

CONDITIONS OF APPROVAL

Tentative Subdivision Map Revision TM05-1403-R/Campobello Planning Commission/May 10, 2018

Proposed revisions to the existing conditions of approval under TM05-1403-R shall be indicated in the ~~strikeout~~/underline format.

Conditions

1. This tentative subdivision map and zone change approval is based upon and limited to compliance with the project description, dated June 2006, 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” is for a tentative subdivision map to create 45 lots ranging in size from ~~7,9447,910~~ to ~~85,81497,641~~-square feet and a zone change from Estate Residential Ten-acre (RE-10) to One-family Residential (R1) and One-half Acre Residential (R20,000). The “Project” includes two design waiver requests to construct a four-foot wide sidewalk in lieu of the six-foot wide sidewalk along the east side of Beasley Drive and both sides of Voltaire Drive, and reduce the right of way along Voltaire Drive and internal streets C and D Drive to 44 feet, as well as a reduction from 60 feet to 50 feet on Beasley Drive, all variations of the requirements of Standard Plan 101B.

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 FROM THE MITIGATED NEGATIVE DELECARATION

The following mitigation measures are required as a means to reduce potential significant environmental effects to a level of insignificance:

2. The applicant shall avoid take of any active raptor nests, and pre-construction surveys shall be conducted by a qualified biologist no more than 30 days prior to initiation of the proposed development activities. The survey results shall be submitted to the California Department of Fish and Game (CDFG) and Planning Services prior to issuance of a

grading permit. If active raptor nests are found on or immediately adjacent to the site, consultation must be initiated with CDFG to determine appropriate avoidance. The applicant shall follow the appropriate avoidance measures issued by CDFG. If no nesting is found to occur, then necessary tree removal may proceed, without additional notification to CDFG, upon approval by Planning Services.

Monitoring Responsibility: Planning Services

Monitoring Requirement: Planning Services shall ensure that adequate surveys are prepared prior to issuance of grading permit.

3. The project applicant shall place construction fencing around the oak trees to protect them from disturbance during construction. Protective fencing shall be erected at least one (1) foot beyond the drip line surrounding each oak tree unless otherwise specified by a certified project arborist. This fenced area shall not be encroached for any reason, without authorization by the certified project arborist. No materials, equipment, or vehicles shall be stored or parked within the projected tree zone. No grading, cuts, fills or trenching of any kind shall be allowed within the drip line of the trees without direct supervision of the project arborist.

Monitoring Responsibility: Building Services

Monitoring Requirement: During construction, the building inspector shall ensure that protective fencing is properly erected, and that the fenced area is not encroached, unless supervised by the project arborist on site.

4. Any oak trees removed from the site shall be mitigated as specified in the Interim Interpretive Guidelines for El Dorado County as adopted by the County on November 9, 2006. Mitigation for loss of tree canopy shall be implemented to reduce impacts from oak tree loss. Fulfillment of any one of the following options will reduce impacts to a less than significant level:

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.

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.

Acquisition of an off-site conservation easement covering property with healthy oak woodland canopy area of 5.62 acres, equivalent to 100 percent of the oak canopy area proposed to be removed by the project⁶. 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.

Monitoring Responsibility: Planning Services

Monitoring Requirement: Planning Services shall ensure the project adheres to the Interim interpretive Guidelines and the mitigation measure conditions.

5. During preliminary site grading, a cultural resources specialist shall be present on site in the event that subsurface artifacts are uncovered. If a deposit is found to be significant, data shall be collected and consultation shall be initiated with the appropriate agency. Work in the area of the discovery shall be halted until artifacts can be evaluated in accordance with state and federal regulations regarding cultural resources. A contract demonstrating that a cultural resources specialist has been retained for site grading activity shall be submitted to Planning Services for review prior to issuance of a grading permit.

Monitoring Responsibility: Building Services

Monitoring Requirement: During grading, building inspector shall ensure that a cultural resource specialist is on site.

6. Construction activities shall be limited to between the hours of 7:00 AM and 5:00 PM, Monday through Friday, and 8:00 AM and 5:00 PM on weekends and federally-recognized holidays.

Monitoring Responsibility: Building Services

Monitoring Requirement: Building inspector shall ensure that construction documents indicate hours limitations as specified in mitigation measure.

7. This project is located within or adjacent to an area which has wildlife resources and was referred to the California Department of Fish and Game. ~~In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,800.00 after approval but prior to the County filing the Notice of Determination on the project. This fee, plus a~~ A \$50.00 recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County prior to filing a Notice of Exemption for the project. The \$1,800.00 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the States fish and wildlife resources.

