



EL DORADO COUNTY PLANNING SERVICES

John Knight..... District I
John MacCready..... District II
Dave Machado..... District III
Walter Mathews..... District IV
Alan Tolhurst..... District V
Jo Ann Brillisour..... Clerk of the Commission

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MINUTES

Regular Meeting of the Planning Commission February 14, 2008 – 8:30 A.M. BUILDING C HEARING ROOM 2850 Fairlane Court, Placerville, CA

1. CALL TO ORDER

Meeting called to order at 8:45 a.m. Present: Commissioners Knight, Mac Cready, Machado, Mathews, and Tolhurst; Paula F. Frantz, County Counsel; and Jo Ann Brillisour, Clerk to the Planning Commission.

2. ADOPTION OF AGENDA

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED BY THOSE COMMISSIONERS PRESENT (Commissioner Machado was absent during adoption of the agenda), IT WAS MOVED TO ADOPT THE AGENDA, AS PRESENTED.

3. PLEDGE OF ALLEGIANCE

A Pledge of Allegiance was given by the Commission and those persons in the audience.

4. DEPARTMENTAL REPORTS AND COMMUNICATIONS

These items were considered during the day as time permitted.

Shawna Purvines gave the Commission an update on the Housing Element.

Larry Appel informed the Commission that the Board of Supervisors adopted the Resolution of Intention for the Zoning Ordinance. Staff will return to the Board on March 4 with a time line and budget for the project. Roger Trout has scheduled time on the March 13 agenda for several sections of the Ordinance.

Mr. Appel said the Department has just completed the updating of its consultant's lists. He also explained the Top 10 List that the planners are using for processing their assigned projects.

There will be another Highway 50 Corridor meeting on February 21 at 6:00 PM at the Folsom offices.

The meeting on February 28 will be held as there is an appeal that must be heard on that date. Shawna Purvines will also be holding a Housing Element workshop on that date.

5. COMMISSIONERS' REPORTS

Commissioner Machado commented the League of Women Voters has submitted a letter regarding night meetings, times certain for General Plan items, and video taping of the Commission meetings. The Commission discussed the difficulties with evening meetings and will make a better effort to indicate time certain items.

Commissioner Mathews asked for further clarification on the Top 10 List. Staff explained. Commissioner Mathews spoke about the workshop with the Board of Supervisors on road issues.

6. CONSENT CALENDAR (All items on the Consent Calendar were approved by one motion unless a Commission member requested separate action on a specific item.)

Item 6.c. was removed from Consent at the request of residents in the area of the project.

a. **Minutes:** January 24, 2008

b. **RIVER USE PERMIT**

Transfer of 25 weekday user days from River Use Permit #19, Rollinson Adventures, LLC, to River Use Permit #55, Rock-n-Water.

Noah Rucker-Triplett recommended approval.

c. **SITE PLAN REVIEW** (Public Hearing)

SPR07-0034/Holiday Market Expansion submitted by QUAIL COURT INVESTORS (Agent: Michael Heine, Panattoni Construction, Inc.) for a finding of consistency with General Plan Policy 7.3.3.4 for reduction of the perennial stream setback from 100 to 90 feet and the wetland area setback from 50 to 7.5 feet to allow construction of an 11,850 square foot retail expansion to an existing grocery store (Holiday Market). The property, identified by Assessor's Parcel Number 078-200-47, consisting of 3.23 acres, is located on the southeast side of Mt. Aukum Road, at the intersection with Sly Park Road, in the **Pleasant Valley area**, Supervisorial District II.

The Commission removed this item from the Consent Calendar.

Robert Peters recommended conditional approval. Pierre Rivas commented this is not consideration of the expansion. It is basically for consideration of the biological report.

Commissioner Machado said the letter from the neighbors speaks to the expansion of the market. If the item before the Commission today is not approved they will not have the required number of parking spaces.

Keith DeLapp, Gene E. Thorne & Associates, explained the drainage on the parcel. Commissioner Mathews asked if there is a danger of the pond becoming a mosquito pond. Mr. DeLapp said it would not as it is not wet year-round. Commissioner Mathews asked if the expansion would come before the Commission. Mr. Rivas said the expansion would not come before the Commission. The property is zoned General Commercial, and the expansion was approved in 2006.

Commissioner Machado asked the reason for the retaining wall. Mr. DeLapp explained.

Eric Haus, neighbor on the back side of the property, asked when this was approved. That is what they are more concerned with, the expansion and lighting, aesthetics, etc. Mr. Rivas said the expansion has been approved. The action today is to decide whether there are any biological concerns.

Commissioner Knight suggested Mr. DeLapp meet with the owner of the facility and neighbors regarding the concerns addressed in the neighbors' letter. He did comment that the Lighting Ordinance needs to be maintained. Commissioner Mac Cready explained the Code Compliance complaint system. Mr. Peters said he did speak to some of the neighbors and gave them a contact number.

Mr. Rivas explained the ministerial process for the approval of the project.

Mr. Haus stated their main concerns are transients, litter and trash, security, and lighting.

Shauna Edwards stated none of the neighbors are against the expansion. They just want the rural area to be kept rural. They just want to be involved in the process. John Edwards said there are 19 parking spaces facing their children's bedroom and their living room. Today it is an eye sore. A retaining wall would keep the light from going onto their property.

Commissioner Mathews asked if there is any way to condition the site plan review for a retaining wall. Paula Frantz, County Counsel, said the Commission could have staff look into the expansion to see if the original conditions are being met.

Sandra Prow, resident on Casey Lane, believes that the County will take care of the environmental concerns. She asked if there is somewhere they can go to have their concerns addressed.

Mr. Rivas said perhaps staff could work with the store owner regarding the fencing. Mrs. Prow asked about planning trees along the fencing. The Commission asked Mr. DeLapp if he felt the owner would be willing to put up a fence. Mr. Rivas recommended that the neighbors go to Planning Services and look at the original file so they know what was approved. Mr. DeLapp

said he will contact the owner and see if something can be done along the property line. The Commission discussed fencing along the eastern perimeter.

There was no further input.

MOTION: COMMISSIONER MATHEWS, SECONDED BY COMMISSIONER MAC CREADY AND CARRIED BY THE FOLLOWING VOTE: AYES – COMMISSIONERS MAC CREADY, MACHADO, MATHEWS, AND TOLHURST; NOES – COMMISSIONER KNIGHT, IT WAS MOVED FIND THAT THE PROPOSED REDUCTIONS IN SETBACK FROM THE PERENNIAL STREAM AND WETLAND ARE CONSISTENT WITH THE INTENT OF GENERAL POLICY 7.3.3.4 AND THE INTERIM INTERPRETIVE GUIDELINES, BASED ON THE FINDINGS AND SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1. *There are exceptional or extraordinary circumstances or conditions applying to the land. Building. Or use referred to in the application, which circumstances or conditions do not apply generally to land, buildings or uses in the vicinity and the same zone, and have no resulted from any act of the owner or applicant;*

The project site is constrained by Clear Creek and a 0.13 acre wetland area to the east.

2. *The strict application of the provisions of the ordinance requested to be varied would deprive the applicant of the reasonable use of the land or building, allowed for other land in the vicinity and the same zone;*

Similar retail uses are found immediately to the west. The proposed location of the retail expansion is the high spot within this general area of the property and project design sufficiently protects Clear Creek and the 0.13 acre wetland area found on the site. The applicant has followed the process set forth by General Plan Policy 7.3.3.4 and the Interim Interpretive Guidelines for that Policy. Strict application of the provisions would deprive the applicant of the reasonable use of the land for retail expansion.

3. *The variance is the minimum necessary for the reasonable use of the land or building;*

To accommodate the proposed retail expansion, the wetland setback will be reduced the minimum necessary to locate the required parking pursuant to County Code Chapter 17.18 and sufficiently protect Clear Creek and the 0.13 acre wetland area found on the site.

4. *The variance is in conformity with the intent of this article and not detrimental to the public health, safety and welfare, or injurious to the neighborhood.*

The reduction in the setback from the perennial stream and the 0.13 acre wetland area with the addition of perimeter fencing has been designed for sufficient protection of those

features and would not be detrimental to the public health, safety and welfare, or be injurious to the neighborhood.

5. *The alternative setback is consistent with the General Plan.*

The alternative setback would not have an adverse effect the perennial stream and the 0.13 acre wetland area. The project, therefore, is consistent with intent of General Plan Policy 7.3.3.4 by providing for an adequate setback for protection of natural and man-made wetlands, vernal pools, wet meadows, and riparian areas from impacts related to development for their importance to wildlife habitat, water purification, scenic values, and unique and sensitive plant life. Perimeter fencing is required to reduce introduction of litter and debris into the wetland and stream environment and to shield vehicular lighting to minimize disturbance of nocturnal animals.

Conditions

1. The project, as approved, shall conform to the approved site plan, Exhibit E.
2. The proposed retail expansion and parking lot improvements shall be located no less than seven and one half (7.5) feet from the wetland area as shown on the approved site plan.
3. Construction of the retail expansion and parking lot improvements shall be subject to the issuance of a building permit form El Dorado County Building Services.
4. Prior to issuance of the building permit, the applicant's biologist shall stake the new setbacks throughout the construction zone. Photo documentation shall be provided to Planning staff for review prior to approval of the building permit.
5. Construction fencing shall be established between the project site and the wetland during construction and until vegetation is reestablished on disturbed areas. Placement of the construction fencing shall be shown on the construction plans and shall be in place prior to commencing any construction activities.
6. All excavated dirt and construction equipment shall be stockpiled or stored outside of the wetland buffer.
7. No equipment refueling shall take place within 50 feet of the wetland.
8. Any temporary or permanent lighting shall be directed away from the wetland and creek to minimize the disturbance of nocturnal animals.
9. At a minimum, chain link fencing with slats at least four feet in height above the level of the proposed parking lot shall be installed along the eastern perimeter of the proposed parking lot beginning at the northeast corner of the lot wrapping around to the southeast stairwell of the proposed retail addition. Said fencing shall be in place prior to issuance of certificate of occupancy.

The action today can be appealed to the Board of Supervisors within ten working days.

d. **SPECIAL USE PERMIT**

S07-0018/Executive Boat Club submitted by KAYLE and LAURA LARSEN to allow the operation of an expanded home business within an accessory building. The permit would allow for the storage of boats and recreational equipment within an existing structure. The property, identified by Assessor's Parcel Number 124-010-04, consisting of five acres, is located on the east side of Hidden Acres Drive, 0.20 mile south of the intersection with Green Valley Road, in the **El Dorado Hills area**, Supervisorial District I. (Categorically exempt pursuant to Section 15301 of the CEQA Guidelines)

Jonathan Fong recommended the Commission adopt the findings for denial.

Findings

1.0 CEQA Findings

1.1 The project has been found to be Categorically Exempt from CEQA pursuant to *Section 15270* stating that projects which are disapproved are exempt from CEQA.

2.0 Special Use Permit Findings

2.1 The issuance of the permit is not consistent with the General Plan;

Discussion: General Plan Policy 10.1.7.4 allows home occupations that are compatible with adjacent or surrounding properties. The proposed home occupation would introduce traffic and noise to the residential neighborhood. The conversion of a covered horse arena (without Permit) to a 10,000 square-foot commercial storage facility would be the dominate use of the property, would not be compatible with the residential zoning of the property. The primary use of the property would be the commercial rental business of recreational equipment (boats, jet skies, snowmobiles, motorcycles, etc.) and would not be incidental to the residential use of the premises but rather, the residential use would be incidental to the commercial use. It has been determined that the impacts associated with this home business would be significant and incompatible with the surrounding neighborhood. The home business would be inconsistent with the Policies of the General Plan.

2.2 The proposed use would be detrimental to the public health, safety and welfare, or injurious to the neighborhood; and

Discussion: The proposed home occupation would allow for the storage of boats and recreational equipment. The dominate use of the property would be the commercial renting and storage of boats and recreational equipment. It has been determined that the home occupation would be detrimental to the welfare of the surrounding neighborhood by

introducing traffic and noise. This more intensive commercial use of the property is not compatible with the Estate Residential Five-Acre (RE-5) zone district which permits residential and accessory agricultural and horticultural uses.

- 2.3 The proposed use is not specifically permitted by special use permit pursuant to this Title.

Discussion: Section 17.28.200(G) of the Zoning Ordinance permits home occupations that do not change the residential character of the premises or adversely affect the other permitted uses in a residential area. The project site is located in a residential area. The proposed home occupation is not permitted by Special Use Permit because the use would introduce traffic and noise into the residential neighborhood which would change the residential character of the neighborhood. The introduction of a 10,000 square foot commercial storage building is not incidental to a residential use and would change the residential character of the premises and the surrounding neighborhood. As a home business, the home occupation shall be incidental to the residential use of the premises and be carried on by a resident thereon. The owner (applicant) of the property and Executive Boat Club is not a resident of the property and therefore this application would not qualify as a home occupation activity conducted on the premises by the resident. The business operation would be inconsistent with the intent of the home occupation provisions of the County Code.

The action today can be appealed to the Board of Supervisors within ten working days.

CONSENT CALENDAR ACTION - MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO APPROVE ITEMS 6.a., b., and d. Item 6.c. was pulled from the Consent Calendar at the request of some of the neighboring property owners. See Item 6.d. for action on that item.

END OF APPLICATION CONSENT CALENDAR

PUBLIC FORUM/PUBLIC COMMENT - None

7. FINDING OF CONSISTENCY (Public Hearing)

Pioneer Fire Protection District Capital Improvement Plan

This item was continued from the meeting of January 24, 2008.

