

**ELDORADO COUNTY DEVELOPMENT SERVICES
STAFF REPORT**



Agenda of: April 27, 2006
Item No.: 9.a.
Staff: Lillian Mac Leod

SUBDIVISION MAP/SITE PLAN REVIEW

FILE NUMBER: TM04-1390/SPR 04-0018

APPLICANT: Pacific West Homes

OWNER: El Dorado Hills Investors

REQUEST:

1. A tentative subdivision map creating 160 airspace condominium units on a parcel consisting of 14.24 acres (Exhibit E).
2. Site plan review of the 160-unit condominium project. (Exhibit E).

LOCATION: On the west side of Valley View Parkway, approximately 2,000 feet south of the intersection with White Rock Road, in the El Dorado Hills area. (Exhibit A)

APN: 108-490-19

ACREAGE: 14.24 acres

GENERAL PLAN: Adopted Plan (AP) (Exhibit B)

SPECIFIC PLAN / ZONING: White Rock Village/Core Residential (CR) (Exhibit D)

ENVIRONMENTAL DOCUMENT:

1. Statutorily exempt pursuant to Section 15182 of the CEQA Guidelines (TM04-1390).
2. Statutorily exempt pursuant to Section 15268 of the CEQA Guidelines (SPR04-0018).

SUMMARY RECOMMENDATION: Conditional approval

BACKGROUND: The project parcel is located within the Valley View Specific Plan as part of its White Rock Village development. The project parcel was created through a boundary line adjustment (BLA 01-90) involving a total of five parcels. The BLA was processed in order to decrease the size of two of the parcels for future multi-family development. Of the five resultant parcels, Parcel 2 has already been developed as the Valley View Phase 2 apartments, and Parcel 3 is the subject parcel.

Section 2.1.2 of the Development Agreement approved by the Board of Supervisors on December 8, 1998 states:

“(a) To help implement the County’s goal of providing a range of housing types within the County, Landowner agrees that at least twenty percent (20%) of the housing units developed within the Specific Plan shall be developed as multi-family residential dwellings. . . Such units shall be developed in those portions of the Specific Plan designated as Multi-Family (MFR), Core Residential (CR), Mixed Use (MU and Village Center (VC). For the purposes of this section, the term “multi-family residential dwellings” shall include apartments, attached dwellings available for rent, attached single family dwellings such as condominiums and duplexes, and second residential units on a single family parcel.

(b) In order to further encourage the development of multi-family and affordable housing, the County agrees that subsequent approvals for such housing in those areas designated above shall be subject only to Specific Plan Design Clearance, as that process is described in the Specific Plan, which shall be limited solely to review of the site plan and elevations of a proposed project to ensure consistency with design criteria provided in the Specific Plan.

. . . The County agrees that such approvals shall be ministerial in nature requiring no further environmental review or permits other than building permits.”

A site plan review of the subsequent condominium development plan for the subject parcel was submitted with the tentative subdivision map application. Staff will review the plans and elevations within the staff report, so as to provide the full extent of the proposed project for the Planning Commission’s benefit. Under the Specific Plan, “Site Plan Design Clearance shall first be obtained from the El Dorado County Planning Director or his designated representative.” Staff will defer the site plan review to the Commission for concurrent approval with the tentative map application.

STAFF ANALYSIS

Project Description: The proposed project is for a 160-unit condominium development to be constructed on one 14.24 acre parcel. The proposed development consists of 11 residential buildings that will be 3-stories each with a maximum height of 39.5 feet. The residential buildings will consist of two different classifications, referred to as Building Type I (Type I) and Building Type IV (Type IV) in the elevations (Exhibit H). Architectural differences are negligible between the two building types and only occur as a result of differences in floor plans, as follows:

Type I consists of 12 units comprising an equal mix of 1 and 2 bedroom units. Each building will have 10 single-car and 2 two-car enclosed garage spaces for a total of 14 spaces. Seven of the buildings will be Type I.

Type IV will consist of 19 units comprising one 1-bedroom, sixteen 2-bedroom, and two 3-bedroom units. Each building will have 18 single-car and one 2-car enclosed garage spaces for a total of 20 spaces. The four remaining buildings will be Type IV.

The first floor of each building will consist of the enclosed garage spaces. The total for all Type I and Type IV buildings equals 178 enclosed spaces. An additional 80 enclosed, single-car garage spaces will be constructed in the parking areas surrounding the buildings for a project total of 258 enclosed garage spaces. Each unit in the development will have at least one of these spaces, and 98 units will have a second enclosed garage space.

Open or unenclosed parking totals 111 spaces to be dispersed throughout the project site. A minimum of 40 spaces must be designated for guest parking as required under Chapter 4 of the Specific Plan. ADA requirements call for eight handicapped parking spaces with one designated van-accessible. The project meets these requirements.

A community center is being proposed exclusively for the homeowners, which will contain a swimming pool, spa, and adjacent pool house. The pool house facility will contain separate changing rooms and an exercise room. The facility will be single-story and will measure a total of 1,400 square feet, counting both conditioned and non-conditioned space. A tot lot has been added to the site at the request of the El Dorado Hills Community Services District.

Four different color schemes are being proposed utilizing compatible tones for each construction element, such as wall, trim, and roofing. All four schemes are compatible with each other, as they consist of various shades of beige, brown and khaki. The color schemes have been applied in a random manner (Exhibit J) and provide no identifying factor between Type I and Type IV buildings.

A monument sign measuring 4 feet high by 8 feet wide to include rock base is being proposed for project identification. The sign will be illuminated by ground lighting and will be located at the entrance off Valley View Parkway and the unnamed access road. Directory signs shall be located at the entrance to each driveway that connects off the access road, for a total of three signs. Each directory sign shall measure 5 feet high by 2 feet 2 inches wide to include rock base, and shall be illuminated by ground lighting (Exhibit J). All proposed building and pole lighting meet the standards for full shielding. The pole lights shall not exceed 30 feet in height and will be located as shown in Exhibit L.

Condominium ownership will be structured on an airspace regime in which each homeowner will own their unit's airspace in fee but will share ownership of the building as tenants-in-common with other homeowners in the building. The association, known as "Lesarra LP", will own the common area ground, in fee.

Site Description: Valley View Parkway dead-ends at the northeast corner of the project parcel. The topography slopes steeply down in a westerly direction from where the planned extension of the parkway will be constructed before leveling off to a gentle to moderate slope. Some grading appears to have taken place, and straw wattles have been placed downslope from this graded area. Vegetation consists of seasonal grasses, only. The wetland area that runs along the southern and western boundaries of the parcel is visible as a belt of riparian habitat.