Department of Transportation

8. The applicant shall construct the following roadways as specified in Table 1. ~~The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the recordation of the final map:~~

TABLE 1		
ROAD NAME	ROAD WIDTH	EXCEPTIONS/NOTES
Marble Valley Road(on-site)	36 foot <u>40 ft- partial roadway – 20 ½ foot width on project side, 16 foot paving on opposite side of plan centerline with 40</u> 50 <u>ft R/ØW along frontage per Std Plan 101B</u>	Standard Plan <u>Type 2 vertical curb and gutter on project side (no sidewalk), with 8 foot Class 1 paved Bike Path on project side. 40 foot roadway with four (4) foot wide paved shoulder along frontage and 6 foot wide native shoulder on both sides of roadway 4 foot AB shoulder on opposite side outside paving. Section as shown on Revised Tentative Map.</u>
Marble Valley Road(off-site) Eastern Boundary to Flying ‘C’ Road	40 ft roadway with 60 ft ROW	No curb/ gutter/sidewalk. Two (2) lane roadway.
<u>Voltare Drive</u>	<u>28 foot roadway</u> <u>44 foot R/W</u> <u>Per Std Plan 101B</u>	<u>Type 1 curb and gutter.</u> <u>Four (4) foot wide sidewalks on both sides</u> <u>Section as shown on Revised Tentative Map</u>
<u>Beasley Drive</u>	<u>28 foot roadway</u> <u>50 foot R/W</u> <u>Per Std Plan 101B</u>	<u>Four (4) foot wide sidewalk on north/east side only.</u> <u>Reduced roadbed width and Metal Beam Guard Rail on south/west side ~Sta. 18+17 to ~ Sta. 19+71.</u> <u>Sections as shown on Revised Tentative Map.</u>
Voltare and Beasley Drive, ‘C’ & ‘D’ Drive, ‘B’ Court	28 ft roadway (44– 50 ft R/ØW) per Std Plan 101B	Standard Plan Type 1 curb and gutter with four (4) foot wide, No sidewalks, Type 2 vertical curb on for ‘D’ Drive. Section as shown on Revised Tentative Map. Beasley Drive Standard Plan Type 2 vertical curb and gutter with six (6) foot with D-drive\My Documents\Minutes\2007\0823.docde sidewalk on east side of roadway only and two (2) foot wide shoulder with guard rail on west side of roadway from STA 18+18 to 19+72 as shown on tentative map. ‘B’ Court and ‘C’ Drive cul de sac according to Standard Plan

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Notes for Condition 1 table:

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

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

Required improvements of Marble Valley Road are reimbursable through the "Area of Benefit for the Construction of Marble Valley Road – Resolution 118-2000."

9. ~~Off Site Improvements: The approved traffic study requires that the applicant shall improve the Cambridge Road/ US 50 eastbound on-off ramps. Specific improvements to be provided are limited to signage and striping relating to an all way stop as identified in the approved traffic study. The improvements shall be substantially completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the recordation of the final map. In addition, the applicant shall obtain an approved encroachment permit from Caltrans for the required improvements.~~
 - a. The Project shall be responsible for design, Plans, Specifications and Estimate (PS&E), utility relocation, right of way acquisition, and construction of improvements to Cambridge Road/US 50 eastbound on-off ramps.
 - i. Striping and Signing for All-Way Stop Control (AWSC) as described in the Traffic Study. The applicant shall obtain an approved encroachment permit from Caltrans for the required improvements.
 - ii. In order to ensure proper timing for the installation of AWSC, the applicant shall be responsible to perform AWSC warrants with each final map, in accordance with the Manual on Uniform Traffic Control Devices (version in effect at the time of application).
 - iii. If AWSC warrants are met at the time of application for final map (including the lots proposed by that final map), the applicant shall construct the improvements prior to issuance of the first certificate of occupancy for any lot within that final map.
 - iv. If the AWSC is constructed by the County or others prior to triggering of mitigation by the project, payment of TIM fees is considered to be the project's proportionate fair share towards mitigation of the impact.

10. ~~The required on-off-site improvements to Marble Valley Road, as specified in Table 1 of DOT conditions, shall adhere~~ are subject to the - "Area of Benefit for the Construction of Marble Valley Road – Resolution 118-2000" (AOB) and shall be consistent with the MacKay & Soms "Conceptual Plans for the Improvements of Marble Valley", which were approved by CountyDOT on September 3, 1999. The applicant shall update these Improvement Plans and the associated Area of Benefit Engineer's Report to account for the current development within the AOB and provide an updated economic assessment of the AOB. adhere to current County Design Standards and the improvements shall be substantially completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the recordation of the final map. Prior to recordation of any small-lot final map, the applicant shall prepare an Engineer's Report to demonstrate that the project has fulfilled its obligation to the AOB either with direct construction cost of the on-site Marble Valley

Road required to be constructed by these conditions of approval, or by payment of AOB fees with the building permits as required in the AOB. If the construction costs of on-site Marble Valley Road exceed the obligation of the project to the AOB, a reduction or elimination in AOB fees may be allowed by the County.