Thomas A. Lloyd recommended the Commission find the request consistent with General Plan. The Commission was given a copy of the revised CIP. Commissioner Machado stated he is comfortable with the revised numbers. A representative was present from the fire district along with the new fire chief Robert Gill. There was no input from the audience.

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER KNIGHT AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FIND THE UPDATE FOR THE

PIONEER FIRE PROTECTION CAPITAL IMPROVEMENT PLAN CONSISTENT WITH THE COUNTY GENERAL PLAN.

8. **GENERAL PLAN AMENDMENT/REZONE/TENTATIVE PARCEL MAP**
(Public Hearing)

A07-0005/Z07-0012/PD07-0007/TM07-1440/Summerbrook submitted by IMRAN AZIZ AND AMAR GHORI/HOLLOWAY LAND COMPANY (Agent: CTA Engineering and Surveying/Olga Sciorelli) for the following: General Plan amendment changing the land use designation from Rural Residential (RR) to Low Density Residential (LDR); Rezone for Assessor's Parcel Number 102-210-12 from Exclusive Agricultural (AE) to Estate Residential Five-acre/Planned Development (RE-5/PD) and Assessor's Parcel Number 102-220-13 from Estate Residential Five-acre (RE-5) to Estate Residential Five-acre/Planned Development (RE-5/PD); development plan to allow the use of the density bonus planning concept and to allow flexibility in the development standards of the Estate Residential Five-acre (RE-5) Zone District; tentative subdivision map to create 29 lots ranging in size from 58,591 square feet (1.33 acres) to 97,184 square feet (2.23 acres, with approximately 35 acres of open space; and design waiver request to reduce the right-of-way width requirement for A and B Streets, and C and D Courts, from 60 to 50 feet. The properties, identified by Assessor's Parcel Numbers 102-210-12 and 102-220-13, consisting of 90 acres, are located on the north side of Green Valley Road, 500 feet west of the intersection with Bass Lake Road, in the **Cameron Park area**, Supervisorial District IV. (Mitigated negative declaration prepared)

Staff: Jonathan Fong recommended approval to the Board of Supervisors. He went through the handout on the Density Bonus Provisions. A revised set of conditions was also presented to the Commission.

Commissioner Machado met with the applicant and reviewed their plan as did Commissioners Mac Cready and Tolhurst.

Olga Sciorelli, Cooper, Thorne & Associates, said they are required to construct a signal at the Deer Valley/Green Valley Road intersection. They would like this signal included in the County CIP. The area meets the warrant for a signal before development of this project. They would also like four-foot sidewalks for 50 feet on Green Valley Road. They would construct the remaining sidewalks at six feet.

Joan Sanford, property owner west of this project, is a biologist. There are some serious flaws in the reports for this project. She is opposed to the project. The density bonus is nonsense. Ms. Sanford would like this project put off so other biologists can look at this site.

Matt Gugin, property owner northeast of the site, moved to Rescue because of the rural atmosphere. Putting this project along his boundary is a nightmare. There will be habitat destruction. There is a coyote den that will be completely destroyed. There is a rock wall where 70 percent will be destroyed. Only one of the historical sites has been addressed. Why not keep this as RE-5. If it was RE-5, he would not be here. This plan does not fit in with the surrounding land uses. Mr. Gugin has a shooting range on his property and has had for 20 years. If the project

is approved, he would like Lot 14 eliminated so it will not change his way of life. The environmental document should be rejected on the grounds it does not preserve the habitat. He asked that their open community be retained.

Bruce Malm owns property adjacent to the site. He spoke about the need for widening of Green Valley Road. As soon as the new Folsom Bridge is complete, Green Valley Road will be like Highway 50. Why not improve the road now?

Mark Annis, owner of property north of this project, concurred with Mr. Malm's comments. This is currently pasture land for horses. There is a middle school across from this project. The school causes a real traffic jam in the morning and afternoon. There is light pollution from the school at night. He would like this application denied. The parcels should be developed at five acres.

George Reidenbach agreed with all the comments made. He currently has run-off from this property. His well is right next to the creek. His water quality could be affected. They will be putting a pond on the property, but the water will have to run up hill to get there. There needs to be further evaluation on the water flow in this area.

Dave Freeman, resident of Deer Valley Oaks for 30 years, is concerned about the density. This is a drastic change to the adopted General Plan; it is a change from 9 to 29 parcels. It will change the environment. He supported the comments made by the previous individuals.

Brian Holloway said they have had several meetings with the neighbors that are in opposition. Density and water flow are the main concerns. This is a good transition and maintains more open space than five acre parcels would. They are preserving all the rock walls except where they cross public improvements. Commissioner Mathews stated there will be a disclosure regarding the shooting range. Mr. Holloway said that is correct. A copy of the disclosure will be given to each home buyer.

Commissioner Mathews said the Agricultural Commission was against this project. What were the reasons? Mr. Holloway said if property is zoned Agriculture, the Agricultural Commission would vote to preserve it. Mr. Holloway said they do concur with the staff recommendation.

There was no further input.

Commissioner Machado said this is the first time anyone would be putting a disclosure on lots because of shooting on adjacent property. The middle school is directly across the street. There will be a new high school. There are two ways in and out of the County, Highway 50 and Green Valley Road. Horses are not considered an agricultural crop. The applicant is following the density bonus procedure. He cannot see tagging this project with a signal at Green Valley and Deer Valley.

Paula Frantz, County Counsel, said the County CIP is based on General Plan designations. If the General Plan designations are being change to more than what is in the General Plan, you are likely to have road improvements that are not in the CIP. Eileen Crawford, Department of Transportation, explained their CIP.

Chair Tolhurst does not see why we should change the General Plan for this project. The neighbors have the right to expect this area to be a rural area. He does not feel a change to the General Plan is justified. Commissioner Mathews agreed somewhat with Chair Tolhurst. Changing the density does change the neighborhood. He likes the design of the plan. The open space is where the power lines go through the property.

Commissioner Machado said the site is very near the Cameron Park Community Region. Referring to the Agricultural Commission letter, he asked what other agricultural uses are in the area. Horses are not considered agriculture.

Commissioner Knight said the project preserves some open space along Green Valley Road. It acts as a buffer. There is EID water in the area. He likes the design of the project.

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MACHADO AND CARRIED BY THE FOLLOWING VOTE: COMMISSIONERS KNIGHT, MACHADO, AND MATHEWS; NOES – COMMISSIONERS MAC CREADY AND TOLHURST, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS ADOPT THE MITIGATED NEGATIVE DECLARATION, AS PREPARED; APPROVE A07-0005 CHANGING THE LAND USE DESIGNATION FROM RURAL RESIDENTIAL (RR) TO LOW DENSITY RESIDENTIAL (LDR); APPROVE Z07-0012/PD07-0007 REZONING ASSESSOR’S PARCEL NUMBER 102-210-12 FROM EXCLUSIVE AGRICULTURAL (AE) TO ESTATE RESIDENTIAL FIVE-ACRE/PLANNED DEVELOPMENT (RE-5/PD) AND ASSESSOR’S PARCEL NUMBER 102-220-13 FROM ESTATE RESIDENTIAL FIVE-ACRE (RE-5) TO ESTATE RESIDENTIAL FIVE-ACRE/PLANNED DEVELOPMENT (RE-5/PD), ADOPTING THE DEVELOPMENT PLAN AS THE OFFICIAL DEVELOPMENT PLAN, BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED; AND APPROVE TM07-1440, BASED ON THE FINDINGS AND SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the County, has been completed in compliance with CEQA, and is adequate for this project.
- 1.2 The Initial Study identifies that this project proposes a less than significant impact on the environment with specific mitigation outlined within the Biological Resources, Air Quality, Cultural Resources, Noise, and Transportation categories. By including mitigation for these categories, the effects on the Mandatory Findings of Significance section are also reduced below a level of significance for the this project.

- 1.3 The documents and other materials, which constitute the record of proceedings upon which this decision is based, are in the custody of the Development Services Department-Planning Services 2850 Fairlane Court Placerville, CA 95667.
- 1.4 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 TENTATIVE MAP FINDINGS

2.1 The proposed tentative map, including design and improvements, is consistent with the General Plan policies and land use map.

The project is designated as Rural Residential. The proposed 29-lot subdivision will be consistent with the allowed density in the proposed Low Density Residential land use designation with the application of the Density Bonus planning concept. The project will be consistent with General Plan policies relating to public utilities, traffic, noise, air quality, riparian impacts, and oak woodland habitat. The Mitigation Measures included as part of the project would minimize environmental impacts associated with the project.

2.2 The design or improvements of the proposed division are consistent with the General Plan.

The subdivision includes the Planned Development planning concept which is designed to minimize impacts to the natural resources on the project site. The proposed clustered development will be used to avoid additional impacts to the oak woodland habitat, wetlands onsite and buffering from the adjacent agriculture-zoned parcel to the south.

2.3 The site is physically suitable for the proposed type and density of development.

The project has been designed to utilize the developable areas of the site. Slopes exceeding 30 percent have been avoided and the project will minimize the impacts to the existing wetlands. All oak woodland habitat impacts will be consistent with the General Plan and Interim Interpretative Guidelines. Any natural resources that will not be impacted will be included in the require 30 percent open space areas.

2.4 The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitats.

The project includes a Planned Development application which will allow the units to be clustered on the project site. The project will be designed to minimize the impacts to the

natural resources on the site. Any environmental impacts will be minimized through the project design and implementation of Mitigation Measures.

- 2.5 The design of the subdivision or the improvements are not suitable to allow for compliance with the requirements of Section 4291 of the Public Resource Code (Section 4291 establishes criteria for fire and fuel breaks around buildings).**

Adequate fire protection measures have been included as conditions of approval of the project. Adequate emergency access is available and additional fire hydrants will be required for the residential units. The public water system servicing the project will provide adequate fire flow for the project.

- 2.6 The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed division.**

The required road improvements will be consistent with the County Design Manual. The required signalization of Deer Valley Road and Green Valley Road will be consistent with the approved Capital Improvements Plan. All existing easements across the property for utilities and infrastructure would remain or be relocated in a manner acceptable to the affected agency.

3.0 PLANNED DEVELOPMENT FINDINGS

- 3.1 That the PD zone request is consistent with the general plan.**

The PD would be consistent within the proposed Low Density Residential land use designation. The proposed use and density is allowed within the LDR land use designation and the application of the Density Bonus Planning Concept.

- 3.2 That the proposed development is so designed to provide a desirable environment within its own boundaries.**

The clustered development will include 35 acres (39 percent of the site) of open space to preserve the oak woodland habitat and wetlands. The proposed road improvements would provide adequate access for the proposed lots.

- 3.3 That any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography.**

The modifications to the Development Standards of the Estate Residential Five-acre (RE-5) Zone are justified by the clustered development. The reduced lot widths would be required in order to provide the proposed open site on the site.

- 3.4 That the site is physically suited for the proposed uses.**

The project has been designed to utilize the developable areas to the greatest extent possible. The clustered development will minimize the potential impacts to the site.

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

Adequate public water services are available for the project. The required road improvements are consistent with the approved CIP project in the area.

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

The project would preserve the oak woodland habitat not impacted as part of the project in an open space lot. The project has been designed to blend in with the existing features of the site.

4.0 AGRICULTURAL COMPATIBILITY FINDINGS

4.1 Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities.

The project site is currently adjacent to existing residential and agricultural land uses. The proposed residential development will be consistent with residential land uses. The required setbacks and minimum lot sizes will be provided as required by the General Plan.

4.2 Will not create an island effect wherein agricultural lands located between the project site and other non-agricultural lands will be negatively affected.

The project site is currently an island of agriculture-zoned parcels and is surrounded to the north, east and west by residential zoned lands. The project will maintain the required setback and minimum parcel size requirements from the agriculture-zoned parcel to the south.

4.3 Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands.

The project site is surrounded by residential development. The site does not provide a buffering affect between agriculture lands and residential lands.

5.0 DESIGN WAIVER APPROVAL FINDINGS

To reduce the Right-of-Way widths for the onsite roads from 60 feet to 50 feet.

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

The proposed access road system meets the current County standards. The additional right-of-way will not be required.

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

The project includes a Planned Development application to allow for clustering of the units and reduced lot sizes. The additional right-of-way will not conflict with the objectives of the Planned Development to cluster the development away from the onsite natural resources.

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

The reduced right-of-way will not impede emergency access and will not result in a hazardous development. The proposed road system can be accommodated within the reduced right-of-way.

5.4 The waivers would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.

The proposed road system is consistent with the Fire Safe Regulations and County Design Manual. The reduced right-of-way will not conflict with any applicable policies relating to roadway design.

Conditions

I. PROJECT DESCRIPTION

1. This Planned Development and Tentative Subdivision Map is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked A-L dated February 14, 2008 and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

PD07-0007/TM07-1440 consists of a planned development and tentative subdivision map to create 29 residential lots ranging in size from 58,591 to 97,184 square feet. The Planned Development will allow for flexibility in the Development Standards of the RE-5 Zone District. The proposed lots will not meet the minimum parcel size, and setbacks of

the zone district. The project will use the Density Bonus Planning Provision to allow for the increased density. Four open space lots would be created totaling 35.2-acres. Access shall be provided via a common access roadway providing two points of access onto Green Valley Road. The project shall connect to EID public water and private onsite septic systems.

One Design Waiver is approved to reduce the right-of-way width requirement for A Street, B Street, C and D Courts from 60 feet to 50 feet.

