

**Rezone Z18-0009/Tentative Parcel Map P18-0011/Rancho Victoria** – As approved by the Board of Supervisors on October 13, 2020.

**Conditions of Approval**

1. This Tentative Parcel Map is based upon and limited to compliance with the project description, Conditions of Approval set forth below, and the hearing exhibits marked:

Exhibit J .....Tentative Parcel Map

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 would constitute a violation of permit approval.

The project description is as follows:

Rezone Z18-0009 and Tentative Parcel Map P18-0011 consists of two entitlement requests for an existing 81.81-acre parcel: 1) a rezone from Rural Lands, 40-Acre (RL-40) to Rural Lands, 20-Acre (RL-20) and 2) a Tentative Parcel Map to create three parcels consisting of 26.7 acres, 28.9 acres and 33.13 acres (proposed Parcels 1A, 1B and 1C, respectively). Proposed Parcel 1A, consisting of 26.70 acres, is currently developed with an existing 1,200 square-foot residence and associated well and septic system. Proposed Parcels 1B and 1C are currently undeveloped and would be served by domestic wells and septic systems with electric service by Pacific Gas and Electric (PG&E). Access to the proposed lots would be provided via private driveways from Victoria Way, a paved non-County maintained roadway.

Required off-site improvements would be limited to minor shoulder improvements to South Shingle Road from the intersection with Latrobe Road to the project site. On-site roadway improvements would not be required as Victoria Way meets current fire and vehicular access standards, as verified by the El Dorado Hills Fire Department. Grading for residential driveways and proposed home sites is not proposed and would be deferred to future building and grading permits for the new parcels. No oak trees will be removed as part of this project.

The development, use, and maintenance of the property, the size, shape 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 must be submitted for review and approval and shall be implemented as approved by the County.

## Planning Services Division

2. **Permit Time Limits:** This Tentative Parcel Map shall expire 36 months from the date of approval unless a timely extension has been filed consistent with Section 120.74.020 (Expiration Period of Approved or Conditionally Approved Maps) of the Subdivision Ordinance.
  
3. **Archeological Resources:** In the event of the discovery of human remains, all work shall cease and the County coroner shall be immediately notified pursuant to subdivision(c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or in his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

4. **Indemnity:** 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.

The developer and landowner 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 Parcel Map.

The County shall notify the applicant of any claim, action, or proceeding, and the County shall cooperate fully in the defense.

**Mitigation Measures from Proposed Mitigated Negative Declaration:**

5. **Mitigation Measure No. CUL-1 (Archaeological Resources):**

No development or soil disturbance shall be permitted within the prehistoric site identified as “P-9-3783/CA-ELD-2465” in the February, 2019 Cultural Resources Study completed by Historic Resource Associates. A conservation easement shall be recorded over this site and the easement location shall be shown on the final parcel map.

Monitoring Requirement: Planning Services shall verify the location of the conservation easement area is accurately shown on the final map prior to map recordation.

Monitoring Responsibility: El Dorado County Planning and Building Department.

6. **Mitigation Measure No. CUL-2 (Historic Resources):**

To avoid inadvertent damage to unmarked grave sites associated with the historic Latrobe Cemetery, a 100-foot non-development setback shall be imposed from the boundary of the existing Latrobe Cemetery parcel. The non-development setback shall be shown on the final map prior to recordation.

Monitoring Requirement: Planning Services shall verify the non-development setback area is shown on the final map prior to map recordation.

Monitoring Responsibility: El Dorado County Planning and Building Department.

**El Dorado County Department of Transportation (DOT):**

*Project-Specific Conditions:*

7. **Off Site Road Improvements:** Widen portions of South Shingle Road from 175 feet west of Latrobe Road to approximately 1,050 feet west of Latrobe Road (measured along centerline) by adding two inches (depth) of Hot Mix Asphalt (HMA) on six inches (depth) of Class 2 Aggregate Base along the edge of pavement, to widen the road bed to a minimum width of 20 feet. Obtain an encroachment permit for this work.
8. **Offer of Dedication:** Irrevocably offer to dedicate to the County of El Dorado a road, slope, drainage and public utility easement 30 feet in width (1/2 width) for South Shingle Road. This offer will be accepted by the County.
9. **Waiver of Direct Access Rights:** Show a waiver of direct access rights on the Final Map along South Shingle Road effecting lots 1A and 1B.

*DOT Standard Conditions*

10. **Maintenance Entity:** Prior to filing a final map, form an entity, or join an existing entity, for the maintenance of private roads and drainage facilities. When joining an existing entity, amend and modify (as necessary) the existing entity to equitably incorporate maintenance of the project improvements.