- ~~11.~~ The required on and off site improvements to Marble Valley Road shall be signed and striped as a two (2) lane road as shown on the approved tentative map and California Design Manual for Traffic Control and the required on-site and off-site road improvement plans for Marble Valley Road.
- ~~12.~~11. The applicant shall irrevocably offer to dedicate (IOD), in fee, ~~40~~50 feet of right of way along the entire on-site frontage of Marble Valley Road, with the appropriate slope easements. This offer will be accepted by the County for public use, but rejected for maintenance until such time as the off-site segments of Marble Valley Road are constructed. Until accepted by County, maintenance of the partially constructed roadway will be the responsibility of the HOA or Zone of Benefit created for maintenance of the other roads within the project.
- ~~13.~~ The applicant shall irrevocably offer to dedicate (IOD), in fee, ~~60~~ feet of right of way from the eastern boundary of this project to Flying 'C' Road, where it intersects with Crazy Horse Road, with the appropriate slope easements, as depicted on the revised MacKay & Somps Conceptual Plans for the Improvements of Marble Valley, which were approved by DOT on September 3, 1999. This offer will be accepted by the County.
- ~~14.~~ The applicant shall irrevocably offer to dedicate (IOD), in fee, adequate right of way to realign Flying 'C' Road to intersect with Marble Valley Road, with the appropriate slope easements, as depicted on the revised MacKay & Somps Conceptual Plans for the Improvements of Marble Valley, which were approved by DOT on September 3, 1999. This offer will be accepted by the County.
- ~~15.~~12. The applicant shall offer to dedicate, in fee, the rights of way for roadways shown in Table 1 with the final map. Said offer shall include all appurtenant slope, drainage, pedestrian, public utility or other public service easements as determined necessary by the County. The offer(s) will be accepted by the County, provided that a County Service Area Zone of Benefit has been created and funded to provide for maintenance of the roadways. The applicant shall irrevocably offer to dedicate (IOD) a 44 foot road and public utility easement for Voltare and a 50 foot road and public utility easement for Beasley Drive prior to filing the final map. This offer will be rejected by the County.
- ~~16.~~13. A vehicular access restriction shall be established along the entire north side of the on-site frontage of Marble Valley Road except for the proposed access locations shown on the tentative map prior to filing the final map. All lots that front on two roads shall take access on the minor roadway, and a non-vehicular access easement shall be established along the entire frontage on the major roadway.

- 17.14. A secondary access road, providing permanent or temporary looped circulation for each phase of development, shall be constructed prior to the first building permit being issued for any residential structure except where the issuance of building permits is for model homes, which shall be unoccupied.
- 18.15. The applicant shall join and/or form, prior to filing the final map, a zone of benefit or entity satisfactory to CountyDOT, to maintain all on-site roads and/or drainage facilities ~~not maintained by the County~~. Marble Valley Road is not subject to this condition.
- 19.16. Off-site Improvements (Acquisition): As specified elsewhere in these Conditions of Approval, the applicant is required to perform off-site improvements. If the applicant does not secure, or cannot secure sufficient title or interest for lands where said off-site improvements are required, and prior to filing of any final or parcel map, the applicant shall enter into an agreement with the County pursuant to Government Code Section 66462.5. The Agreement will allow the County to acquire the title or interests necessary to complete the required off-site improvements. The Form, Terms and Conditions of the agreement are subject to review and approval by County Counsel.

The agreement requires the applicant: pay all costs incurred by County associated with the acquisition of the title or inters; provide a cash deposit letter of credit, or other securities acceptable to the County in an amount sufficient to pay such costs, including legal costs; If the costs of construction of the off-site improvements are not already contained in a Subdivision Improvement Agreement or Road Improvement Agreement, the applicant shall provide securities sufficient to complete the required improvements, including but not limited to, direct construction costs, construction management and surveying costs, inspection costs incurred by County, and a 20% contingency; provides a legal description and exhibit map for each title or interest necessary, prepared by a licensed Civil Engineer or Land Surveyor; provides an appraisal for each title or interest to be acquired, prepared by a certified appraiser; Approved improvement plans, specifications and contract documents of the off-site improvements, prepared by a Civil Engineer. ~~As specified in the Conditions of Approval, the subdivider is required to perform off site improvements. If it is determined that the subdivider does not have or cannot secure sufficient title or interest of such lands where said off site improvements are required, the County may, at the subdivider's expense and within 120 days of filing the final map, acquire by negotiation or commencement proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map or parcel map, the subdivider shall submit the following to the Department of Transportation Right of Way Agent, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20 percent contingency:~~

- ~~a. A legal description and plat, of the land necessary to be acquired to complete the 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 professional appraiser of the cost of land necessary to complete the off site improvements.~~

~~20.17.~~ The applicant shall adhere to all DOT standard conditions as specified on Attachment A, which were provided to the applicant's engineer on June 7, 2007.