The lots shall conform to the table listed below:

Lot Number	Gross Area (S.F.)	Net Area (S.F.)
1	72,210	52,075
2	84,610	61,799
3	76,126	53,831
4	75,109	53,221
5	74,684	53,097
6	78,165	57,016
7	59,947	40,737
8	65,119	45,245
9	72,860	51,324
10	73,559	51,875
11	68,425	47,618
12	71,492	49,314
13	87,828	58,614
14	66,605	45,983
15	65,076	44,053
16	64,296	43,315
17	69,338	46,722
18	65,294	44,058
19	69,631	44,231
20	84,794	60,053
21	97,184	56,799
22	78,828	46,876
23	71,325	44,745
24	72,277	51,315
25	91,113	67,809
26	76,837	52,584
27	58,591	39,367
28	62,775	41,096
E	74,379	52,642
A	826,816	Open Space
B	455,334	Open Space
C	190,580	Open Space
D	65,144	Open Space
R	270,072	Right-Of-Way

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

II. CONDITIONS FROM THE MITIGATED NEGATIVE DECLARATION:

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

2. Prior to onsite construction activities during the nesting season (February 1- August 31), a pre-construction survey shall be required to determine if active nests are present onsite. The survey shall be completed no more than 30 days prior to the commencement of construction activities. If nests are found and considered active, construction activities shall not occur within 500 feet of the active nest until the young have fledged or a biologist until determines that the nests are no longer active. The survey results shall be submitted to the California Department of Fish and Game and Planning Services prior to issuance of a grading permit.

MONITORING: Planning Services shall verify that the above measure has been incorporated on the project grading plans prior to issuance of a grading permit. Planning Services shall coordinate with the applicant and/or biologist to verify conformance with this measure.

3. The applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Game for each crossing or any activities affecting the onsite riparian vegetation. The agreement shall be submitted to Planning Services for review prior to issuance of a grading permit.

MONITORING: Planning Service shall verify the agreement has been obtained and necessary mitigation measures incorporated on the plans prior to issuance of a grading permit.

4. Prior to issuance of a grading permit, the applicant shall obtain a 404 Permit from the U.S. Army Corps of Engineers and a Water Quality Certification from the Central Valley RWQCB. The project shall incorporate all conditions attached to the permit and certification into the project.

MONITORING: Planning Services shall verify the required permit and certification has been obtained prior to issuance of a grading permit.

5. All healthy oak canopy removed from the site shall be replaced as specified in General Plan Policy 7.4.4.4 and the Interim Interpretative Guidelines for General Plan Policy 7.4.4.4. Replacement of the removed canopy shall be at a density of 200 tree saplings per acre, or 600 acorns per acre. A tree planting and preservation plan shall be required prior to issuance of a grading permit. Maintenance and monitoring plan shall be required for a minimum of 15 years after replanting to ensure a survival rate of at least 90 percent. The arborist report, planting and maintenance plan and all necessary documents to demonstrate compliance shall be provided to Planning Services prior to issuance of a grading permit. The applicant shall have the option to participate in the Mitigation Fee Program established in Option B of General Plan Policy 7.4.4.4, if adopted by the Board of Supervisors prior to issuance of a grading permit. The applicant shall pay the fee in effect at the time a grading permit is issued. Proof of payment of the fee shall be provided to Planning Services prior to issuance of a grading permit.

MONITORING: Planning Services staff shall review the arborist report, tree planting and replacement plan or receive proof of payment of the established mitigation fee prior to issuance of a grading permit.

6. The applicant shall document the dry-laid fieldstone rock wall to the satisfaction of the California Department of Parks and Recreation and Planning Services. Planning Services shall review and approve the documentation of the resource prior to issuance of grading permit.

MONITORING: Planning Services shall receive proof of documentation of the resource with the California Department of Parks and Recreation prior to issuance of a grading permit.

1. The applicant shall preserve all portions of the dry-laid fieldstone rock wall not removed as part of road construction. The rock wall shall be located within designated Conservation Easements and shall remain in perpetuity. Planning Services shall verify the placement of the Conservation Easements prior to filing the final map.

MONITORING: Planning Services shall review and approve the Conservation Easements prior to filing the final map.

8. The applicant shall construct a six-foot high sound wall along the rear yards of lot 6. The sound wall shall be constructed to the satisfaction of an Acoustical Consultant or appropriately certified professional prior to final building inspection of Lot 6. Planning Services shall verify location of sound wall on improvement plans prior to issuance of a permit.

MONITORING: Planning Services shall verify that the sound wall meets the requirements established by the Noise Assessment prepared for the project. The applicant shall show the sound wall on the improvement plans. Planning Services shall verify the construction of the sound wall prior to issuance of a building permit for this Lot 6.

III. PROJECT CONDITIONS OF APPROVAL

Planning Services

9. The applicant shall provide a meter award letter or similar document by the water purveyor to Planning Services. Planning Services shall review the letter prior to filing the final map.
10. The subdivider shall be subject to a \$150.⁰⁰. The appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.

The subdivision shall be subject to parkland dedication in-lieu fees based on values supplied by the County Assessor and calculated in accordance with Section 16.12.090 of the County Code. The applicant shall provide proof of payment of parkland dedication in-lieu fees to Planning Services prior to filing the final map.

11. All open space lots shall be dedicated to a Homeowner's Association or similar entity with an appropriate maintenance program. Planning Services shall review and approve the program prior to filing the final map.
12. All open space lots shall be dedicated prior to filing of a final map for any phase. Planning Services shall review and approve the open space lots prior to filing the final map.
13. CC & R's shall be subject to review and approval by County Counsel. The applicant shall submit the CC & R's to Planning Services prior to filing the final map.
14. The final map shall include a 100-foot non-building setback from all ponds and a 50-foot non-building setback from all wetlands at the subject site as delineated on Exhibit F. Planning Services shall review and approve the setbacks prior to filing the final map.
15. The final map shall include a 200 foot setback for all residential structures adjacent to agriculture-zoned lands. Planning Services shall verify the placement of the setback prior to filing the final map.
16. Construction activities shall be limited to the hours of 7 a.m. to 7 p.m. during weekdays and 8 a.m. to 5 p.m. on Saturday, Sunday, and federal holidays. Exceptions are allowed if it can be shown that construction beyond these times is necessary to alleviate traffic congestion and safety hazards. Planning Services shall verify this requirement is placed on the Grading Plans prior to issuance of a grading permit.
17. In the event that previously unknown cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archeologist shall make recommendations on the measures to be implemented to protect the discovered resources, including but not limited to excavation

of the finds and evaluation of the finds, in accordance with § 15064.5 of the CEQA Guidelines. Cultural resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites.

18. In accordance with CEQA § 15064.5, should previously unidentified paleontological resources be discovered during construction, the project sponsor is required to cease work in the immediate area until a qualified paleontologist can assess the significance of the find and make mitigation recommendations, if warranted. To achieve this goal, the contractor shall ensure that all construction personnel understand the need for proper and timely reporting of such finds and the consequences of any failure to report them.
19. If human remains are encountered during earth-disturbing activities within the project area, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. If the remains are determined to be Native American in origin, both the Native American Heritage Commission (NAHC) and any identified descendants shall be notified by the coroner and recommendations for treatment solicited (CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94 and 5097.98).
20. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the Government Code.

The subdivider shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

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

21. All fees associated with the tentative subdivision map shall be paid prior to filing the final subdivision map.
22. Prior to issuance of a grading permit or commencement of any use authorized by this permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services prior to issuance of a grading permit for verification of compliance with applicable conditions of approval.

Department of Transportation

23. The applicant shall construct or re-construct the following roadways. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing the final map:

Table 1		
ROAD NAME	ROAD WIDTH	EXCEPTIONS/NOTES
Green Valley Road(on-site)	Overall 40 ft roadway (60 ft ROW), per Std. Plan 101B	12 foot through lanes, 8 foot shoulders, Type 2 vertical curb & gutter and 6 foot sidewalk, per DISM Std. Plan 104 & 110. Required turn pocket channelization and acceleration/deceleration lanes will necessitate additional roadway improvements and right of way.
A & B Street	36 ft roadway (50 ft ROW) per Std Plan 101B	Std Plan Type 1 rolled curb and gutter (no sidewalk). Std Plan Type 2 vertical curb & gutter shall extend from Green Valley Road to the gate structures.
A Circle	20 ft roadway (28 ft ROW) per Std Plan 101B	Std Plan Type 2 vertical curb and gutter (no sidewalk) and Std Plan Type 3 barrier curb on the interior radius. One way road. 40 ft minimum radius returns required @ roadway intersections
C & D Court	36 ft roadway (50 ft ROW) per Std Plan 101B	Std Plan Type 1 rolled curb and gutter (no sidewalk)

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.
 *With approved waiver.

24. The applicant shall improve the existing signalized intersection on Green Valley to accommodate the primary access to this site (B Street) as the fourth leg of this signalized intersection consistent with Table 1. The applicant shall make all necessary modifications to this signalized intersection to meet current El Dorado County Standards. In addition, these signal modifications shall include signal timing coordination and or the placement of conduit to the proposed signal at the Green Valley/ Silver Springs Parkway intersection. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing the final map.
25. The applicant shall design and construct a right in/right out at the intersection of A Street and Green Valley Road. This design shall include providing a raised traffic island, curbing, and/or striping to prevent left turn movements at this intersection according to the provisions of the Caltrans Highway Design Manual. The improvements shall be substantially completed, to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing the final map.
26. The applicant shall signalize the Green Valley/ Deer Valley Road intersection to meet current El Dorado County Standards, as required in the approved traffic study. These

required improvements shall include the geometric improvements to Green valley Road consistent with the approved improvements plans for CIP Project No. 66114 which includes the intersection widening to provide for right and left turn channelization and acceleration/deceleration lanes shall address all geometric issues, i.e. required right and left turn channelization and acceleration/deceleration lanes improvements and shall adhere to the latest version of the Manual Uniform Traffic Control Devices (MUTCD), the California Supplement, and the Caltrans Highway Design Manual. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing the final map.

27. The signal controller and controller cabinet(s) shall be approved the Department of Transportation Operations and Maintenance prior to purchase of said items.
28. The applicant shall sign and strip a Class 2 bike lane along both sides of Green Valley Road, from the signalized intersection at B Street to the intersection of Deer Valley Road. The Class 2 bike lane shall be ~~constructed~~ provided as required and ~~according to in~~ accordance with the provisions of the El Dorado County Bicycle Transportation Plan. The striping and signing shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing the final map.
29. Funding and a bid-ready package for improvements to Green Valley Road/Deer Valley signal, including ~~reconstruction of the existing signal at the Green Valley Road/ 'B' Street intersection~~, all necessary turn pocket channelization and acceleration/deceleration lanes associated with CIP No. 6614, ~~additional frontage improvements including road widening, placement of curb, gutter, and sidewalk, and signing and striping of the Class 2 bike lane along Green Valley Road, from 'B' Street to Deer Valley Road, all underground utilities as required~~, 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 grading permit. ~~Landscaping and irrigation plans shall be reviewed by the El Dorado Hills Community Services District and shall be reviewed and approved by the Department of Transportation.~~

~~The County will only assure award of the public contract between March 1 and September 1, 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 1 and July 1. The term bid ready presumes that the improvement plans, detailed schedule for improvements, 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.~~

~~Certificates of occupancy shall not be issued for any residential building until the improvements are substantially complete as determined by the Department of Transportation.~~

If the Director of the Department of Transportation determines that it would be in the best interest of the County for the developer to oversee the bidding and construction of the required improvement, an appropriate agreement will be submitted to the Board of Supervisors for consideration.

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 County will award and administer public contract(s) for this work.

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 said designer will indemnify the County per the County's standard indemnification language.

The applicant may enter into a reimbursement agreement with the County for providing for reimbursement of the funds provided by the applicant and used for the construction, or for construction related activities, of the improvements to the extent they are included as eligible in the applicable County and Specific Plan fee programs. Reimbursement shall be consistent with ~~the PFFP~~ and 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, this right of way requirement shall be deemed satisfied by developer entering into an agreement for condemnation proceedings with the County Counsel together with a deposit of funds as required by County Counsel or alternative arrangement to the satisfaction of the Department of Transportation.~~

30. The applicant shall obtain an encroachment permit from DOT and shall construct the encroachments of the on-site access roadways onto Green Valley Road to the provisions of County Standard Plan 103D or as specified in the approved traffic study for this project.
31. As authorized in Table TC-1, note 2 of the General Plan, the applicant shall verify or irrevocably offer to dedicate (IOD), in fee, 30 feet of right of way plus additional right of

way as noted in Table 1, for the on-site portion of Green Valley Road and the appropriate slope easements along the entire property frontage, prior to filing the final map. This offer will be accepted by the County.

32. A vehicular access restriction shall be established along the entire frontage of Green Valley Road, except for the proposed intersections of A & B Street and A Circle, except for the proposed intersections of A & B Street and C & D Court, prior to or concurrently to filing the final map.
33. A vehicular access restriction shall be established along A Circle except for the proposed intersections of A & B Streets and C & D Courts, prior to or concurrently to filing the final map.
34. The applicant shall join and/or form, prior to filing the final map, an entity satisfactory to DOT, to maintain all on-site roads and/or drainage facilities not maintained by the County, which is required for access to Green Valley Road.
35. All on and off-site road improvement requirements required as conditions of approval and/or mitigation measures shall be analyzed in the environmental document for this development project to the appropriate extent under CEQA . Any improvements that are not thoroughly analyzed shall include a discussion and justification under that particular impact analysis within the CEQA document as to the circumstances preventing such analysis along with a method and time frame for any future analysis. Mitigation measures that are included in the 5 year CIP must have the CEQA processing completed to fulfill this condition as funded and programmed per the 2004 General Plan Policy TC-Xf.
36. 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 commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map or parcel map, the subdivider shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20 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 certified appraiser of the cost of land necessary to complete the off-site 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.