Adjacent Land Uses:

	Specific Plan / Zoning	General Plans	Land Use/Improvements
Site	White Rock Village / CR	AP	Undeveloped
North	White Rock Village / CR, OS	AP	White Rock Village apartments
South	White Rock Village / MOS	AP	Undeveloped
East	White Rock Village / OS	AP	Undeveloped
West	White Rock Village / CR	AP	Undeveloped

General Plan: The Board of Supervisors, in approving the Specific Plan and development agreement, adopted the recommendations of the Planning Commission which included amending all existing General Plan land use designations to Adopted Plan (AP). Under the 2004 General Plan, the subject parcel is designated Adopted Plan – Valley View. As such, the specific plan land use map and policies will serve as the General Plan for the property within its boundaries.

Specific Plan: The project parcel lies within the White Rock Village development area of the Valley View Specific Plan. Specific Plan policies indicate that White Rock Village is to be developed to *create opportunities for more affordable housing, including rental housing and provide for higher density housing nearest to commercial uses present in Town Center East*. The subject parcel is zoned Core Residential District (CR) under the Specific Plan, which allows both single family attached and detached residential development, as well as multi-family residential development. The proposed condominium development meets the requirements established within the development agreement for multi-family residential development.

Section 2.1.2(b) of the development agreement allows ministerial review of multi-family housing as a means of encouraging such development. The Design Clearance process referred to under this section involves site plan and elevation review of each project. Under the Specific Plan, “Site Plan Design Clearance shall first be obtained from the El Dorado County Planning Director or his designated representative. Said Design Clearance shall . . . consist of a finding that the proposed development is in conformance with the Valley View Specific Plan and applicable design standards established by the Specific Plan. Where no specific design standard exists, the proposal shall be subject to the provisions of Chapter 17 of the El Dorado County Code (Zoning Ordinance).” Consistency with the applicable provisions of the land use plan for CR development under Chapter 4, and compliance with the design guidelines under Chapter 9 of the Specific Plan will be determined as follows:

Chapter 4

Density: *Net density of development within a CR district may be permitted up to 15 du's per acre.*

The proposed project has a density of 11.3 dwelling units (du's) per acre consistent with the specific plan.

Height: *Building height shall not exceed 40 feet measured as set forth in Section 17.07.050 (R) of the County Code except that chimneys, turrets and similar architectural projections shall not exceed 50 feet.*

Maximum building height has been measured at 39.5 feet for Type IV construction. Type I construction has a maximum height of 36 feet. No architectural projections exceed these heights.

Defined Building Envelope: *A "building envelope diagram" may be submitted for approval at the time of consideration of any tentative subdivision map proposing developable single family parcels within the Core Residential District (CR), including. . .airspace condominiums. Once approved or conditionally approved by the County, the "building envelope diagram" shall serve to define structural setbacks for that portion of the Plan. . .The "building envelope diagram" shall be used to minimize construction within resource sites such as biologically sensitive locations including wetlands or riparian areas, cultural resource sites or other areas determined to require special protection.*

The site plan submitted for review under SPR04-0018 satisfies this requirement for a building envelope diagram. Figure F-2 of the Valley View Specific Plan EIR designates wetland areas throughout the specific plan area. A wetland area of intermittent drainage was delineated along the southern and western perimeters of the project parcel. Impact BR-8 on page IV.F-36 of the Draft EIR indicates that any destruction of these wetland areas would contradict the "no net loss" policy of the U.S. Army Corps of Engineers, representing a *significant impact*. Measure BR-8 (MM BR-8) was drafted and accepted under the Development Agreement addressing this impact, and will be discussed further in the staff report as it applies to the project.

Impact BR-9 on page IV.F-38 addresses the *potentially significant impact* on wetlands from construction related activities, such as earth-moving equipment, storage of construction materials and dumping and inadvertent placement of fill material. As a result, Mitigation Measure BR-9 (MM BR-9) was drafted and accepted under the Development Agreement. It states the following:

Mitigation Measure BR-9: *The applicant shall be responsible for mitigating impacts on wetlands during construction by implementing protective buffer zone construction fencing of sensitive habitat. Provide a 50-foot buffer zone as recommended in the El Dorado County General Plan EIR, measured from the edge of the jurisdictional wetland. Keep all construction vehicles and supplies out of these fenced areas.*

The building envelope diagram, or site plan, delineates a 50-foot buffer zone from the edge of the wetland area that flows along the southwestern boundaries of the parcel. All buildings and accessory structures have been placed outside of this zone. The project will be conditioned to comply with MM BR-9 prior to grading and building permit issuance. The text of MM BR-9 will be required as a notation on all improvement plans.

Indirect, post-construction impacts on the wetland area and buffer zone will be mitigated through subsequent CC&Rs as outlined under MM BR-8 (1), as follows:

Mitigation Measure BR-8: *(1) Mitigate indirect post construction impacts to wetlands to a less than significant level by implementing protective buffer zone fencing of wetland habitat and establishment of written protective measures for other wetland areas. Development and domestic activities and structures restricted in the wetland buffer zone include dumping of garden debris, oil, or chemicals, the placement of structures, maintaining domestic animals or gardens, ad-hoc trails, removal of the fence that defines the buffer zone, removal of vegetation, placement of outdoor furniture, and storage of vehicles or recreational equipment. These protective measures should be written into CC&Rs for residential development and maintenance requirements for commercial development. Homeowners associations and maintenance personnel would be responsible for implementing and enforcing these restrictions and informing El Dorado County of violations.*

Under both §17.28.121, Limited Multifamily Residential, and §17.28.161, Multifamily Residential districts, a maintenance agreement must be recorded prior to issuing the certificate of occupancy for any attached, single-family unit. The maintenance agreement should include but not be limited to the following:

1. *Purpose of the agreement. Included in this area should be comments with reference to the protection of the value and desirability of the property. The conditions, covenants and restrictions of the agreement shall stay with the real property and be binding upon all parties having right, title or interest in the property and will run with the land in perpetuity. Therefore, the agreement must be recorded in the county where the property is located;*
2. *The legal description of the property;*
3. *The maintenance agreement must define the scope of the maintenance, what is to be maintained, i.e., roof, foundation, walkways, parking areas, etc;*