South Shingle Road is an existing County-maintained roadway shown on General Plan Exhibit TC-1 therefore is exempt from this condition.

11. **Consistency with County Codes and Standards:** Obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (as may be modified by these Conditions of Approval or by approved Design Waivers) from DOT and pay all applicable fees prior to filing of the final map.

Ensure the project improvement plans and grading plans conform to the County Grading, Erosion and Sediment Control Ordinance, Grading Design Manual, the Drainage Manual, Storm Water Ordinance (Ord. No. 5022), Off-Street Parking and Loading Ordinance, all applicable State of California Water Quality Orders, the State of California Handicapped Accessibility Standards, and the California Manual on Uniform Traffic Control Devices (MUTCD).

12. **Regulatory Permits and Documents:** Incorporate all regulatory permits and agreements between the project and any State or Federal Agency into the Project Grading and Improvement Plans prior to the start of construction of improvements.

Grading or Improvement plans for any phase may be approved prior to obtaining regulatory permits or agreements for that phase, but grading/construction of improvements may not proceed until the appropriate permits or agreements are obtained and the grading/improvement plans reflect any necessary changes or modifications to reflect such permits or agreements.

Project conditions of approval shall be incorporated into the Project Improvement Plans when submitted for review.

**Office of the County Surveyor**

13. All survey monuments must be set prior to filing the Parcel Map.
14. Situs addressing for the project shall be coordinated with the County Surveyor's office prior to filing the Final Map.

15. Prior to filing the Parcel Map, a letter will be required from all agencies that have placed conditions on the map. The letter will state that “**all conditions placed on P18-0011 by (that agency) have been satisfied**”. The letter is to be sent to the County Surveyor and copied to the Applicant and Agent(s).

#### **El Dorado County Environmental Management Department**

16. Prior to filing the final map, proposed parcels to be served by an onsite wastewater treatment system (septic system) shall demonstrate a soil percolation rate of 120 minutes per inch or lower and must show one or more adequate dispersal areas on each proposed parcel consistent with the El Dorado County Local Agency Management Plan (LAMP) to the satisfaction of the County Environmental Management Department, Environmental Health Division.

#### **El Dorado Hills Fire Department**

17. **Emergency Water Supply:** The project area is not currently provided with an adequate means of emergency water supply, storage or conveyance facilities. Prior to new buildings or structures being placed on one or more of these parcels the applicants will need to demonstrate that they can meet the required emergency water supply provisions found in Chapter 5 of the California Fire Code, along with local ordinances and standards of the El Dorado Hills Fire Department.
18. **Roads and Driveways:** Roads and driveways, whether public or private, serving three or more parcels shall comply with California Code of Regulations (CCR) Title 14 §§ 1273.00 - 1273.09. The project road shall provide for safe access for emergency fire equipment and civilian evacuation concurrently and must provide unobstructed traffic circulation during a wildfire emergency. To meet this standard the project must perform the following:
  - a. The existing private road serving the project (Victoria Way) provides a minimum of two - ten-foot traffic lanes, not including shoulder and striping, to provide access to all three parcels served by the road. The existing sixteen-foot-wide paved section and four-foot-wide aggregate base section is deemed acceptable so long as it can be demonstrated to show that it is designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds. All future subdivision of parcels that are proposed to be served by Victoria Way shall require the road to be paved to no less than two - ten-foot traffic lanes, not including shoulder and striping, to serve all parcels.
  - b. Victoria Way is a dead-end road and shall be provided with an approved turnaround meeting the requirements of CCR Title 14 § 1273.05 at the road terminus. Where parcels are zoned five (5) acres or larger, approved turnarounds shall be provided along the road at a maximum of 1320-foot intervals.

- c. South Shingle Road shall be widened to provide two paved ten-foot traffic lanes, not including shoulder and striping, to provide emergency vehicle access to the project, for that section of road described in DOT Project Condition No. 7. If two 10-foot traffic lanes cannot be achieved across the box drainage culvert on South Shingle Road, an approved turnout may be placed west of the box drainage culvert on South Shingle Road to provide the same practical effect in meeting this requirement at that location. All essential road improvements shall be complete and meet all of the requirements of CCR Title 14, or bonded in accordance with County of El Dorado DOT requirements, prior to approval of the final map for the project.
19. **Natural Hazard Disclosure:** The project is located in a Fire Hazard Severity Zone within a CAL FIRE Responsibility Area. The applicant shall provide a Wildfire Hazard Real Estate Disclosure to all future property owners regarding this risk.