37. The applicant shall adhere to all Department of Transportation standard conditions as specified on Attachment A that were provided to the applicant at the TAC on July 2, 2007.

Air Quality Management District

38. Prior to grading permit issuance, a fugitive dust plan shall be submitted to the Air Quality Management District (AQMD) for review and approval.
39. Burning of vegetative wastes that result from "Land Development Clearing" shall be permitted through the District Rule 300 Open Burning. Only vegetative waste materials are permitted to be disposed of using an open outdoor fire.
40. The applicant shall adhere to all District rules during project construction.

Rescue Fire Protection District:

41. The potable water system for the purpose of fire protection for this project shall provide a minimum fire flow of 2,000 gallons per minute. The fire flow must have a duration of two hours with no less than 20 psi residual pressure. The District shall verify that adequate fire flow is available prior to filing the final map.
42. The applicant shall install Mueller Dr Barrel fire hydrants conforming to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants ~~in this development shall be determined by the Fire District~~ shall not exceed 500 feet. The District shall review and approve the location of fire hydrants prior to filing the final map.
43. Fire hydrants shall be painted with safety red enamel and marked in the roadway with a blue reflective marker as specified by the Fire District and Fire Safe Regulations. The District shall review and approve these improvements prior to filing the final map.
44. In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to framing of any combustible members as specified by the California Fire Code. The District shall review and approve these improvements prior to filing the final map.
45. The applicant shall prepare a Fuel Modification and Wildland Fire Safety Plan. The Plan shall be prepared by a Registered Forester. The District shall review and approve the Plan prior to filing the final map.

46. The minimum turning radius within cul-de-sac roads shall be designed to a 40-foot inside and 60-foot outside radius. The District shall review and approve the design of all cul-de-sac roads prior to filing the final map.
47. "A" Circle shall provide a minimum 20 foot roadway surface with a six foot truck apron. The District shall review and approve the design of "A" circle prior to filing the final map.
48. ~~All roads less than 40 feet wide shall install "No Parking Fire Lane" signage. The signage shall be in conformance with the California Fire Code. The District shall review and approve the signage prior to filing the final map.~~ Roads 32 feet wide may allow parking on one side. The District shall review and approve all road widths prior to filing of the final map.
49. All gates shall meet the Rescue Fire Protection District standards. The District shall review and approve the gates prior to filing of the final map.
50. ~~All houses shall be setback 30 feet from all property lines.~~ All houses shall be setback a minimum of 15 feet from all property lines. The 2007 IBC Chapter 7A requirements shall apply for the materials and construction methods for exterior wildlife exposure. The District shall review and approve the location of all houses prior to issuance of a building permit.
51. The construction of this project shall comply with all codes and regulations as required by the California Building Code, Fire Code, and Fire Department Requirements. The District shall review and approve plans prior to issuance of any permit for this project.

Surveyor's Office

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 the surety of work to be done by bond or cash deposit. Verification of set survey monuments, or amount of bond or deposit shall be coordinated with the County Surveyor's Office.
53. The roads serving the development shall be named by filing a completed road name petition with the County Surveyor's Office prior to filing the final map.

9. GENERAL PLAN AMENDMENT/REZONE (Public Hearing)

A07-0016/Z07-0051 submitted by JOHN CONFORTI/JAMES and DONNA WUNSCHER to change the land use designation from Tourist Recreational (TR) to Commercial (C), and rezone the same property from Single-family Three-acre Residential (R3A) to General Commercial-Design Control (CG-DC). The property, identified by Assessor's Parcel Number 048-280-33, consisting of 4.01 acres, is located on the north side of Newtown Road, approximately 0.25 mile east of the intersection with County Road 145, in the **Placerville Periphery area**, Supervisorial District III. (Negative declaration prepared)

Tom Dougherty recommended approval to the Board of Supervisors. There is no development plan at this time.

Commissioner Machado is familiar with this property. It is adjacent to the City of Placerville. The City does not have a problem with the request. Commissioner Mac Cready asked about the road to the north. Mr. Dougherty explained it is a gravel road. The mobile home parks access from that road.

John Conforti stated they front the freeway. He believes this is a good location for Commercial. Mr. Conforti briefly explained his proposal.

There was no one in the audience wishing to give input.

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER MATHEWS AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS ADOPT THE NEGATIVE DECLARATION, AS PREPARED; APPROVE A07-0016 CHANGING THE LAND USE DESIGNATION FOR ASSESSOR'S PARCEL NUMBER 048-280-33 FROM TOURIST RECREATIONAL (TR) TO COMMERCIAL (C); AND REZONE THE SAME PROPERTY FROM SINGLE-FAMILY THREE-ACRE RESIDENTIAL (R3A) TO GENERAL COMMERCIAL-DESIGN CONTROL (CG-DC), BASED ON THE FINDINGS PROPOSED BY STAFF.

Findings

1.0 CEQA Findings

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received and considered during the public review process. The proposed project will not have a significant effect on the environment. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of the Development Services-Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 General Plan Findings

- 2.1 The land use amendment from Tourist Residential to Commercial is consistent with Objective 2.1.1 and Policy 2.1.1.2 in that the property could be developed to be self-sustaining and to meet the commercial needs of the surrounding area. Amending the land use designation to Commercial is found to be in the public interest.

3.0 Zoning Findings

- 3.1 A rezone to General Commercial will allow the property to be consistent with the proposed General Plan designation. The proposed use of commercial office is consistent with Policies 2.1.1.2 and 2.2.1.2.
- 3.2 The rezone will meet the intentions of Policy 2.2.5.2 because the establishment of a new zone designation of General Commercial-Planned Development (CG-DC) and the ensuing uses it allows is consistent with the allowed uses intended by the Commercial (C) land use designation.
- 3.3 The rezone would meet the intentions of Policy 2.2.5.3 because the location in a Community Region, the current availability of supporting utilities and infrastructure, the easy access for emergency responders, and the potential for surrounding commercial opportunities demonstrate that the site is appropriate for commercial development.
- 3.4 The proposed project and the existing structure, infrastructure, and uses are consistent with the El Dorado County Zoning Ordinance designation of General Commercial (CG) and Sections 17.32.170 to 17.32.220.

10. SPECIAL USE PERMITS (Public Hearing)

S07-0023 submitted by FTM PLASTIC WELDING/BOB and SANDY AYREST to allow the continuation of a wholesale distribution home occupation that assembles, ships, and receives power controls and heating trays. The property, identified by Assessor's Parcel Number 317-287-06, consisting of 4.25 acres, is located on the southwest side of Cobblestone Road, approximately 1,500 feet west of the intersection with Stagecoach Road, in the Greenstone Country, Unit 1, subdivision, in the **Greenstone area**, Supervisorial District IV. (Statutorily exempt pursuant to Section 15270(b) of the CEQA Guidelines)

Tom Dougherty said this application has been withdrawn.

No action was taken.

11. TENTATIVE SUBDIVISION MAP (Public Hearing)

TM04-1391/Carson Creek, Phase 2/Carson Creek Phase 2, Unit 1 submitted by CARSON CREEK EL DORADO, LLC (Engineer: Cooper, Thorne & Associates, Inc.) for the following:
1. Large-lot tentative subdivision map (Phase 0) of a 553 acres site creating 24 lots for financing and phasing purposes, ranging from 0.5 to 150 acres in size; 2. Small lot tentative subdivision map (Carson Creek, Phase 2, Unit 1) of Large Lots 3 through 7 (Village 8) and Lots 1 and 2 (Village 6B) on 95.2 acres creating a Class 1 residential subdivision encompassing a total of 302 residential lots ranging from 4,725 to 14,850 square feet, 18 landscape lots, 4 open space lots, 2 private in-tract road lots, and 1 utility lot (pump station); 3. Minor amendment to the Carson Creek Specific Plan consisting of the following modifications: a) Re-alignment of major residential collector (Carson Crossing Drive); b) Increase of right-of-way for a residential

collector (Carson Crossing Drive) from 60 to 80 feet; 4. A request for design waivers of the following El Dorado County Design and Improvement Standard Manual (DISM) road standards: a. Construction of Carson Crossing Drive encroachment onto Golden Foothill Parkway based on Standard Plan 103E without the 100-foot foot tapers; and b. Construction of all proposed encroachments onto Carson Crossing Drive based on Standard Plan 103D without the 100-foot tapers. The properties, identified by Assessor's Parcel Numbers 117-010-07, -08, and 117-020-01, are located south of Golden Foothills Parkway and southeast of White Rock Road, in the **El Dorado Hills area**. (Exempt pursuant to Section 15162 of the CEQA Guidelines; categorically exempt pursuant to Section 15303(d) of the CEQA Guidelines)

Mel Pabalinas recommended conditional approval. The Agricultural Commission heard this project last night and recommended approval. Two letters were received, one from the Cameron Park Community Services District and one from El Dorado Transit. Mr. Pabalinas suggested modification of Condition 92 based on the letter from the CSD. The applicant has had discussions with the owner of Lot 92 in the Euer Ranch project, Four Seasons, to modify the grading plan for Lots 7 and 8 to reduce the 499 feet to be the same level as Lot 92.

Mike McDougall was present and had no additional comments. He agreed to the proposed conditions.

Ed Rice, owner of Lot 92, thanked everyone for making the change he asked for. He spoke about an area near the creek that is still ten feet above the creek. He asked if there could be some way to smooth out the area. Mr. McDougall spoke about grading transitions that go into the wetland.

There was no further input.

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FIND THE PROJECT EXEMPT PURSUANT TO SECTION 15162 OF THE CEQA GUIDELINES AND CATEGORICALLY EXEMPT PURSUANT TO SECTION 15303(d) OF THE CEQA GUIDELINES, AND APPROVE TM04-1391 BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1.0 CEQA FINDING

- 1.1 The project is a residential project and a part of an adopted Carson Creek Specific Plan, subject to the certified Environmental Impact Report (EIR) and mitigation measures in the Mitigation Monitoring Reporting Program. No impacts have been identified which were not discussed and mitigated in the EIR. Specific mitigation measures (noise impacts) have been incorporated which would reduce the impacts to less than significant level. Therefore, the project is deemed exempt from the requirements of CEQA pursuant to Section 15162. No further environmental analysis is necessary.

Off-site improvements associated with the project that were not specifically evaluated in the EIR include water line extension, road striping, and construction of lane tapers. These activities would take place within an existing right-of-way (Golden Foothill Parkway and Carson Crossing Drive), in accordance with the applicable requirements of the project, and corresponding agency standards. Staff has determined that these changes would not result in new environmental impacts. Therefore, these activities are deemed Categorically Exempt under Section 15303d (New Construction or Conversion of Small Structures) of CEQA.

- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 ADMINISTRATIVE FINDINGS

2.1 El Dorado County General Plan

The El Dorado County General Plan designates the subject site as Adopted Plan (AP), a description in reference to areas where Specific Plans have been designated and adopted within and by the County. The specific plan and the respective land use maps are accepted and incorporated by reference and are hereby adopted as the General Plan Land Use map for the project area. The proposed minor amendment to the specific plan, tentative map and deviation from standards have been verified for conformance with the applicable policies of the General Plan, specific policies in the Carson Creek Specific Plan, provisions of the Settlement Agreement, and mitigation measures in Environmental Impact Report. Therefore, the project is consistent with the General Plan.

2.2 Carson Creek Specific Plan

The project has been verified for conformance with the specific policies and requirements of the Carson Creek Specific Plan and provisions of the Settlement Agreement including phasing, density, design, amenities, preservation of natural features and utilities. The proposed minor amendments to the Specific Plan have been determined to meet the intent of the applicable policies. Implementation of the project shall be subject to required permits prior to any activity, in conformance with all applicable original and new conditions of approval and mitigation measures imposed on the project. Therefore, the project has been found to be consistent with the Carson Creek Specific Plan.

2.3 Zoning

The anticipated project development shall conform to the applicable standards set forth in the Specific Plan. Specifically, the residential subdivision has been designed and verified in accordance with the development and zone standards under Single-Family Residential (SFR-6) and Single-Family High Density (SFHD) of the specific plan. Therefore, the project has been found to be consistent with the Zone Standards in the Carson Creek Specific Plan.

2.4 Subdivision Ordinance

- 2.4.1 That the proposed map is consistent with applicable general and specific plans;

The proposed project has been verified for conformance with applicable General Plan and Carson Creek Specific Policies including provisions relating to density, design, development standards, and amenities. The anticipated development shall be subject to further conformance with the approved Conditions of Approval and Mitigation Measures. Therefore, the project has been found to be consistent with the applicable El Dorado County General Plan and Carson Creek Specific Plan.

- 2.4.2 That the design or improvement of the proposed division is consistent with applicable general and specific plans;

The design and improvement of the subdivision has been designed in conformance with the identified residential land use requirements in the Specific Plan. Subsequent improvement plans, grading plans and other permits shall be further reviewed in accordance with the applicable County standards and recommended conditions of approval/mitigation measures for this project. Therefore, the project has been found to be consistent with the applicable El Dorado County General Plan and Carson Creek Specific Plan design and improvements.

- 2.4.3 That the site is physically suitable for the type of development; and

- 2.4.4 That the site is physically suitable for the proposed density of development;

The site is physically suitable to accommodate the proposed density and improvements for Carson Creek Phase 2, Unit 1 residential subdivision. The site contains mild rolling hills with sparse tree coverage. The tributaries within the project site shall be preserved and incorporated as part of the subdivision design, in accordance with the Specific Plan. Prior to any activity, the anticipated development would require various permits and plan approval, subject to review for consistency with the conditions of approval for the project.