4. *A provision must be included for insurance coverage with reference to the common area and the common improvements. The insured amount must be sufficient to cover the replacement value of the common area improvements and the common improvements;*
5. *Allocation of costs per unit (monthly, semiannual or annual homeowners dues);*
6. *Define method for notification and levying assessments and liens;*
7. *Lien foreclosure plan;*
8. *Mortgage protection clause;*
9. *A stipulation that no alterations to the exterior of the building can be made without approval of all owners;*
10. *No accumulation of garbage, rubbish or offensive material shall be permitted;*
11. *The exterior of the units shall be of the same color;*
12. *The building is not to be used for unlawful purposes;*
13. *Define how a dispute will be settled in the event of a disagreement by the owners with reference to assessments, maintenance, etc. (Ord. 3331 §3, 1983)*

Protection of the wetland buffer zone shall be included in the agreement with language that conforms to MM BR-8 (l). The project will be conditioned accordingly. The subsequent CC&Rs to include an open space/wetland maintenance agreement will be subject to review and approval of the El Dorado Hills Community Services District prior to recordation. A condition is proposed requiring a copy of the recorded document to be submitted to Planning Services prior to issuance of the first building permit

Parking: *Each single family attached or detached residential unit in the CR District shall be provided with a minimum of two enclosed parking spaces within a garage or parking structure. Parking for Multi-family projects may be provided in open parking areas and shall be provided in the ratio of 1.6 spaces for each studio or 1 bedroom unit and 2 spaces for each 2 bedroom or larger unit. One guest parking space shall be provided for each four dwelling units. . . The requirements for driveways, stall size, parking lot surfacing and other structural improvement standards shall meet the provisions of Chapter 17.18 of the El Dorado County Code, "Off-Street Parking and Loading". No compact car spaces shall be allowed for required residential parking.*

In the Core Residential District, Chapter 4 of the specific plan designates condominiums as single-family attached homes, as follows:

*"It is intended that this district will be developed with a mix of moderate density residential products including single family detached homes on parcels up to 6,200 square feet in area; high density single family detached homes such as patio homes or "zero lot line" units; **attached single family homes including "halfplexes", condominiums or townhouses;** and Multi-family homes including apartments."*

It further states: "a high degree of flexibility in both design and density is encouraged in the CR district to promote both affordability and diversity." With this in mind, the applicant has requested administrative relief from the strict application of parking requirements for two enclosed spaces per unit, to allow two enclosed spaces for 98 units only, and one enclosed space for the remaining 62 units. Under Chapter 10, *Specific Plan Administration*, the Planning Director is empowered to make amendments to the plan for minor matters, defined as amendments that "do not involve fundamental

considerations of planned land uses or densities and are consistent with the objectives and policies contained in Chapter 3.” The policies under Chapter 3 regarding overall design concepts, as well as those specific to White Rock Village, maintain a provision for higher density housing nearest employment and commercial centers, a variety of housing types, as well as creation of more affordable housing.

The applicant cites that the proposed project provides alternative housing opportunities and a more affordable for-sale product resulting in availability to lower income levels. However, absent an affordable housing ordinance, affordability at this time is implied through developmental density, only. The subject request for an amendment to the parking requirements does not alter the proposed density of 11.3 dwelling units per acre. While it could be argued that one enclosed garage space for 62 of the units would reduce the attractiveness of the product resulting in a lower asking price than units having two-car garages, the only way to insure availability of an affordable housing product for lower income levels is to require it.

Affordable Housing Discussion: The applicant has agreed to designate 12 units as affordable or “inclusionary” housing for moderate income levels. Moderate income households are defined as those earning between 80 to 120 percent of median family income as established within the County. The 12 units will consist of a mix in direct proportion to the number of 1, 2, and 3 bedroom units within the development. The break down is as follows: 46 1-bedroom, 106 2-bedroom and 8 3-bedroom units or 29 percent, 66 percent, and 5 percent of the total, respectively. This translates into 4 1-bedroom and 8 2-bedroom units being designated “inclusionary”. The number of 3-bedroom units to be considered is less than one, so staff recommends excluding this category from the inclusionary requirement.

To insure affordability, the applicant will be required to work with the El Dorado County Human Services Department (HSD) in setting up a monitoring program. The applicant will first be required to contact HSD in order to set up a monthly building permit tracking report. When the units are near completion the applicant will be required to meet with HSD to review the *Deed with Restrictions* that will have to be recorded at time of sale. Monitoring of the loan program will be handled by the staff of HSD. Funding will be provided through the current Affordable Housing Programs. A deed restriction will be recorded on the inclusionary units prior to final map recordation to run for a period of 20 years, considered to be the standard in discussions with Human Services. Prior to final occupancy of the first single-family unit, a copy of the affordable housing plan, to include but not be limited to financing arrangements, monitoring program, and 20-year deed restrictions, must be presented by the applicant to Planning Services. A condition is proposed reflecting these requirements.

As to a sales price estimate for these units, SACOG sets the price requirements based on the 80 percent median income level as a maximum. This income level for all household sizes has been determined for 2006, but as an example, the 3 and 4 person household income levels are as follows:

3 person household - \$47,040 per year
4 person household - \$52,296 per year.

Through an underwriting process, an affordable sales price is determined based on these income levels. The home prices could fluctuate with market demand and are set at the time the units are

ground ready for sale. The underwriting process is handled through the Housing Rehabilitation and Housing Acquisition Programs of the HSD. These programs are generally grant funded.

Chapter 9

1. *Exterior materials, colors and architectural styles shall utilize earth tones such as brown, tan, green or warm gray. Flat white shall not be used except for trim elements.*

The applicant has submitted four material and color schemes, attached as Exhibit I. All wall and trim colors are in earth tones consistent with this requirement.

2. *Roofs shall be “full roof” design consisting of barrel tile, flat tile, retardant shake or other natural appearing material.*

The roof material consists of flat, concrete tiles resembling weathered shake that will be coordinated to the four color schemes.

3. *Buildings shall be set back a minimum of 20 feet from adjacent property lines and shall be buffered through a combination of fencing and landscaping.*

All buildings within the proposed development meet and exceed the minimum setback of 20 feet from property lines. Extensive landscaping, as required, has been placed around each building. A condition is proposed for additional landscaping to be placed along the Valley View Parkway boundary in compliance with §17.18.090, of the Off-street Parking and Loading Ordinance.

4. *Multi-family housing shall not be located on slopes steeper than 15% without “stepping” the building with minimum 8 foot wide single story elements.*

The project parcel has an existing slope of approximately 8 percent, so the applicant will not be required to “step” the building pads.