~~21.18.~~ Should the property located adjacent to the project to the south (Assessor's Parcel Number 119-020-35) obtain tentative map approval from the County prior to construction of Marble Valley Road, the applicant shall be responsible for posting security totaling one-half of the cost of the on-site improvements described in special project Condition 1 to be constructed as a part of Phase 4 as shown on the tentative map.

El Dorado County Fire Protection District

~~22.19.~~ The District shall require eight new hydrants, of Muller model Centurion 200, for this project, as approved by the Fire District in an appropriate location. The applicant shall install the hydrants along with roadway and utility improvements.

~~23.20.~~ The developer shall construct Beasley Road and Voltaire Drive to a 28-foot roadway width.

~~24.21.~~ The developer shall limit on-street parking for Roads C and D on only one side of the street prior to occupancy. No parking signs or red curbs are required.

~~25.22.~~ A Fire Safe Plan, approved by CDF and El Dorado County FPD, is required prior to occupancy.

~~26.23.~~ The developer shall ensure that cul-de-sacs and all access roads are open to public use with no gates immediately prior to and after occupancy.

LAFCO

~~27.~~ Prior to final map filing, the applicant shall complete the annexation process into EID through LAFCO and submit evidence of the satisfaction of this condition to Planning Services upon completion.

Planning Services

- ~~28.24.~~ The applicant shall provide to Planning Services, a meter award letter or similar document from EID, prior to filing the final map.
- ~~29.25.~~ The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. The applicant shall pay all fees at the time of filing the final map.
- ~~30.26.~~ The subdivider shall pay a \$150.⁰⁰ appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.
- ~~31.27.~~ The developer shall enter into an agreement with the school districts to pay the sum of \$8,288.⁰⁰ per residential unit constructed within the boundaries of the subdivision. The agreement shall provide for an annual adjustment in the fee by the increase in the Engineering News Record Construction Cost Index. The increase is calculated by the districts as of January 1 of each year and implemented on July 1 of each year. The applicant shall contact the County Office of Education prior to the issuance of any building permits to verify the applicable fee at the time of building permit issuance. The owner of record shall pay the fee at the time the building permit is issued. The owner of record shall record on the property the agreement or a notice of restriction to alert subsequent owners of this obligation.
- ~~32.28.~~ 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.
- ~~33.29.~~ 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.
- ~~34.30.~~ All Development Services Planning fees shall be paid prior to issuance of any Building Permit.

Surveyor's Office

- ~~35.31.~~ 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. The project applicant shall ensure that verification of set survey monuments, or amount of bond or deposit are acceptable to the County Surveyor's Office.

~~36.~~32. The applicant shall file a completed road name petition for roads serving the development with the County Surveyor's Office prior to filing the final map.

El Dorado County Resource Conservation District

~~37.~~33. Prior to grading operations, the developer shall contact the District for review of an erosion control plan. The erosion control plan must be approved by the District prior to grading operations.

~~38.~~34. Revegetation of all disturbed soils will be accomplished with approved amounts and types of vegetative species, mulch, and fertilizer materials per the "El Dorado County Erosion Control Requirements and Specifications – MLRA18." The applicant shall include these specifications as a part of the engineering drawings for the project.

~~39.~~35. The applicant shall analyze the downstream drainage areas for the capacity of existing structures to adequately handle runoff created by the proposed development and problems related to erosion control. The applicant shall complete this as part of the erosion control plan.

California Regional Water Quality Control Board

~~40.~~36. The applicant shall obtain a permit for the project under the National Pollutant Discharge Elimination System (NPDES). The applicant shall obtain the General Permit to cover this project prior to construction.

~~41.~~37. The project applicant shall obtain a 401 Water Quality Certification prior to issuance of a grading permit.

Cameron Park Community Services District

~~42.~~38. Should the property be annexed into the CSD prior to filing the final map, the developer shall pay adequate parks fees, based on County appraisal. The developer shall ensure that any CC&Rs established for the project are reviewed and approval by the CSD.

El Dorado County Department of Environmental Health

~~43.~~39. Project applicant shall adhere to Rules 223, 223.1, and 223.2 during construction. The applicant shall submit a Fugitive Dust Plan Application or Asbestos Dust Mitigation Plan Application to and receive approval by the District prior to the issuance of a grading permit and start of project construction.

- ~~44.40.~~ Project construction shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
- ~~45.41.~~ Burning of wastes on-site requires the applicant contact the District prior to the commencement of any burning for necessary burn permit requirements. Only vegetative waste materials are permitted to be disposed of using an open outdoor fire.
- ~~46.42.~~ The project construction shall adhere to District Rule 215 Architectural Coatings.