- 2.4.5 That the design of the division or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;

Development of the subdivision would be subject to the applicable provisions of the Carson Creek Specific Plan, and the required mitigation measures originally evaluated under the certified Environmental Impact Report (EIR) for the Carson Creek Specific Plan. Off-site improvements associated with the project are not anticipated to have any significant environmental impacts and shall be further verified by the affected agency. Therefore, the project would have less than significant environmental impact, subject to the conditions of approval and mitigation measures imposed on the project.

- 2.4.6 That the design of the division or the type of improvements would not cause serious public health hazards;

The proposed development has been designed and conditioned to ensure no serious public hazard would occur. In accordance with the Carson Creek Specific Plan, the design and improvements would involve a controlled internal road systems, public utility services, on- and off-site amenities, and emergency vehicular access. Development of the project would be subject to improvement plans and permits verifying construction of utilities for water, sewer, power, drainage and roads in accordance with the Specific Plan and the adopted EIR for the Plan.

- 2.4.7 That the design of the division or the improvements is suitable to allow for compliance of the requirements of section 4291 of the Public Resources Code;

The development is subject to the applicable Specific Plan policies involving site design and maintenance of open areas susceptible to brush fires. Further, the subdivision is subject to specific project conditions from the El Dorado Hills Fire Department regarding location of hydrant, construction of non-combustible fencing material, preparation and submittal of a Wildfire Management Plan, and establishing emergency vehicle access. Therefore the proposed subdivision conforms to the requirements of Section 4291 of the Public Resource Code;

- 2.4.8 That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection the approving authority may approve a map if it finds that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision. (Ord. 3805 §15, 1988: prior code §9702)

Coupled with imposed project conditions, necessary utility and right-of-way easements for the project are appropriately depicted on the submitted plans and shall be further verified for any conflicts by the County Surveyor's Office at the time of filing and approval of the final map for any portions of the approved tentative map.

2.5 Design Waiver

Design Waiver 1 - Construction of Carson Crossing Drive encroachment onto Golden Foothill Parkway based Standard Plan 103E without the 100' foot tapers;

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

The alignment of Carson Crossing Drive at its intersection with Golden Foothill Parkway does not have adequate area to accommodate the 100' foot tapers. In addition, the project Settlement Agreement states the project will minimize impervious surfaces such as roadway pavement to the extent practicable.

- 2.5.2 Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.

The strict application of the design standards require acquisition of adjacent land currently owned by others in order to construct the tapers resulting in an unnecessary hardship in developing the property.

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

The design waiver proposes improvements consistent with the County standards and therefore would not be injurious to adjacent properties or detrimental to the health, safety, convenience or welfare of the public. The existing road section provides adequate area for acceleration and deceleration to accommodate turning movements.

- 2.5.4 The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.

The proposed improvements meet existing County standards , the requirements of the Carson Creek Specific Plan, and are consistent with the policies of the 2004 General Plan, and therefore would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or other ordinance.

Design Waiver 2 - To construct all proposed encroachments onto Carson Crossing Drive to Standard Plan 103D without the 100' tapers.

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

The provision of tapers at encroachments onto Carson Crossing Drive would interfere with roadside ditches. In addition, the project Settlement Agreement states the project will minimize impervious surfaces such as roadway pavement to the extent practicable.

- 2.5.6 Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.

The strict application of the design standard results in unnecessary impacts to roadside ditches with potential environmental impacts that would have been otherwise avoided.

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

The provision of stop signs at the proposed encroachments slows traffic thereby reducing the need for tapers and therefore, the design waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience or welfare of the public. The proposed 18' road section provides adequate area for acceleration and deceleration to accommodate turning movements.

- 2.5.8 The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.

The proposed improvements meet existing County standards, the requirements of the Carson Creek Specific Plan, and are consistent with the policies of the 2004 General Plan, and therefore would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or other ordinance.

Conditions

1. The Minor Amendment to the Carson Creek Specific Plan, Tentative Subdivision Map, and Design Waivers are based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits K through T 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:
 - A) Large-Lot Tentative Subdivision Map (Phase 0) of 553 acres site creating 26 lots for financing and phasing purposes, ranging from 0.5 acres to 150 acres in size;
 - B) Small-Lot Tentative Subdivision Map (Carson Creek Phase 2, Unit 1) of Large Lots 3-7 (Village 8) and Lots 1 and 2 (Village 6B) from 95.2 acre site to create a Class 1 residential subdivision encompassing a total of 302 residential lots ranging from 4,725 square feet to 14,850 square feet, 18 landscape lots, four open space lots, two private in-tract road lots, and one utility lot (pump station);
 - C) Minor Amendment to the Carson Creek Specific Plan consisting of the following modifications:
 - 1) Re-alignment of major residential collector (Carson Crossing Drive);
 - 2) Increase of Right-of-Way for residential collector (Carson Crossing Drive) from 60 feet to 80 feet;
 - D) A request for Design Waiver(s) of the following El Dorado County Design and Improvement Standard Manual (DISM) road standards:
 - 1) Construction of Carson Crossing Drive encroachment onto Golden Foothill Parkway based Standard Plan 103E without the 100-foot tapers; and
 - 2) Construction of all proposed encroachments onto Carson Crossing Drive based on Standard Plan 103D without the 100-foot tapers.

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.

Planning Services

2. 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.

The applicant 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.

3. Prior to issuance of building permit, the applicant shall remit payment of any outstanding fees as detailed and required in the *Agreement for Payment of Processing Fees* authorized for this project.
4. Prior to approval of Final Map for any portion of the proposed tentative map, the applicant shall provide written statement justifying the project's consistency with the mitigation measures in the adopted Mitigation Monitoring Reporting Program for Carson Creek Specific Plan. The documentation shall be provided to and reviewed by the Development Services-Planning Division and, as needed, shall consult and verify with the affected agency

The following are the original Conditions of approval and Mitigation Measures as depicted in Section 7 (Conditions of Approval) of the Carson Creek Specific Plan. The original sequence of the conditions is depicted in italics next to the text of the condition. Some of the conditions have already been satisfied through the processing of Euer Ranch subdivision or imposed new agency conditions. As such, the said conditions have been determined to be inapplicable to this project and are hereby deleted shown with ~~strikethrough lines~~. Conditions with double underline texts reflect the applicable modifications of the condition.

- ~~5. 1. Agricultural fencing per County resolution No. 98A-90 standards shall be required as a condition of approval of tentative maps along the southern boundary of Carson Creek, along the Southern Pacific Railroad Right of Way, and along the Sacramento/El Dorado County~~

- line, in any location not built with a 6 foot solid fence. Fencing is required to be maintained by the property owners or El Dorado Hills Community Services District, and shall be required in the CC&Rs.
6. 2 As a condition of approval of all tentative maps, a minimum 6-foot-tall wood or other solid fence shall be required to be constructed for all parcels adjacent to the boundaries of the Specific Plan. Materials may be specified through the revised acoustical analysis for the project.
 7. 3. An open space management plan shall be prepared by the developer, subject to review and approval by the El Dorado Hills CDS. The plan shall include wild fire management plans for the
 - ~~8. 4. The development of the parcels within an Agricultural Preserve shall not occur until said parcels roll out (or are approved for immediate cancellation) of the Agricultural Preserve. To protect the potential agricultural use existing in Phase 2, from development in Phase 1, a 400-foot setback from Phase 2 shall be maintained for all residential units while land in Phase 2 is within an Agricultural Preserve. The buffer may be reduced or eliminated by the Agricultural Commission upon presentation to the Agricultural Commission that the buffer is unnecessary or is substantially complied with in another fashion.~~
 9. 5. Annexation into required districts shall be a Condition's of approval of tentative maps.
 - A. ~~The developer shall pursue annexation of the entire Specific Plan area into the El Dorado Hills Community Services District (EDHCSD); however, In the event annexation to the EDHCSD is not approved by the appropriate public agencies, an alternative method of providing necessary services will be established prior to County approval of any final map. (Note: This statement is incorporated by reference and is/will be applicable to all subsequent conditions regarding required approvals by the EDHCSD.~~
 - B. ~~Conditions, Covenants, and Restrictions (CC&Rs) and design guidelines for the Carson Creek Specific Plan and all tentative maps will be submitted to the EDHCSD for review and approval.~~
 - ~~C. An Open Space Management Plan shall be prepared by the developer subject to review and approval by the EDHCSD and will include a funding mechanism for on-going maintenance of all open space. A Wild Fire Management Plan, subject to approval by appropriate agencies, will also be included as a component of this document.~~
 10. 6. ~~A financing mechanism or mechanisms for parks, open space, landscaping, and schools shall be determined prior to recordation of the final map. Prior to issuance of building permits the financing mechanisms shall be in place (from Section 5.2 of the Carson Creek Specific Plan).~~
 11. 7. ~~If parkland is dedicated to the EDHCSD, prior to County approval of any final map, the developer shall show evidence of a recorded agreement with the EDHCSD for the location,~~

~~size, park improvements (including water meters and sewer hook ups), maintenance, and timing of dedication and acceptance of parks throughout the Specific Plan area.~~

~~The developer will be required to provide a Phase I environmental assessment of land to be dedicated to a public agency.~~

11. ~~8.~~ A financing mechanism or mechanisms, such as a Landscaping and Lighting District (LLAD) for development and maintenance of parks, and for maintenance of open space, landscaping, lighting, fencing, trails, walkways, corridors, signage, sound walls, entry monuments, and other common or public areas shall be determined prior to approval of the final map: Improvement plans for the above referenced items will be submitted to the El Dorado Hills Community Services District (EDHCSD) for approval, and the financing mechanisms shall be in place prior to issuance of building permits (section 5.2 of the Carson Creek Specific Plan). Upon annexation of this project into the EDHGSD; the Carson Creek Specific Plan area shall be subject to the adopted park impact fee imposed for new development within the EDHCSD boundary and will be paid by the developer at the time a building permit is issued.
12. ~~9.~~ As a condition of approval of all tentative maps, a wood or other solid fence, at least six feet in height, will be constructed by the developer for all residential lots adjacent to the boundaries of the Specific Plan:

Agricultural fencing per County Resolution No. 98A-90 shall be required along the Sacramento/El Dorado County line in any location not adjacent to a residential lot/parcel.

The CC&Rs will specify the fence design approval process. Fence design will be as approved by the El Dorado Hills Community Services District and the appropriate design review committee.

The developer will provide a funding mechanism, such as a homeowners association or a Landscaping and Lighting District, for the maintenance of fencing adjacent to open space.
13. ~~10.~~ The developer will be required to provide water meters for all residential lots, parks, landscaped corridors, and open space parcels. (Costs of water meters for parks may or may not be a credit to developer pending negotiations with EDHCSD Board of Directors)
14. ~~11.~~ All the mitigation measures of the Carson Creek Specific Plan EIR, as revised in August 1996, except 4.5 7a, 7.2b 7.2c (requiring separate agreement with Sacramento County), and 5-1a, b, and c which were optional fiscal mitigation, are incorporated as conditions of approval, and the mitigation monitoring program is incorporated into the Specific Plan.
15. ~~12.~~ A final Carson Creek Specific Plan document shall be submitted incorporating all the changes, conditions, mitigation measures, and mitigation monitoring plan included herein within 60 days of approval.

16. ~~13.~~ The filing of tentative map and recording of the final map ~~will fix~~ shall establish the appropriate zoning.
17. ~~14.~~ Rezoning of the AE lands will not become effective until the subject land rolls out from Williamson Act or is approved for immediate cancellation and fulfills all requirements thereof.
18. ~~15.~~ At the time the applicant submits for approval by the County a proposed final subdivision map for the Euer Ranch property, the County shall determine whether the Board of Supervisors or the Sacramento Placerville Transportation Corridor Joint Powers Agency has taken any affirmative action indicating an intention to reserve right of way through or adjacent to the Euer Ranch property for possible eventual use by a commuter rail system of any kind. Such an indication by the Board or Joint Powers Agency must take the form of an informal or formal policy decision to modify plans to reserve a right of way other than the former Southern Pacific right of way located west, south, and east of Euer Ranch, which was purchased in September 1996 by Joint Powers Agency. If the Board or Joint Powers Agency has taken any such action indicating an intention to eventually extend a commuter rail line through the Euer Ranch property, the County shall not approve the final map until the applicant has prepared an acoustical study assessing the noise impacts that such a rail line might create for nearby residential and other properties, and proposing any noise attenuation measures necessary to achieve compliance with General Plan noise standards. Any noise attenuation measures developed through such a study shall be required prior to issuance of the final map.

If the County approves the final subdivision map for the Euer Ranch property without requiring any noise attenuation measures in anticipation of an eventual rail extension through the property but the County subsequently imposes a rail noise mitigation fee on properties in the area, then such mitigation fees shall be assessed and collected at the time of the issuance of building permits. Any building permits issued prior to the imposition of such a fee program shall not be made retroactively subject to the fee requirements as a result of this condition.

The following are Mitigation Measures from the EIR:

19. ~~16.~~ White Rock Road at Manchester Lane

- a) — Use a majority of native plant species in the proposed 30-foot landscape corridor along White Rock Road to maximize a compatible visual relationship with residential uses to the north, and with the surrounding natural terrain and vegetation, subject to review and approval of the El Dorado Hills Community Services
- b) — Require use of natural colored roof materials in project development to maximize consistency with the surrounding natural environment to minimize stark visual contrasts.