5. *Parking shall be sited away from adjacent single family uses, or shall be buffered through a minimum 10 foot landscaped setbacks or other screening such as fences or walls.*

The project parcel is not adjacent to any single family development, however, the unenclosed parking areas along the parcel’s perimeter will be conditioned to conform to §17.18.090 regarding landscaped screening requirements of three trees and 6 shrubs for every 100 feet.

6. *Trash containers shall be screened from view through the use of 6 foot masonry walls or solid wood fencing and shall not interfere with parking or internal circulation.*

The proposed trash receptacles are screened behind six-foot tall, split-face, concrete block walls with metal doors. The construction materials will be painted in neutral tones. They are sited outside of all circulation ways within the development.

7. *All other parking is subject to the requirements set forth in Chapter 17.18, “Off-street Parking and Loading”, of the El Dorado County Code.*

The parking areas meet ADA requirements, as well as standard parking space and circulation aisle dimensions.

8. *Wall materials shall have a natural appearance such as wood, masonry, stucco, stone or simulated stone.*

Wall materials will consist entirely of stucco finish.

9. *Bright wall colors, such as flat white, pink or yellow, are not allowed.*

This standard relates to interior walls and is not a subject for this review process.

10. *Single, unbroken roof lines shall not exceed 60 feet in length.*
11. *A combination of hip and gable roof types shall be utilized within each multi-family neighborhood.*

The longest unbroken roof line is found in Building Type IV construction and measures approximately 36 feet in length. The roof types consist of hip and gable elements.

In addition, under Chapter 9 lighting shall be complied with as follows:

Freestanding parking lot lighting in commercial and Multi-family parking lots shall utilize shielded down-lighting fixtures and shall be limited to no more than 30 feet in height. Lighting may be attached to building surfaces but shall be shielded to prevent overcast of illumination onto surrounding properties.

Subdivision Map Act: Section 66427 states:

- (a) *A map of a condominium project, a community apartment project, or of the conversion of five or more existing dwelling units to a stock cooperative project need not show the buildings or the manner in which the buildings or the airspace above the property shown on the map are to be divided, nor shall the governing body have the right to refuse approval of a parcel, tentative, or final map of the project on account of the design or the location of buildings on the property shown on the map that are not violative of local ordinances or on account of the manner in which airspace is to be divided in conveying the condominium.*
- (b) *A map need not include a condominium plan or plans, as defined in subdivision (e) of §1351 of the Civil Code, and the governing body may not refuse approval of a parcel, tentative, or final map of the project on account of the absence of a condominium plan.*

Discussion: The applicant has submitted a tentative map delineating the single parcel that will subsequently contain the condominium units, in compliance with §66427. The proposed condominium plan demonstrating 160 units with clubhouse facility, as well as building elevations and color boards, was submitted under SPR 04-0018 in compliance with §2.1.2 (b) of the Valley

View Specific Plan’s development agreement.

Other Issues: The project is a Class I subdivision, and, as proposed, conforms to all development requirements and design standards placed on this classification.

ENVIRONMENTAL REVIEW

This tentative map project has been found to be Statutorily Exempt from the requirements of CEQA pursuant to Section 15182 of the CEQA Guidelines which provides as follows: “(a) Exemption: Where a public agency has prepared an EIR on a specific plan after January 1, 1980, no EIR or negative declaration need be prepared for a residential project undertaken pursuant to and in conformity to that specific plan if the project meets the requirements of this section. (b) Scope. Residential projects covered by this section include but are not limited to land subdivisions, zoning changes, and residential planned unit developments.” As discussed under the General Plan and Specific Plan/Zoning sections of this staff report, the proposed tentative map is in conformity with the Valley View Specific Plan. No impacts have been identified which were not discussed and mitigated in the Specific Plan EIR. The applicable mitigation measures of the EIR have been satisfied or incorporated into the tentative map conditions of approval (Attachment 1). In addition, there have been no new significant impacts identified since the certification of the Valley View EIR in December 1998. No further environmental analysis is necessary.

This site plan review, SPR 04-18, has been found to be Statutorily Exempt from the requirements of CEQA pursuant to Section 15268 of the CEQA Guidelines which provides as follows: “(a) Ministerial projects are exempt from the requirements of CEQA.”

Pursuant to Resolution No. 240-93, a \$35.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption.

RECOMMENDATION

1. Certify that the tentative map, TM 04-1390, is Statutorily Exempt from CEQA pursuant to Section 15182;
2. Approve the subdivision map, TM 04-1390, as the required findings can be made as noted in Attachment 2 based on the analysis in the staff report, and the modification of the project to include conditions itemized in Attachment 1;
3. Certify that the site plan review, SPR 04-0018, is statutorily exempt from CEQA pursuant to Section 15268; and
4. Approve the site plan review, SPR 04-18, unconditionally, as it is in compliance with design standards as set forth under the Valley View Specific Plan Chapter 9: Community Design.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1Conditions of Approval

Attachment 2.....Findings
Exhibit A.....Vicinity Map
Exhibit B.....General Plan Land Use Map
Exhibit C.....Zoning Map
Exhibit D.....Specific Plan Land Use/Zoning Map
Exhibit E.....Tentative Subdivision Map/Condominium Site Plan
Exhibit F.....Preliminary Tot Lot Plan
Exhibit G.....Preliminary Landscape Plans
Exhibit H.....Elevations
Exhibit I.....Floor Plans
Exhibit J.....Color Boards
Exhibit K.....Sign Plans
Exhibit L.....Lighting Plan
Exhibit M.....Assessor’s Parcel Map

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ATTACHMENT 1
CONDITIONS OF APPROVAL

FILE NUMBER TM04-1390/SPR 04-18

[CONDITIONS OF APPROVAL](#)

This tentative map approval is based upon and limited to compliance with the project description, dated April 27, 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. Deviations without the above-described approval will constitute a violation of tentative map approval.

The project, as approved, shall consist of the following:

1. A 160-unit condominium development to be constructed on one 14.24 acre parcel to be created under the subject tentative map, TM04-1390. The development shall consist of eleven residential buildings that will be 3-stories each to a maximum height of 39.5 feet. The residential buildings will consist of two different styles, referred to as Building Type I and Building Type IV in the elevations (Exhibit H). Building Type I (Type I) will consist of 12 units comprising an equal mix of 1 and 2 bedroom units. Building Type IV (Type IV) will consist of 19 units comprising one 1-bedroom, sixteen 2-bedroom, and two 3-bedroom units. Seven of the buildings will be Type I, while the remaining four buildings will be Type IV.

