacks would require approval by the El Dorado Hills Fire Department.
26. Minimum widths for all driveways shall be 12 feet with a vertical clearance of 15 feet. All medium to heavy vegetation within 10 feet of either side of driveways shall be thinned or removed, as determined by the Fire Department.
27. Entrance roads (at the gate) shall have a minimum unobstructed width of fifteen (15) feet each lane if divided, or twenty (20) feet total width if not divided. In all cases, unobstructed vertical clearance shall not be less than thirteen (13) feet six (6) inches.
28. All automatic gates shall be equipped with a "Knox" emergency access override system that consists of a low security key activated switch located in accordance with Fire Department requirements.

29. All automatic gates shall also be equipped with both 3M Opticom Control device. The device shall be placed in a location allowing operation from 75 feet away.
30. Linear receiver device (approved by the Fire Department) to allow remote activation by emergency vehicles shall be programmed to operate with the Fire Department's current transmitters.
31. Automatic gates shall be equipped with a mechanical release, as determined by the Fire Department.
32. A loop system located on the inside portion of the access roadway shall permit vehicular traffic within the gated area the ability to open the gate and exit without any special knowledge, action or codes. The loop system shall also keep the gate open as long as vehicular traffic is passing through it.
33. All automatic gates shall be designed to automatically open and remain in a fully opened position during power failures.
34. Gates creating a dead-end road in excess of one hundred fifty (150) feet in length shall be provided with approved provisions for the turning around of fire apparatus.
35. The gradient for the fire apparatus access road shall not exceed the maximum approved by the Fire Department. The intent is to provide a level landing area on either side of the gate to allow emergency apparatus to be parked in a safe manner when it is necessary to exit the vehicle for manual gate activation.
36. In order to ensure that the gate/access control devices are properly maintained, a copy of the maintenance contract for the control device or system is required to be supplied to the El Dorado Hills Fire Department. This maintenance contract shall include a monthly testing of the control devices, an annual preventative maintenance inspection and emergency repairs as required to maintain the gate and control devices in operative condition. If at any time this maintenance contract is voided for any reason, the access gates shall be locked in the open position and will remain locked until such time as the maintenance contract is restored.
37. Prohibited Devices: All required vehicle access openings shall provide both ingress and egress. Direction limiting devices, such as fixed tire spikes, are prohibited. No device may be used which will delay the ingress or egress of emergency responders. The total number of vehicle access control gates or systems, through which emergency equipment must pass to reach any address, shall not exceed one.
38. Plans for the installation of automatic gates on fire apparatus shall be submitted to the El Dorado Hills Fire Department for approval prior to installation.
39. Gates and access control equipment shall not be placed into service prior to being inspected and tested by the Fire Department.
40. The number of plans required to be submitted per the direction of the Fire Department.

41. Prior to filing the Final Map, a Notice of Restriction shall be recorded on Lots 1-11 that second dwellings, including Granny flats, guest houses and hardship residences shall not be permitted.
42. A single road easement shall be placed on the Final Map located near Lots 5, 6, and 7. The location of the easement shall be from the new road extension off the end of Uplands Drive to the easterly property boundary line. The easement shall be a minimum of 20 feet wide.
43. A note shall be placed on the Final map that all new dwellings within the subdivision shall require fire sprinklers designed to NFPA 13D Standards.

Department of Transportation

Project Specific Conditions

444. 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 substantially completed to the approval 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:

Table 1			
ROAD NAME		ROAD WIDTH	EXCEPTIONS/NOTES
Off Site extension of Uplands Drive & Court 'A'	Std Plan 101B (3"AC over 8"AB Min.)	28ft(50ft R/W)	No curb, gutter, or sidewalk, road width is measured Edge of Pavement(EP) to EP

425. **Turn around:** The applicant shall provide a turn around at the end of the on-site access roadway to the provisions of County Standard Plan 114. 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.
436. **Sight Distance:** The applicant shall improve the corner sight distance at the driveway for Lot 12 that intersects Salmon Falls Road. The substandard sight distance, looking north, can be improved by the removal of roadside vegetation and grading and shall conform to the provisions of the DISM. The applicant shall obtain an encroachment permit from DOT for this sight distance improvement work, prior to the filing of the map.
447. **Guardrail:** The applicant shall place guardrail along both sides of Court 'A' adjoining the proposed retaining wall and conspan according to the provisions of the Caltrans Standard Plans and Specifications or verify that guardrail is not warranted all to the satisfaction of the EDC DOT. 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.

458. **Driveway Cuts:** Subdivision improvements shall include rough grading of driveways for all lots with street cuts or fills along the frontage of six feet or more difference in elevation, or as found necessary for reasonable access by the County Engineer. Construction of said driveways shall conform to the Design and Improvements Standards Manual and the Encroachment Ordinance. Attention should be given to the minimum required sight distance at all driveway encroachments. As an alternative, a Notice of Restriction shall be filed against all downhill lots with fill in excess of 6 feet which allows structural driveway access only.
469. **Offer of Dedication:** The applicant shall irrevocably offer to dedicate, in fee,(or verify) a minimum of 30 feet of right of way, and slope easements as necessary, along the entire frontage of the on-site portion of Salmon Falls Road, prior to the filing of the final map. This offer will be accepted by the County.
4750. **Road & Public Utilities Easements:** The applicant shall provide a 50 foot wide road and public utility easement for the on -site roadway to access this site, with the appropriate slope easements, prior to the filing of the final map.
4851. **Maintenance Entity:** Prior to the filing of the final map, the applicant shall join and/or form an entity, satisfactory to DOT, to maintain all on-site roads and/or drainage facilities not maintained by the County, which is required for access to Uplands Drive.

DEPARTMENT OF TRANSPORTATION STANDARD CONDITIONS

4952. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
503. **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.
514. **Common Fence/Wall Maintenance:** The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).
525. **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.
536. **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.

547. **DISM Consistency:** 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.
558. **Road Improvement Agreement & Security:** The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map.
569. **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.
5760. **Grading Permit / Plan:** 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.
5861. **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.
5962. **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.
603. **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.

644. **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:

- The site can be adequately drained;
- The development of the site will not cause problems to nearby properties, particularly downstream sites;
- 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.
- 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. 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.

625. **Drainage, Cross-Lot:** Cross lot drainage shall be avoided. When concentrated cross lot drainage does occurs 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.
636. **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.
647. **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.

658. **CEQA Review:** 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.
669. **Off-site Improvements (Security):** Prior to the filing of a final 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.
670. **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.

6871. **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.
6972. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete. The proposed project is located in Fee Zone Area 8.

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703. The applicant shall process a request for annexation into the El Dorado irrigation District for public water, prior to filing the final map.
- ~~71. The applicant shall process a request for annexation into the El Dorado Hills Fire Protection District for service, prior to filing the final map.~~