- ~~e) Use natural components in fencing materials (e.g., wood, stone, brick) that would be consistent with residential uses to the north, and would enhance visual compatibility with the natural surroundings of the site.~~
- ~~d) A variety of fast-growing shrubs and trees will be provided in the 30-foot landscape easement to provide effective screening between the Carson Creek project and surrounding uses prior to occupancy of project residences.~~

20. 17. Golden Foothills Parkway at Carson Creek

- a) Use native plant species as the majority of those planted in the proposed 30-foot greenbelt to maximize a compatible visual relationship with the surrounding natural terrain and vegetation.
- b) Require use of natural colored roof materials in project developments to maximize consistency with the surrounding natural environment and to minimize stark visual contrasts.
- c) Use natural components in fencing materials (e.g., wood, stone, and brick) in developments along Carson Creek to enhance visual compatibility with the natural surroundings of the site.
- d) Use natural components in pedestrian trail features (e.g., fences, trail materials) to enhance visual compatibility with the natural surroundings of the site.
- e) Retain unobstructed views of Carson Creek from locations along Golden Foothills Parkway.

21. 18. Daily Traffic Volume (Latrobe Road Between U.S. Highway 50 and White Rock Road)

~~The project developer shall be responsible for their "fair share" cost of widening Latrobe Road from two lanes to six lanes with a median from White Rock Road to the U.S. Highway 50 eastbound ramps. These improvement projects are included in the El Dorado Hills RIF; therefore, the project developer shall pay the RIF fee concurrently with the issuance of building permits. Implementation of this mitigation measure would improve the daily level of service on Latrobe Road to LOS B.~~

22. 19. Peak Hour Traffic Volumes (U.S. Highway Interchange)

~~The project developer shall be responsible for contributing their "fair share" of the cost to reconstruct the El Dorado Hills Boulevard/Latrobe Road interchange and widen U.S. Highway 50 to six lanes as shown in Exhibit 7-1. Reconstruction of the interchange is included in the RIF; therefore, the project developer shall pay the RIF fee prior to the issuance of building permits. A separate impact fee program has been established to fund the mainline widening of U.S. Highway 50 through the western portion of El Dorado County. A fair share~~

contribution of this fee shall also be paid by the project developer prior to the issuance of building permits.

Implementation of this mitigation measure will improve the ramp intersection and ramp junction levels of service as follows:

- El Dorado Hills Boulevard/U.S. Highway 50 westbound ramps intersection LOS from F to B during the a.m. peak hour and from E to C during the p.m. peak hour;
- Latrobe Road/U.S. Highway 50 eastbound ramps intersection LOS from F to B during the a.m. peak hour and from F to B during the p.m. peak hour;
- U.S. Highway 50 eastbound diagonal on-ramp LOS A during the a.m. peak hour and LOS D during the p.m. peak hour;
- U.S. Highway 50 eastbound Poop off ramp LOS B during the a.m. peak hour and LOS D during the p.m. peak hour;
- U. S. Highway 50 westbound diagonal on-ramp LOS C during the a.m. peak hour and LOS 13 during the p.m. peak hour; and
- U.S. Highway 50 westbound diagonal off ramp LOS C during the a.m. peak hour and LOS B during the p.m. peak hour.

Reconstruction of the interchange may also include the addition of an eastbound diagonal off-ramp and westbound loop off-ramp. Both of these new ramps would also operate at LOS D or better during both peak hours.

23. 20. Peak Hour Traffic Volumes (Latrobe Road Intersections)

The following mitigation measures address the four intersections along Latrobe Road that are projected to operate at unacceptable (worse than LOS E) levels of service with build out of the Specific Plan.

- a) In addition to mitigation measure 4.5 1, the project developer shall be responsible for their "fair share" cost of signalization and turn lane improvements at the White Rock Road/Latrobe Road intersection, as show on Exhibit X 11 of Appendix B. Implementation of this mitigation measure would improve the White Rock Road/Latrobe Road intersection LOS from F to B during the a.m. peak hour and from F to C during the p.m. peak hour.
- b) The project developer shall construct the signal and turn lane improvements at the Latrobe Road/Golden Foothill Parkway North intersection as shown on Exhibit X 11 of Appendix B. DOT will, at the next update of the RIF, determine

~~the cost of signalization and turn lanes at this intersection and determine the "fair share" cost of the project developer. The RIF will reimburse the project developer the difference between the cost of the improvements and the project developer's "fair share" portion. Implementation of this mitigation measure would improve the Latrobe Road/Golden Foothill Parkway North intersection LOS from F to B during the a.m. peak hour and from F to D during the p.m. peak hour. During the review of tentative maps for Specific Plan Phase 2, a traffic study will be required to determine what improvements are required as a result of that phase, If the traffic study indicates that the improvements listed in this mitigation measure are necessary then the developer shall construct the improvement and be entitled to a credit and/or reimbursement for improvements made beyond the subdivisions fair share.~~

~~(e) — The project developer shall construct the signal and turn lane improvements at the Latrobe Road/Golden Foothill Parkway South intersection as shown on Exhibit X-11 of Appendix B DOT will, at the next update of the RIF, determine the cost of signalization and turn lanes at this intersection and determine the "fair share" cost of the project developer. The RIF will reimburse the project developer the difference between the cost of the improvements and the project developer's "fair share" portion. Implementation of this mitigation measure would improve the Latrobe Road/Golden Foothill Parkway South intersection LOS from F to B during the a.m. and from F to C during the p.m. peak hours. During the review of tentative maps for Specific Plan Phase 2, a traffic study will be required to determine what improvements are required as a result of that phase, If the traffic study indicates that the improvements listed in this mitigation measure are necessary then the developer shall construct the improvement and be entitled to a credit and/or reimbursement for improvements made beyond the subdivisions fair share.~~

~~(d) — The project developer shall construct the following improvements:~~

~~○ — Modifying turn lanes at the Latrobe Road/Investment Boulevard intersection (see Exhibit X-11 of Appendix)~~

~~○ — Signalizing the Latrobe Road/Investment Boulevard intersection. DOT will, at the next update of the RIF, determine the cost of signalization and turn lanes at this intersection and determine the "fair share" cost of the project developer, The RIF will reimburse the project developer the difference between the cost of the improvements and the project developer's "fair share" portion. Implementation of this mitigation measure could improve the Latrobe Road/Investment Boulevard intersection LOS from F to B during the a.m. and p.m. peak hours.~~

The Latrobe Road/Investment Boulevard intersection operates at LOS B during the p.m. peak hour with one left turn lane on the eastbound approach. The left turn volume is 600 vehicles per hour during the p.m. peak hour. Occasional queuing of vehicles on the left-

turn lane could occur on the eastbound approach. The County should monitor the queues and design the left turn pocket for this movement to accommodate the volumes. If the County decides to provide dual left turn lanes for this left turn movement, an additional northbound lane would be required on Latrobe Road between Investment Boulevard and Golden Foothill Parkway South. During the review of tentative maps for Specific Plan Phase 2, a traffic study will be required to determine what improvements are required as a result of that phase. If the traffic study indicates that the improvements listed in this mitigation measure are necessary then the developer shall construct the improvement, and be entitled to a credit and/or reimbursement for improvements made beyond the subdivisions fair share.

24. ~~21. Peak Hour Traffic Volumes (White Rock Road Intersections)~~ The following mitigation measure address the intersection along White Rock Road (west of Latrobe Road) projected to operate at LOS F with build out of the Specific Plan.

(a) ~~The project developer shall construct signal and turn lane improvements at the White Rock Road/Project Access Road intersection as shown on Exhibit X-11 of Appendix B. DOT will, at the next update of the RIF, determine the cost of signalization and turn lanes at this intersection and determine the "fair share" cost of the project developer. The RIF will reimburse the project developer the difference between the cost of the improvements and the project developer's "fair share" portion. Implementation of this mitigation measure would improve the White Rock Road/Project Access Road intersection LOS from D to B during the a.m. peak hour and from F to C during the p.m. peak hour. This intersection was analyzed with lane configuration as shown in Exhibit 4.5-11. For, a worst case scenario, this analysis assumed that all the project traffic traveling on White Rock Road would use this intersection to access the site resulting in a westbound to southbound left turn volume of approximately 600 vehicles during the p.m. peak hour.~~

25. ~~22. Public Transit~~ The project developer shall be responsible for the construction of a bus turnout and transit shelter along the project site frontage on White Rock Road (including within the landscape corridor when fixed route transit service or commuter service is extended to serve the project. The project developer shall also reserve the land area for the proposed mass transit station and parking area as identified in the Carson Creek Specific Plan. Although not required as part of this mitigation measure, the project developer, El Dorado County Department of Transportation, and the El Dorado County Transit Authority should also develop an implementation plan that identifies the construction phasing and financing for the parking area, other transit shelters within the project site, and the mass transit station. This implementation plan should be approved by El Dorado County Department of Transportation and the El Dorado County Transit Authority prior to the issuance of building permits.

26. ~~23. Bicycle/Pedestrian Facilities~~ The project developer shall be responsible for the construction of Class II bike lanes along the project site frontage on White Rock Road prior to the issuance of building permits.

27. ~~24.~~ Phase I (Grading Phase) Construction Emissions

a) ~~The project applicant shall comply with El Dorado County APCD Rule 223 as required by the Air Pollution Control Officer. The project applicant shall prepare a fugitive dust control plan to be submitted to, and approved by, the APCD prior to the commencement of construction. Control measures to be outlined in the plan may include, but are not limited to, the following:~~

- ~~• Application of water or suitable chemicals Or other specified covering on materials stockpiles, wrecking activity, excavation, grading, sweeping, clearing of land, solid waste disposal operations, or construction or demolition of buildings or structures (all exposed soil shall be kept visibly moist during grading);~~
- ~~• Installation and use of hoods, fans and filters to enclose, collect, and clean the emissions of dusty materials;~~
- ~~• Covering or wetting at all times when in motion of open bodied trucks, trailer or other vehicles transporting materials which create a nuisance by generating particulate matter in areas where the general public has access;~~
- ~~• Application of asphalt, oil, water or suitable chemicals on dirt roads;~~
- ~~• Paving of public or commercial parking surfaces;~~
- ~~• Removal from paved streets and parking surfaces of earth or other material which has a tendency to become airborne;~~
- ~~• Limiting traffic speeds on all unpaved road surfaces to 15 mph;~~
- ~~• Suspending all grading operations when wind speeds exceed 20 miles per hour (including instantaneous gusts);~~
- ~~• Alternate means of control as approved by the Air Pollution Control Officer.~~

b) ~~Construction equipment engines shall be maintained in proper operating condition.~~

28. 25. Phase II (Facilities Phase) Construction Emissions

- a) Low emission mobile construction equipment shall be used (e.g., tractor, scraper, dozer, etc.)
- b) Construction equipment engines shall be maintained in proper operating condition.
- c) Low-emission stationary construction equipment shall be used,
- d) A trip reduction plan shall be developed and implemented to achieve 1.5 average vehicle occupancy (AVO) for construction employees.
- e) Construction activity management techniques, such as extending construction period, reducing number of pieces used simultaneously, increasing distance

between emission sources reducing or changing hours of construction, and scheduling activity during off-peak hours shall be developed and implemented.

- f) The project applicant shall comply with El Dorado County APCD Rule 224.
- g) The project applicant shall comply with El Dorado County APCD Rule 215.

29. ~~26.~~ Stationary Source Emissions

- a) The applicant shall incorporate energy-saving design features into future levels of project implementation as feasible and appropriate. The feasibility and appropriateness of each measure can best be determined at future, more-detailed levels of planning. These design features may include, but are not limited to, the following:

- 1) Shade trees;
- 2) Energy-efficient and automated air conditioners;
- 3) Double-pane glass in all windows;
- 4) Energy-efficient low-sodium parking lot lights;
- 5) Adequate ventilation systems for enclosed parking facilities;
- 6) Solar or low-emission water heaters;
- 7) Energy-efficient lighting and lighting controls
- 8) Central water heating systems;

- b) The applicant, future successors in interest or future homebuilders shall install only EPA-certified woodstoves and fire places.

30. ~~27.~~ Regional Mobile Source Emissions - The County shall coordinate with the Folsom, El Dorado, Cordova TMA to consider including the project site within the TMA's jurisdiction.

31. ~~28.~~ Short-Term Construction Noise - Construction activities shall be conducted in accordance with the County noise regulation or limited to the following hours and days: Between the hours of 7:00 a.m. and 5:00 p.m. on any weekday; Between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays; Prohibited on Sundays and holidays

At the time of the letting of the construction contract, it shall be demonstrated that engine noise from excavation equipment would be mitigated by keeping engine doors closed during equipment operation. For equipment that cannot be enclosed behind doors, lead curtains shall be used to attenuate noise.

32. ~~29.~~ Increased Traffic Noise

Where the development of a project could result in the exposure of noise-sensitive land uses to existing or projected future traffic noise levels in excess of the applicable County noise standards, the County shall require an acoustical analysis to be performed prior to the

approval of such projects. Where acoustical analysis determines that the project would contribute to traffic noise levels in excess of applicable County noise standards at proposed on-site or planned future off-site noise sensitive uses, the County shall require the implementation of noise attenuation measures, such as setback, sound barrier walls, or noise berms, as necessary to reduce traffic noise levels at proposed noise sensitive uses to conform with the applicable County standards.

Notwithstanding the above condition, the following are additional recommended mitigation measures applicable to the specific noise impacts evaluated for this project.

Prior to Final Map approval, the applicant shall provide a copy of the following documents to Development Services- Planning Division:

- a) An updated Traffic Study evaluating and determining the accurate Average Daily Trips (ADT) vehicular volume along Carson Crossing Drive.
- b) Based on item a), the applicant shall provide an updated Acoustical Analysis affirming the applicable recommended noise measures identified in the analysis conducted by Bollard Acoustical Consultants, Inc dated September 17, 2007. Specifically, the analysis shall address the type, appropriate height, and location of the noise barrier along Carson Crossing Drive. The study shall analyze the required standard construction material rating necessary to substantially reduce the interior noise effects borne by the anticipated traffic on Carson Crossing Drive.