The first floor of each building will consist of enclosed garage space. Type 1 will have 10 single-car and 2 two-car garage spaces, and Type IV will have 18 single-car and one 2-car garage spaces. An additional 80 enclosed, single-car garage spaces will be constructed in the parking areas surrounding the buildings for a total of 258 enclosed spaces. Each unit in the development will have at least one, enclosed garage space and 98 units will have a second enclosed space.

Open or unenclosed parking totals 111 spaces to be dispersed throughout the project site. A minimum of 40 spaces shall be designated for guest parking. The project shall meet minimum ADA requirements of eight handicapped parking spaces with one designated van-accessible.

Four different color schemes will utilize compatible tones for each construction element, such as wall, trim and roofing, per building. All four schemes are compatible with each other as they consist of various shades of beige, brown and khaki. The application of each color scheme will comply with Exhibit J.

A community center to be built exclusively for the homeowners, which will contain a swimming pool, spa and adjacent pool house. The pool house facility will contain separate changing rooms and an exercise room. The facility will be single-story and will measure a total of 1400 square feet, counting both air conditioned and non-air conditioned space. A "tot lot" will be located adjacent to the community center and shall conform to Exhibit F.

A monument, identification sign measuring 4 feet high by 8 feet wide including rock base. The sign will be illuminated by ground lighting and will be located at the project entrance on the corner of Valley View Parkway and the unnamed access road. A directional sign shall be located at the entrance to each driveway off the access road, for a total of 3 directional signs.

Each sign shall measure 5 feet high by 2 feet 2 inches wide including rock base, and shall be illuminated by ground lighting. All signage shall conform to Exhibit K.

Pole lights shall not exceed 30 feet in height and shall be fully shielded. All building and pole lighting shall conform to Exhibit L.

MITIGATION MEASURES FROM VALLEY VIEW SPECIFIC PLAN EIR.

2. Mitigation Measure BR-9: “The applicant shall be responsible for mitigating impacts on wetlands during construction by implementing protective buffer zone construction fencing of sensitive habitat. Provide a 50-foot buffer zone as recommended in the El Dorado County General Plan EIR, measured from the edge of the jurisdictional wetland. Keep all construction vehicles and supplies out of these fenced areas.”

MONITORING: The text of MM BR-9 shall be required as a notation on subdivision improvement plans, and shall be put into effect prior to first grading permit issuance, and maintained until either all on-site construction is complete, or final occupancy of last single-family unit, whichever comes last.

3. Mitigation Measure BR-8: “(1) Mitigate indirect post construction impacts to wetlands to a less than significant level by implementing protective buffer zone fencing of wetland habitat and establishment of written protective measures for other wetland areas. Development and domestic activities and structures restricted in the wetland buffer zone include dumping of garden debris, oil, or chemicals, the placement of structures, maintaining domestic animals or gardens, ad-hoc trails, removal of the fence that defines the buffer zone, removal of vegetation, placement of outdoor furniture, and storage of vehicles or recreational equipment. These protective measures should be written into CC&Rs for residential development and maintenance requirements for commercial development. Homeowners’ associations and maintenance personnel would be responsible for implementing and enforcing these restrictions and informing El Dorado County of violations.”

MONITORING: Permanent buffer zone fencing shall be constructed prior to final occupancy of the first single-family unit. Written protective measures to include open space/wetland maintenance agreement shall be incorporated into CC&Rs. CC&R’s shall be reviewed and approved by the El Dorado Hills CSD prior to recordation.

PROJECT SPECIFIC CONDITIONS

4. CC&Rs, to include but not be limited to those requirements of §17.28.161 of the County Code, shall be recorded prior to building permit issuance for the first single-family unit.
5. Parking requirements shall be amended to allow for 258 enclosed garage spaces instead of 320, as required under Chapter 4 of the Specific Plan. A required minimum of 40 spaces

shall be provided for guest parking out of the 111 unenclosed parking spaces. The project contains a total of 369 enclosed and unenclosed spaces. Handicapped parking shall consist of no less than 8 ADA compliant spaces, with one designated van accessible. No compact car spaces shall be allowed.

6. In exchange for approval of the parking amendment defined in condition 5, twelve of the total single-family units shall be designated as affordable or “inclusionary” housing for families of moderate income. Moderate income level is defined as those households earning between 80-120 percent of the median family income as established for El Dorado County. Of the twelve units, four shall be 1-bedroom and eight shall be 2-bedroom units. Deed restrictions for these specific units shall be recorded prior to approval of the final map.
7. An affordable housing plan, to include but not be limited to financing arrangements, monitoring program, and 20-year deed restrictions, shall be established by the applicant through the Department of Human Services. A copy of the affordable housing plan shall be submitted to Planning Services prior to final occupancy of the first single-family unit.
8. In accordance with General Plan Policy HO-3j, the property owner(s) shall provide notice to the California Department of Housing and Community Development, the County Department of Human Services, and the existing tenants at least two years prior to the conversion of the affordable housing units to market rate.
9. The subdivision is subject to parkland dedication in-lieu fees, calculated in accordance with Section 16.12.090 of the County Code, which shall be paid to the El Dorado Hills CSD. The fees shall be paid at the time of filing the final map.
10. 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.
11. The subdivider shall be subject to payment in full of El Dorado Hills Community Services District Park Development Impact Fees at the time of building permit issuance.
12. Street lights shall be provided at the intersection of Valley View Parkway and the unnamed access road and shall be shown on the Final Improvement Plans. All street lights installed shall be top-shielded to prevent excess glare and light. Light fixtures shall utilize low-sodium bulbs.
13. Lighting within the project site shall conform to 17.14.170, and be fully shielded pursuant to the Illumination Engineering Society of North America’s (IESNA) full cut-off designation. In addition, sign lighting shall conform to 17.16.070 so that visibility of vehicular traffic is not impaired, and objectionable glare is shielded from adjoining residential zones.
14. The “tot lot” shall conform to ADA and federal playground safety standards. Adequate seating area shall be provided within the lot to accommodate parents and care providers. Shaded areas shall be provided, as well. Provisions shall be included in the CC&Rs to

provide for maintenance and upkeep of the playground equipment by the home owners association.