Planning Services staff shall review the acoustical study and determine if the appropriate changes have been made to the project to fully mitigate the noise impacts.

33. ~~30.~~ **Railroad Noise**

~~Where the development of a project could result in the exposure of noise sensitive land uses to projected future railroad noise levels in excess of the applicable County noise standards, the County shall require an acoustical analysis to be performed prior to the approval of such projects. Where acoustical analysis determines that railroad noise levels would exceed applicable County noise standards at proposed on-site noise sensitive uses the County shall require the implementation of noise attenuation measures, such as setbacks, sound barrier walls, or noise berms, as necessary to reduce traffic noise levels at proposed noise sensitive uses to conform with the applicable County standards.~~

34. ~~31.~~ **Stationary Source Noise** - Where the development of a project could result in the exposure of on-site noise-sensitive land uses to projected on-site or off-site stationary source noise levels in excess of the applicable County noise standards the County shall require an acoustical analysis to be performed prior to the approval of such projects. Where acoustical analysis determines that stationary source noise levels would exceed applicable County noise standards at proposed on-site noise sensitive uses, the County shall require the implementation of noise attenuation measures, such as setbacks, sound

barrier walls, or noise berms, as necessary to reduce stationary source noise levels at proposed noise sensitive uses to conform with the applicable County standards.

Notwithstanding the above condition, the following are additional recommended mitigation measure applicable to the specific impact identified for this project.

Prior to Final Map approval, the applicant shall provide a copy of the following documents to Development Services- Planning Division:

a) An updated Acoustical Analysis affirming the applicable recommended noise measures identified in the analysis conducted by Bollard Acoustical Consultants, Inc dated September 17, 2007. Specifically, the study shall also analyze the appropriate noise barrier along the northern portion of the common property line adjacent to Aerometals Inc. necessary to substantially minimize the facility noise to less than significant level. Details of the barrier shall be reflected on the Improvement Plans for the proposed development. Planning Services staff shall review the acoustical study and determine if the appropriate changes have been made to the project to fully mitigate the noise impacts.

b) A draft copy of the disclosure statement detailing the potential operation impacts of the Aerometals Inc. facility to the future residents of the residential subdivision. The document shall be provided for review and approval by the Development Services- Planning Division. A proof of the final disclosure statement shall be provided prior to issuance of any residential building permit for any portion of the subdivision.

35. 32. Loss of Wetlands

- a) ~~Prior to issuance of a grading permit, the wetland delineation completed for the Euer Ranch Carson Creek Phase 2 shall be verified by USACE. After verification, any wetlands that would be lost or disturbed shall be replaced or rehabilitated on a "no net loss" basis in accordance with USACE mitigation guidelines. El Dorado County has also supported the protection of wetlands as specified in the County's General Plan under Objective 7.4.2. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods agreeable to USACE.~~
- b) Prior to issuance of a grading permit, a Stream Bed Alteration Agreement shall be obtained from CDFG, pursuant to §1600 of the California Fish and Game Code, for each stream crossing and any other activities affecting the bed, bank, or associated riparian vegetation of the stream. If required, the project applicant shall coordinate with CDFG in developing appropriate mitigation, and shall abide by the conditions of any executed permits.
- c) Grading activities shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control situation, and the potential discharge of pollutants into drainages.

36. ~~33. Special Status Plants Prior to issuance of a grading permit, habitat on the Euer Ranch that is suitable to support Bogg's Lake hedge hyssop shall be surveyed. If any significant population of this species is found in areas proposed for development, a mitigation plan designed to result in a no-net loss of the species shall be prepared by the project proponent and approved by USFWS. The plan may include measures such as transplantation or revegetation in protected areas on site. Approval of this plan by USFWS and its implementation by the project proponent would reduce impacts to a less than significant level.~~

37. 34. Liquefaction

a) The El Dorado County Department of Transportation (DOT) shall consult with the El Dorado County Planning Department during the grading permit approval process to ensure that earth resources impacts related to development in the Carson Creek Specific Plan area are sufficiently addressed.

b) Prior to the approval of a grading permit for development in the Carson Creek drainage, the applicant shall submit to, and receive approval from, the El Dorado County Department of Transportation (DOT) a soils and geologic hazards report meeting the requirements for such reports provided in the El Dorado County Grading Ordinance. If proposed improvements to the Carson Creek drainage would be located in areas identified as susceptible to soils or geologic hazards, proposed improvements to the Carson Creek drainage shall be designed to prevent failure or damage due to such hazards.

38. 35. Ground Staking

Prior to the issuance of building permits all structures shall be designed in accordance with the Uniform Building Code (UBC), Chapter 23. Although wood frame buildings of no t more, than two stories in height in unincorporated areas are exempt under the California Earthquake Protection Law, structures shall adhere to the design factors presented for UBC Zone 3, as a minimum; Final design standards shall be in accordance with 'the findings of detailed geologic and geotechnical analyses for proposed building sites.

Prior to the approval of subdivision maps in the vicinity of the Mormon Island Fault Zone, a ground acceleration analysis shall be conducted for the Mormon Island Fault Zone. All structures shall be designed in accordance with the ground acceleration analysis for the Mormon Island Fault Zone and the on-site ground accelerations anticipated form the Bear Mountains Fault Zone.

39. 36. Topographic Alteration (Ground Stability & Erosion) Prior to the issuance of grading permits, grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations. These findings all include methods to control soil erosion and ground instability. Some potential methods include:

- a) Uncemented silty soils are prone to erosion. Cut slopes and drainage ways within native material shall be protected from direct exposure to water run off immediately following grading activities. Any cut or fill slopes and their appurtenant drainage facilities shall be designed in accordance with the El Dorado County Grading Ordinance and the Uniform Building Code guidelines. In general, soil slopes shall be no steeper than 2:1 (horizontal to vertical) unless authorized by the Geotechnical Engineer. Slope angles shall be designed to conform to the competence of the material into which they are excavated. Soil erosion and instability may be accelerated due to shearing associated with the Foothills Fault System, and/or Mormon Island Fault Zone.
 - b) Drainage facilities shall be lined as necessary to prevent erosion of the site soils immediately following grading activities.
 - c) During construction, trenches greater than 5 feet in depth shall be shored, sloped back at a 1:1 (horizontal to vertical) slope angle or reviewed for stability by the Geotechnical Engineer in accordance with the Occupational Safety and Health Administration regulations if personnel are to enter the excavations.
 - d) Surface soils may be subject to erosion when excavated and exposed to weathering. Erosion control measures shall be implemented during and after construction ~to conform With National Pollution Discharge Elimination System, Storm Drain Standards and El Dorado County Standards.
 - e) Rainfall shall be collected and channeled into an appropriate collection system designed to receive the runoff, minimize erosion and convey the runoff off-site. Conduits intended to convey drainage water off-site shall be protected with energy dissipating devices as appropriate, and in some areas potentially lined with an impermeable, impact proof material.
 - f) Parking facilities, roadway surfaces, and buildings all have impervious surfaces which concentrate runoff and artificially change existing drainage conditions. Collection systems shall be designed where possible to divert natural drainage away from these structures, to collect water concentrated by these surfaces and to convey water away from the Site in accordance with the National Pollution Discharge Elimination System, Storm Drain Standards and El Dorado County Standards.
40. ~~37.~~ Increased Surface Runoff
- a) Prior to the approval of the first tentative subdivision or parcel map, a condition of approval shall be placed on the tentative map that states prior to the issuance of a grading plan, the project applicant shall submit and obtain approval of final drainage plans by the El Dorado County Department of Transportation. These final drainage plans shall demonstrate that future post-development storm water

discharge levels from the project will remain at existing storm water discharge levels and detention basins will be permanently maintained. The drainage plan shall be prepared by a certified Civil Engineer and shall be in conformance with the El Dorado County Drainage Manual adopted by the Board of Supervisors in March 1995. The project applicant shall form a drainage zone of benefit (ZOB) or other appropriate entity to ensure that all storm water drainage facility maintenance requirements are met. The drainage plans shall include, at a minimum, written text addressing existing conditions, the effects of project improvements all appropriate calculations, a watershed map, potential increases in downstream flows, proposed on-site improvements, and drainage easements, if necessary., to accommodate flows from the site and implementation and maintenance responsibilities. The plan shall address storm drainage during construction and proposed BMPs to reduce erosion and water quality degradation. All on-site drainage facilities shall be constructed to El Dorado County Department of Transportation satisfaction. BMPs shall be implemented throughout the construction process. The following BMPs, or others deemed effective, by the Department of Transportation, will be implemented as necessary and appropriate:

- *Soil Stabilization Practices*

- Straw Mulching
- Hydromulching
- Jute Netting
- Revegetation
- Preservation of Existing Vegetation

- *Sediment Barriers*

- Straw Bale Sediment Barriers
- Filter Fences
- Straw Bale Drop Inlet Sediment Barriers

- *Site Construction Practices*

- Winterization
- Traffic Control
- Dust Control

- *Runoff Control in Slopes/Streets*

- Diversion Dikes
- Diversion Swales
- Sediment Traps

- b) Specific measures shall be identified in the final drainage plans to reduce storm water discharge at the Southern Pacific Railroad bridge (Malby Crossing) at the

site's southern end. These measures shall include detention basins of adequate size to reduce post-development discharge to pre-development levels. Maintenance of the detention basin and drainage facilities shall include periodic inspections (e.g., annual) to ensure facility integrity and debris removal as necessary.

41. 38. 100-Year Flood Event

Prior to the approval of the final map, the applicant shall submit a final drainage plan that clearly identifies the 100-year flood zone following project development to the El Dorado County Department of Transportation for approval. Project development shall not occur in areas within the 100-year flood zone shown in the final drainage plan. The final drainage plan shall be prepared by a registered civil engineer and contain a hydrologic study that outlines the 100-year flood zones associated with the project and proposed flood control measures such as detention basins. Alternatively, 100-year flood protection improvements, approved by the El Dorado County Department of Transportation, can be implemented to allow development in these areas. All storm drainage facilities and embankments shall be designed in compliance with the County Drainage Manual.

42. 39. Short-Term Construction-Related Water Quality Impacts

- a) Prior to issuance of a grading permit, the developer shall obtain from the CVRB a General Construction Activity Storm water Permit under the National Pollutant Discharge Elimination System (NPDES) and comply with all requirements of the permit to minimize pollution of storm water discharges during construction activities.
- b) Prior to issuance of a grading permit, the project applicant shall submit to the El Dorado County Department of Transportation and the Resource Conservation District for review and approval an erosion control program which indicates that proper control of siltation, sedimentation and other pollutants will be implemented per NPDES permit requirements. The erosion control plan shall include BMPs as discussed in mitigation measure 4.10-1, and as follows: sediment basins sediment traps, silt fences, hay bale dikes, gravel construction entrances .maintenance programs, and hydroseeding.

43. 40. Long-Term Water Quality Impacts

- a) On-site detention basins shall be constructed and maintained through the construction period to receive storm water runoff from graded areas to allow capture and settling of sediment prior to discharge to receiving waters. Periodic maintenance of detention basins, Such as debris removal, shall occur on a monthly basis or more frequently as needed to ensure continued effectiveness.
- b) Prior to issuance of a grading permit, the project applicant shall develop a surface water pollution control plan (i.e., parking lot sweeping program and periodic storm drain cleaning) to reduce long-term surface Water quality impacts. Parking lot

sweeping shall occur on a weekly basis and storm drain clearing shall occur semi-annually. The plan shall also include the installation of oil, gas and grease trap separators in the project parking lot. These grease trap separators will be cleaned annually. The project applicant shall develop a financial mechanism, to be approved by the El Dorado County Department of Transportation that ensures the long-term implementation of the program.

44. 44. Archaeological Sites CC-1, CC-2, CC-3, CC-4, CC-5, CC-6 and Archaeological Linear Features CC-LF-1, CC-LF-2, and CC-LF-3

- a) Prior to grading and construction activities, significant cultural resources found on the project site shall be recorded or described in a professional report and submitted to the North Central Information Center at California State University at Sacramento.
- b) During grading and construction activities, the name and telephone number of an El Dorado County-approved, licensed archaeologist shall be available at the project site. In the event a heritage resource is encountered during grading or construction activities, the project applicant shall ensure that all activities will cease in the vicinity of the recovered heritage resource until an archaeologist can examine the find in place and determine its significance. If a find is authenticated, the archaeologist shall determine proper methods of handling the resource(s) for transport and placement in an appropriate repository. Grading and construction activities may resume, after the resource is either, retrieved or found to be not of consequence.

45. 42. School Fees

- a) The project applicant shall pay the commercial school fee of \$0.31 per square foot for the age-restricted residential development.
- b) The project applicant shall reimburse the Latrobe School District for out-of-pocket expenses incurred in planning for school sites within the Carson Creek Specific Plan area before it was age restricted.
- c) The project applicant also shall meet with the Latrobe School District and the El Dorado Union High School. District to renegotiate school fees in the unlikely event that the age restrictions for the Carson Creek Specific Plan area are lifted.

46. 43. ~~General Plan Consistency~~

~~Apply Mitigation Measure "4.12-1" and the following measure: Prior to the approval of the Specific Plan, the applicant shall enter into an Agreement with the affected school districts.~~

47. 44. Law Enforcement

The project applicant shall ensure adequate law enforcement personnel and equipment to serve the Specific Plan area, as demonstrated by one of the following mechanisms:

- a) Prior to the issuance of each building permit, the project applicant will be required to obtain a service letter from the El Dorado County Sheriff's Department identifying that law enforcement staff and equipment are available to serve the proposed land use upon occupancy,
- b) Prior to the issuance of the building permit, the project applicant shall create an assessment district or other mechanism to provide funding to the El Dorado County Sheriff's Department for adequate law enforcement staff and equipment upon occupancy and in the future.