15. As part of the building permit process, the applicant shall submit for approval a final landscape plan in substantial compliance with the preliminary plan demonstrating compliance with the County water conserving landscape standards (Exhibit G).
16. The applicant shall work with the El Dorado Hills Community Services District to form a shell landscape and lighting assessment district (LLAD) to pay for operation and maintenance of street lighting, landscaping, pedestrian and bicycle pathways, and private recreation facilities, in the event the proposed Homeowner's Association fails to maintain the installed improvements to District standards. If the Homeowner's Association does not plan to manage the project improvements, the LLAD will be immediately activated and assessments levied for the future improvements.
17. A minimum of 20-foot easements will be required by the El Dorado Irrigation District for any water or sewer lines unless otherwise noted. A meter award letter or similar document shall be provided by the District prior to filing the final map.
18. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department 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. A commercial permit is required.
19. Applicant shall pay the traffic impact fees in effect at the time a building permit is issued. Until such time as updated traffic impact fees are adopted pursuant to the General Plan, any subdivisions will be required to either (1) execute an agreement agreeing to pay the higher fees, even after building permits have been issued or (2) have a notice of restriction placed on the final map prohibiting the issuance of building permits until the updated traffic impact fees are adopted.
20. A secondary access road, providing permanent circulation for each phase of development, shall be constructed prior to the first building permit being issued for any residential structure. Such looped circulation shall be subject to the approval of, or may be modified by, the El Dorado Hills Fire District.
21. Prior to issuance of building permits or recordation of a final map, whichever occurs first, the applicant shall record a shared access agreement demonstrating rights of access over any portions of the adjacent, northerly apartment project where primary or secondary access to this project is reliant.
22. Construction of the following Phase 1.2B ("enhancements") of the El Dorado Hills Blvd./Hwy 50 Interchange, which will occur through contract to be awarded and

administered by the County. The construction of the Phase 1.2B ("enhancements"), which are itemized below, must be substantially complete, as determined by the Department of Transportation, prior to occupancy of any portion of the project.

- a. Construction of the El Dorado Hills Boulevard/U.S. Highway 50 Interchange Enhancement Improvements are identified below and are subject to final approval by Caltrans:
 - I. Widening/restriping the westbound off ramp to provide for a right turn lane onto El Dorado Hills Blvd. in the northbound direction, a left turn lane onto Latrobe Road in the southbound direction and shared through/left/right turn lane;
 - II. Widening/restriping the westbound on ramp for two lanes with a merge into one lane, which shall be extended 500 feet prior to entering the highway;
 - III. Providing dual left turn lanes northbound on Latrobe Road onto the westbound on ramp;
 - IV. Additional northbound through lane on Latrobe Road between the eastbound onramp and the existing Saratoga Way intersection together with any necessary facilities to accommodate pedestrian and bicycle traffic along the east side of Latrobe Road at this location.
23. The following public roadway improvements shall be constructed and must be substantially complete, as determined by the Department of Transportation, prior to occupancy of any portion of the project. In addition, prior to commencement of construction for onsite project improvements, a public contract for the following public roadway improvements must be awarded and executed. (The following roadway improvements would be satisfied by construction of the public improvements required of West Valley subdivision, TM99-1359).
- a) Construction of six through lanes on Latrobe Road from White Rock Road to U.S. 50, which includes widening and restriping of Latrobe Road between U.S. Highway 50 south to White Rock Road, to provide for three (3) through lanes in the northbound and southbound directions between U.S. Highway 50 and White Rock Road.
 - b) Construction of the following elements at the Latrobe Road/White Rock Road intersection: right turn lane and through lane on northbound approach; left, through and right turn lanes on both eastbound and westbound approaches, and modification of the east-west phasing from split movements to protected movements; right turn lane on southbound approaches; and add northbound through lane from south of White Rock Road and connecting to a northbound right turn lane at Town Center Boulevard.

- c) Installation of a traffic signal at the intersection of White Rock Road and Valley View Parkway.
- d) Restripe the eastbound shared through and right lane on Town Center Boulevard to a separate right turn lane, at the Latrobe Road and Town Center Boulevard intersection.

If the applicant undertakes the construction obligation for the above improvements, then the developer shall follow the following “Requirements for Providing Funding and Bid-Ready Package:

Requirements For Providing Funding And Bid-Ready Package

Funding and a bid-ready package for these improvements, together with a Road Improvement Agreement, shall be submitted to the County Department of Transportation at a time sufficient to allow award of public construction contract prior to issuance of the first residential building permit. The County will award and administer public contract(s) for this work.

The County will only assure award of the public contract between March 1st and September 1st and the Department of Transportation will schedule the bidding process for a bid opening date to occur within 70 days of receipt of the funding and bid-ready package if the package is received between January 1st and July 1st. The term “bid-ready” includes the requirement that the improvement plans and all other documents and processes have been thoroughly reviewed and approved by Department of Transportation staff prior to the submittal of the bid-ready package. The County Engineer, County Counsel, and the County Board of Supervisors are the final authority regarding the completeness of any bid-ready package.

A complete bid-ready package shall include plans, specifications, right of way acquisition (if necessary), utility agreements executed with all impacted utility relocation work completed/scheduled, environmental clearance for both on-site and off-site work complete, all necessary regulatory/encroachment permits secured, and all documents for bidding the contract signed and sealed by a registered Civil Engineer. If the funding and the complete bid-ready package for the improvements are provided to the County by the applicant prior to Final Map processing, the final maps can record without need for additional security for these improvements.

The Road Improvement Agreement or Subdivision Improvement Agreement shall include provisions that the applicant provides supplemental funds to the County as necessary to pay for any change orders generated through the construction phase, that the Developer’s engineer be available to provide engineering services in support of the project during construction, and that the applicant indemnify the County per the County’s standard indemnification language.

The applicant may enter into a reimbursement agreement with the County providing for reimbursement of the funds provided by the applicant and used for the construction, or for construction related activities, for these improvements to the extent they are included as eligible in the applicable County traffic fee programs. Reimbursement shall be consistent with the *El Dorado County Department of Transportation Guidelines for Traffic Fee Program Reimbursement Projects*, including the requirement that the project is bid consistent with the State of California Public Contract Code.

In the event that the eminent domain process must be implemented to acquire right-of way, the applicant shall make arrangements with the County Counsel, to the satisfaction of the County Counsel, as described elsewhere in these conditions of approval.

24. Prior to issuance of building permits or recordation of a final map, whichever occurs first, the applicant shall secure appropriate permits from the Department of Transportation, or demonstrate that permits have been issued and are current, to complete the construction of Valley View Parkway from the project entrance to White Rock Road; this roadway shall be improved to standards set forth in the Valley View Specific Plan, including Mitigation Measure T-8. Valley View Parkway shall be substantially complete as determined by the Department of Transportation prior to occupancy of any of the project units.
25. Prior to issuance of building permits or recordation of a Final Map, whichever occurs first, Valley View Parkway from the project entrance to White Rock Road shall be offered to the County by an Irrevocable Offer of Dedication (IOD) for public road and utility purposes, together with slope easements, by submitting a complete application to the Right-of-Way Unit of the Department of Transportation. As part of this requirement, the applicant must form a Zone of Benefit, or other mechanism approved by the County, to fund the long-term maintenance of this public roadway.
26. The final map shall show and dedicate slope easement for the future Valley View Parkway adjacent to the project's boundary.
27. Prior to issuance of building permits or recordation of a Final Map, whichever occurs first, the applicant shall secure appropriate permits from the Department of Transportation to widen southbound Valley View Parkway sufficient to provide a right turn lane into the project access road as identified in the supplemental traffic study by Crain & Associates dated April 25, 2005. This road improvement must be substantially complete, as determined by the Department of Transportation, prior to occupancy of any of the project units.
28. Prior to issuance of building permits or recordation of a final map, whichever occurs first, the applicant shall secure appropriate permits from the Department of Transportation to widen the project access road sufficient to provide a southbound ingress lane (14-foot wide), a left turn lane out (10-foot wide), and a right turn lane out (12-foot wide), as identified in the supplemental traffic study by Crain & Associates dated April 25, 2005. This road improvement must be substantially complete, as determined by the Department of Transportation, prior to occupancy of any of the project units.

29. A notice of restriction shall be placed on the property that provides notice that no occupancy of the residential units can occur prior to the required road improvements being substantially complete, as determined by the Department of Transportation. This notice pertains to all of the road improvement related conditions of approval that contain the timing requirement statement: “prior to occupancy of any of the project units”.
30. Prior to the filing of a final map, the applicant shall construct and/or bond to ensure the construction of all drainage facilities as identified in the final drainage plan. Drainage facilities shall be designed and constructed consistent with the County of El Dorado *Drainage Manual*, the project Final Drainage Report, the Specific Plan mitigation measures and the approved project improvement plans.
31. The applicant shall provide a Final Drainage Report at time of grading permit application addressing storm water runoff increases, impacts with mitigations to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.
32. The applicant shall be required to fund the maintenance and replacement of all onsite drainage facilities and water quality facilities. The funding mechanism shall be by the property owner’s association, and the maintenance and replacement responsibility shall be included in the CC&Rs for the condominium units, which must be prepared prior to approval of the final map and shall include a provision for future increases in funding obligations.
33. The final map shall show all utility, road and drainage easements pursuant to the recommendation of the utility purveyors and the County Engineer. Final determination of the location of said easements shall be made by the County Engineer. Said easements shall be irrevocably offered to the County.
34. The project proposal is based on completion of the future construction of Valley View Parkway adjacent to the project. Applicant shall provide grading, and drainage facilities, sufficient to accept and accommodate the storm runoff entering the project from lands up gradient from the project.
35. The project proposal is based on completion of the future grading of Valley View Parkway adjacent to the project. Applicant shall provide documentation that the applicant has the right to perform the grading within the adjacent Valley View Parkway alignment, if necessary, in order to construct onsite project grading as proposed. The Department of Transportation does not allow rockery walls to support a public roadway.
36. This project is proposing mass pad grading. Section 15.14.460 of the County of El Dorado Grading, Erosion and Sedimentation Ordinance (Amended Ordinance No. 4170, 8/20/91) states that a mass pad grading project application shall be transmitted for comment to the supervisor of the district where the project is located, prior to the issuance. The district

supervisor will be allowed fifteen (15) calendar days to respond, before the grading permit is issued.

37. All grading plans shall be prepared and submitted to the 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 Soil Conservation Service, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. No building permit shall be issued by the County until final grading plans and erosion control plans are approved by the Department of Transportation.
38. Erosion control and drainage design from residential areas into the open space areas shall employ natural appearing methods. The use of native plant materials is required where revegetation is proposed. The timing of construction and method of revegetation shall be coordinated by the El Dorado County Resource Conservation District. 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 Soil Conservation Service 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.
39. Outfall devices designed to reduce shear stress from post-construction runoff into the wetland area shall be installed. The subdivider shall schedule a field meeting with the Resource Conservation District to determine correct method of installation prior to occupancy of first single-family unit.
40. Improvement plans shall incorporate protective measures toward existing oak trees per Volume IV, Design and Improvement Standards Manual, Oak Tree and Wetlands Preservation Requirements and Specifications (County Resolution No. 199-91).
41. Project construction involving grading and excavation operations will result in a temporary negative impact on air quality with regard to the release of nitrogen oxides (NO_x), reactive organic gases (ROG), and particulate matter in the form of dust (PM₁₀). These project emissions need to be quantified using the URBEMIS 7G for Windows 5.1.0 or a similar model that is acceptable to the Air Pollution Control District (APCD). District Rule #223, addressing the regulation and mitigation measures for fugitive dust emissions, shall be adhered to during the construction process.
42. If the project includes the disturbance of 20 cubic yards or more of earth the applicant shall comply with Air Quality Management District (AQMD) Rule 223-2 Fugitive Dust-Asbestos Hazard Mitigation, which includes an asbestos dust mitigation plan submittal, fugitive dust prevention, speed limits, warning signs, track out prevention, excavated soil management and post-construction mitigation. This information must be submitted to the Air Quality Management District for review and approval prior to issuance of a grading permit.

Alternately, the applicant may have a California Professional Geologist inspect the project site and provide the AQMD with a report demonstrating there is no Naturally Occurring Asbestos on the project site. This evaluation must be submitted to the AQMD with the current review fee.

If there is no naturally occurring asbestos or less than 20 cubic yards of earth is disturbed, the applicant must still comply with AQMD Rule 223-1 Fugitive Dust-Construction Activities. If a County grading permit is required, the applicant will be required to submit a Fugitive Dust Plan to the AQMD prior to issuance of a grading permit.

43. The applicant shall follow Air Pollution Control District Rules and Regulations regarding the use of heavy equipment and mobile source emissions during construction. In no case shall daily emissions of ROG, NO_x, and PM₁₀ exceed 82 lbs/day during any construction and grading activities on the site.
44. The potable water system for the purpose of fire protection for this condominium development shall provide a minimum fire flow of 3,500 gpm with a minimum residual pressure of 20 psi for three-hour duration. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of the system shall be supplied to the El Dorado Hills Fire Department for review and approval prior to final map recordation.
45. This development shall install Mueller Dry Barrel fire hydrants conforming to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The exact location and specifications of each hydrant shall be determined by the El Dorado Hills Fire Department. All access roadways and fire hydrant systems shall be installed and in service prior to framing of any combustible members as specified by El Dorado Hills Fire Department Standard 103. A letter of compliance with the condition shall be submitted by the Fire Department to the Surveyor's Office at the time of recording the final map.
46. In order to provide this development with adequate fire and emergency medical response during construction, on-site traffic calming devices that utilize a raised bump or a lower dip section of roadway shall be prohibited.
47. The subdivider shall provide a fire access roadway to within 150 feet of every portion of the exterior walls of each building. All fire access roadways that exceed 150 in length shall be provided with turnarounds approved by the El Dorado Hills Fire Department prior to final map recordation.
48. The applicant shall provide the El Dorado Hills Fire Department with a CD that contains all CAD files for the project prior to final occupancy of the first condominium unit.
49. The proposed recreational facility, to include swimming pool, shall be constructed in conformance with the California Health and Safety Code and California Code of Regulations – Title 22.

50. The number and size of solid waste enclosures as delineated on Exhibit E are adequate to meet the needs of the project development and have adequate space within each solid waste enclosure to accommodate both mixed solid waste and recyclable bins. A solid waste disposal plan shall be subject to review and approval of the Environmental Management Department prior to building permit issuance.
51. As specified in 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 commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possessing of the property.

Where the subdivider is required to make improvements on land which neither the subdivider nor the County has sufficient title or interest to make such improvements, prior to filing of any final map or parcel map, the subdivider shall submit to the Planning Director for approval:

- a. A legal description prepared by a civil engineer or land surveyor of the land necessary to be acquired to complete the off-site improvements.
- b. Improvement plans prepared by a civil engineer of the required off-site improvements.
- c. An appraisal prepared by a professional appraiser of the cost of land necessary to complete the off-site improvements.

Prior to the filing of the final map, the subdivider shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required off-site improvements including the full costs of acquiring any real property interests necessary to complete the required improvements.

In addition to the agreement, the subdivider 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.

52. All survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval, or the developer shall have surety of work to be done by bond or cash deposit. Verification of set survey monuments, or amount of bond or deposit shall be coordinated with the County Surveyors Office.
53. Site addresses for the project shall be coordinated with the El Dorado Hills Fire Department and the County Surveyors Office prior to filing the final map.

54. The developer shall obtain approval of construction drawings and project improvement plans consistent with the Subdivision Design and Improvement Standards Manual and cost estimates from the County Department of Transportation and pay all applicable fees prior to commencement of any improvements on the Public Street and service facilities. All improvements shall be consistent with the approved tentative map.
55. The construction of all required improvements shall be completed with the presentation of the final map to the Deputy Director of Planning before presentation of the final map to the Board of Supervisors for its approval. For improvements not completed, the subdivider shall provide a 100 percent performance surety and a 50 percent labor and materialmen surety by separate bond, cash deposit, assignment, or letter of credit from a financial institution. For improvements which have been completed, as determined by the Department of Transportation, the subdivider shall provide a ten percent maintenance surety in any of the above-mentioned forms. Verification of construction, or partial construction, and cost of completion shall be determined by the County Department of Transportation.
56. If blasting activities are to occur in conjunction with subdivision improvements, the subdivider shall ensure that such blasting activities are conducted in compliance with state and local regulations.
57. If burning activities are to occur during the construction of the subdivision improvements, the subdivider shall obtain the necessary burning permits from the California Department of Forestry and air pollution permits from the County prior to said burning activities.
58. Prior to filing a final map, if the subject property is subject to liens for assessment or bonds, pursuant to the provisions of Government Code Section 66493, the owner or subdivider shall either: (a) Pay the assessment or bond in full, or (b) File security with the Clerk of the Board of Supervisors, or (c) File with the Clerk of the Board of Supervisors the necessary certificate indicating provisions have been made for segregation of bond assessment responsibility pursuant to Government Code Section 66493 (d).
59. If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and Native American Heritage Commission shall be contacted pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed. If archaeological sites or artifacts are discovered, the subdivider shall retain an archaeologist to evaluate the resource.

If the resource is determined to be important, as defined in Appendix K of the CEQA Guidelines, mitigation measures, as agreed to by the subdivider, archaeologist, and Planning Department shall be implemented. Treatment of Native American remains and/or archaeological artifacts shall be the responsibility of the subdivider and shall be subject to review and approval by the Deputy Director of Planning.

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ATTACHMENT 2
FINDINGS

FILE NUMBER TM04-1390

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

Tentative Map

1. The proposed tentative map, including design and improvements, conforms to the applicable standards and requirements of the Valley View Specific Plan and the Major Land Division Ordinance. The proposed condominium project meets the requirements established within the Development Agreement for multi-family residential development.
2. Section 2.1.2(b) of the Development Agreement allows ministerial review of multi-family housing as a means of encouraging such development. The Design Clearance process established under this section involves site plan and elevation review of each project. Under the Specific Plan, "Site Plan Design Clearance shall first be obtained from the El Dorado County Planning Director or his designated representative. Said Design Clearance shall . . . consist of a finding that the proposed development is in conformance with the Valley View Specific Plan and applicable design standards established by the Specific Plan. Where no specific design standard exists, the proposal shall be subject to the provisions of Chapter 17 of the El Dorado County Code (Zoning Ordinance)." The proposed project is consistent with the applicable provisions of the land use plan for Core Residential development under Chapter 4, as well as with the design guidelines under Chapter 9 of the Specific Plan. Further compliance with specific design standards under the Zoning Ordinance has also been met.
2. The site is physically suitable for the proposed type and density of development.
3. The proposed subdivision is not likely to cause substantial environmental damage as analyzed and mitigated under the EIR prepared for the Valley View Specific Plan. Mitigation measures from the EIR have been applied to the proposed project regarding the on site wetland area.
4. The project has been found to be Statutorily Exempt from CEQA pursuant to Section 15182 stating that: "Where a public agency has prepared an EIR on a specific plan after January 1, 1980, no EIR or negative declaration need be prepared for a residential project undertaken pursuant to and in conformity to that specific plan if the project meets the requirements of this section. (b) Scope. Residential projects covered by this section include but are not limited to land subdivisions, zoning changes, and residential planned unit developments."