48. 46. Water Consumption

Project impacts cannot be reduced to a less than significant level until the EID procures new water supplies that are sufficient to meet water needs of the proposed Specific Plan at build out in conjunction with existing planned growth, or an alternative public water source is secured. Implementation of the following mitigation measures would reduce potential project impacts on water supply. The project applicant would be required to implement these measures before approval of building permits.

- a) In accordance with EID Policy Statement No. 22, the project applicant shall prepare a Facility Plan Report (FPR) for the proposed project. The FPR shall address the expansion of the water and sewer facilities and the specific fire flow requirements for the phases of the project.
- b) Low-volume and low-flow fixtures shall be installed to reduce water consumption.
- c) Efficient irrigation systems shall be installed to minimize runoff and evaporation and maximize the water that will reach plant roots. One or any combination of the following methods of increasing irrigation efficiency shall be employed: drip irrigation, soil moisture sensors, and automatic irrigation systems. Mulch shall be used extensively in all landscaped areas. Drought resistant and native vegetation shall be used in landscaped areas.

49. ~~47. Work Shed and Barn Areas~~

~~If on-site contamination resulting from the storage and use of hazardous substances within the area of the work shed and barn is discovered during grading or construction, the appropriate local, state, and/or federal agencies shall be contacted. Remediation of any unauthorized release of hazardous substances shall be undertaken in accordance with all existing local, state, and federal regulations/requirements and guidelines established for the treatment of hazardous materials.~~

50. 48. Historic Mining

Prior to the issuance of a grading permit, shallow groundwater and on-site drainage area shall be sampled to determine the potential presence of on-site contamination (mercury, etc.). If contamination is found, the appropriate regulatory agency shall be contacted. If deemed necessary by the appropriate regulatory agency, remediation shall be undertaken in accordance with all existing local, state, and federal regulations/requirements and guidelines established for the treatment of hazardous substances.

51. 49. UTS's

Prior to the issuance of a grading permit, the extent (soil and/or groundwater) of potential on-site contamination resulting from the operation of off-site USTs shall be assessed. Once the extent of contamination has been determined, the appropriate regulatory agency shall be consulted in identifying the responsible party and initiating the development of a remediation program in accordance with all applicable local, state, and federal regulations/requirements and guidelines established for the treatment of hazardous substances.

52. 50. ~~El Dorado Hills CSD Fiscal Impacts~~

~~The developer shall form a Landscaping and Lighting District, or other financing mechanism, to cover maintenance costs for landscaping, lighting, fencing, sound walls, entry monuments, neighborhood parks, open space, and other public or common areas in the Carson Creek Specific Plan area.~~

53. 51. Cumulative Transportation and Circulation Impacts

- a) ~~Widen Latrobe Road from two to four lanes between Golden Foothill Parkway South and Investment Boulevard in order to improve the daily roadway segment LOS to B or better.~~

54. 52. The project applicant shall undertake the following activities to encourage construction of the 30-acre regional park as soon as feasible:

- a) The applicant shall rough grade the regional park site and shall construct a chip-and-seal road to the park site within 60 days of recording of the first final subdivision map for Euer Ranch (Phase 1).
- b) The County intends to form a county- or region-wide financing mechanism such as an El Dorado Hills ("EDH") regional park district or zone of benefit to pay for ongoing regional park maintenance and any improvements, including those noted in subsection d) below. The formation of this funding mechanism is a precondition to the applicant's obligations under subsections c) through h) below,

- c) The Carson Creek Specific Plan Area shall join in the agreed-upon financing mechanism.
 - d) The applicant shall seek to annex the Carson Creek Specific Plan Area into EID in order to obtain the necessary water resources for the regional park; reclaimed water shall be used to the extent feasible to water the ball fields but potable water is necessary for drinking fountains.
 - e) The applicant shall advance funds, or conducting a nexus study for the regional park assessment district or other agreed-upon, formed financing mechanism within 120 days.
 - f) The applicant shall advance funds, within 180 days after the County approves the first tentative map for Phase 2 of the Carson Creek Specific Plan Area, to pay for completing the following:
 - 1) grading 20 acres for ball fields per County specifications;
 - 2) installing chip-and-seal parking area at the regional park;
 - 3) installing potable and reclaimed water lines to the regional park;
 - 4) obtaining EDUs for EID water and/or installing a well- water system;
 - 5) installing shielded sports lighting on 15 acres of ball fields;
 - 6) installing restrooms, bleachers, and concession stands;
 - 7) installing drainage system, irrigation system, and turf on 15 acres of ball fields.
 - g) The applicant's contributions noted above in subsections a), e), and f) shall be considered a loan, which shall be paid back by the assessment district or Other approved financing mechanism, upon the sale of the bonds necessary to construct the facility.
55. 53. The applicant will pay light rail fees in the following circumstances: (1) a region-wide or county-wide, light-rail fee requirement is imposed; (2) before grading permits are issued; and (3) fees shall only apply to units in which no building permit has been issued at the time the light rail fee is imposed. The applicant will receive credit against any fees for any light rail related improvements or land donated to serve light rail.
56. 54. Open channel drainage: The applicant shall minimize the use of culverts and concrete V-ditches and maximize the use of open: unlined and vegetated channels to facilitate removal of pollutants and sediment and to preserve a more natural rural feel to the development. The applicant shall employ best management practices to protect water quality and to minimize erosion in the drainage system. Such practices shall include utilizing grassy swales, open ditches, energy dissipaters, water quality ponds, and grease/oil traps.
- a) Open Space Areas: All drainage in open space corridors shall remain natural, unlined and open. Except as expressly indicated elsewhere in the

specific plan, the applicant will not use culverts in these channels and road crossings shall be bridged.

- b) Within areas designated for residential and industrial use, vegetated open-channel drainage shall be the primary means of accommodating stormwater runoff and existing surface water bodies, in residential areas, where the homes front the streets, site design shall emphasize drainage to open, vegetated channels away from streets and towards the back and side lots. In instances where such drainage is not engineering practicable, drainage towards streets shall utilize gutters, A.C. dikes, rolled curbs, and/or vertical curbs will be utilized. These drainage facilities shall be kept to a minimum and will convey drainage to open channel ditches (1) along collectors and other streets where homes do not front the streets and (2) between lots. Piped drainage facilities shall be kept to a minimum. Open channel ditches shall convey the drainage to natural drainage channels in the open space areas but not before ensuring that water quality standards are maintained through the implementation of best management practices.

57. 54. Roadways in the Carson Creek Specific Plan Area shall be curvilinear and separated from pedestrian pathways that run around, over, under, and between structures. Where feasible cul-de-sacs will be incorporated into circulation system designs. The majority of roads (asphalt portion only) shall be 26 feet or less in width.

Furthermore, the Carson Creek Specific Plan Phase 2 street development standards (asphalt portion only), shall be modified to incorporate the following maximum widths:

- a) One-way streets shall be no more than 18 feet wide:
- b) Two-way streets shall be no more than 24 feet wide:
- c) Minor collectors with less than 350 average daily trips ("ADT") shall be no more than 24 feet wide:
- d) Minor collectors with more than 350 average daily trips ("ADT") shall be no more than 26 feet wide:
- e) Major collectors with homes fronting the street, shall be no more than 30 feet wide;
- f) Major collectors, without homes fronting the street and with less than 350 ADT, shall be no more than 24 feet wide;
- g) Major collectors, without homes fronting the street and with more than 350 ADT, shall be no more than 26 feet wide.

The majority of roads (asphalt portion only) shall be 26 feet or less in width.

Parking bays may be required for emergency parking along collectors and in residential areas where these standards prohibit parking along the streets. The parking bays shall be kept to a minimum and located where topography permits. Street standards are subject to the review of the El Dorado Hills Fire Departments; for public safety reasons, the fire department may require wider roads in some places or turn-arounds, hammerheads, or other measures to facilitate the movement of emergency vehicles.

For the Carson Creek Specific Plan, Phase 1, these road standards will be adopted only if the County finds that the final maps, containing these standards, are consistent with the tentative maps, as required by law.

58. The final Grading/Improvement Plan shall reflect an ultimate pad elevation of 497 feet for Lots 7 and 8 of Village 6B of the Carson Creek Phase 2, Unit 1, subdivision.

The following are the new conditions of approval recommended by the following agencies.

DEPARTMENT OF TRANSPORTATION

PROJECT SPECIFIC CONDITIONS

58. The applicant shall be subject to all applicable Conditions as specified for the Carson Creek Specific Plan as well as any required Mitigation Measures described in the Mitigation Monitoring Checklist for the Carson Creek Specific Plan.
59. The applicant shall provide a striped turn pocket along Golden Foothill Parkway onto Carson Crossing Drive. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
60. The applicant shall provide left turn pockets for the first and fourth residential street intersections and Carson Crossing Drive. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
61. The applicant shall provide a minimum 20-foot break in the landscaped median at the intersection with the second and third residential street intersections and Carson Crossing Drive for fire access. These streets shall be emergency exists with right out exits only. No left turn signage shall be provided at said intersections. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.

62. All roads shall be constructed in conformance with the Carson Creek Specific Plan and the Design and Improvements Standard Manual as noted in the table below. The applicant shall provide a non-exclusive road and public utility easement (R&PUE) for onsite roadways as listed in the table and 60ft wide radius R&PUE for any cul-de-sac. Sidewalk widths for cross sections provided in the table can be found on the exhibit dated October 18, 2007 provided by CTA. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.

Road Name	Section	Right of Way Width	Pavement Width	Design Speed Limits	Exceptions/Notes
Residential Street I	A-A, B-B, & C-C	40' R/W plus utility easements	24ft travel way	25 MPH	Type 1 rolled curb & gutter on both sides, plus either none, one, or two 4ft sidewalks
Residential Street II	D-D & E-E	64' R/W (44' R/W-section E-E) plus utility easements	24ft travel way	25 MPH	Type 1 rolled curb & gutter on both sides, open swale drainage on both sides, plus one or two 6ft sidewalks
Residential Collector	F-F	64' R/W plus utility easements	26ft travel way	25 MPH	Type 2 vertical curb & gutter on one side and type 1 rolled curb & gutter on the other (sidewalk) side, open swale drainage on both sides, plus one 6ft detached sidewalk
Residential Collector Entry Road (Village 8)	G-G	100' TO 80' R/W plus utility easements	36ft (2-18ft lanes) travel way, landscaped median (width varies), open swale drainage	25 MPH	Type 2 vertical curb & gutter on both sides, open swale drainage on both sides, plus one 6ft detached sidewalk
Residential Collector Secondary Entry Road (Village 8)	H-H & I-I	80' R/W plus utility easements	36ft (2-18ft lanes) travel way, landscaped median (width varies), open swale drainage	25 MPH	Type 2 vertical curb & gutter on both sides, open swale drainage on both sides, plus one 6ft detached sidewalk
Residential Collector Entry Road (Village 6B)	J-J & K-K	100' TO 50' R/W plus utility easements	Transition 36ft (2-18ft lanes) to 24ft (2-12ft lanes) travel way, landscaped median (width varies), open swale drainage	25 MPH	Type 2 vertical curb & gutter on both sides, open swale drainage on both sides, plus two 6ft detached sidewalks
Residential	L-L	56' R/W	36ft (2-12ft lanes)	25	Type 1 rolled curb & gutter on both sides, open

Collector Secondary Entry Road (Village 6B)		plus utility easements	travel way, landscaped median (width varies), open swale drainage	MPH	swale drainage on both sides, plus one 4ft detached sidewalk
Existing Carson Crossing Drive (Transition Section)	M-M Sta. 28+00 to Sta. 30+60 (+/- 50 feet)	Existing 72' R/W	Existing 64ft pavement width plus utility/ slope easements - Transition from four lane to two lane travel ways, stripe median (width varies)	40 MPH	Existing Type 2 vertical curb & gutter w/ 6ft attached sidewalk one side only and bike lane on both sides. Transition length to be determined by traffic engineer.
Carson Crossing Drive (Channelization Section)	N-N Sta. 30+60 (+/-50 feet) to Sta.33+10 (+/- 50 feet)	80' R/W plus 10-foot landscape and public service easements (in Lot G)	Transition 46ft (2- 23ft lanes) to 36ft (2-18ft lanes) travel way (4ft bike lanes on both sides), control line/ roadway channelization 7.5ft to the centerline of the 80' R/W, landscaped median (width varies)	40 MPH	Transition from Type 2 vertical curb & gutter to roadside ditch w/ 6ft attached sidewalk on one side. Channelization length to be determined by traffic engineer.
Carson Crossing Drive	O-O & P-P	80' R/W plus 10-foot landscape and public service easements (in Lot G)	36ft (2-18ft lanes) travel way with 2-2' benches on either side of travel way (4ft bike lanes on both sides), landscaped median (width varies),	40 MPH	Roadside ditch w/ 6ft detached sidewalk on one side

			roadside drainage ditch on both sides		
Carson Crossing Drive	Q-Q	80' R/W plus utility/slope easements	36ft (2-18ft lanes) travel way with 2-2' benches on either side of travel way (4ft bike lanes on both sides), landscaped median (width varies), roadside drainage ditch on both sides, 14ft pedestrian path/ access road	40 MPH	Roadside ditch w/ 6ft detached sidewalk on one side and 14ft access/ pedestrian path (8ft asphalt paved w/ 2-3ft AB shoulders)

Notes:

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

Curb face for rolled curb and gutter is considered as 6' from the back of the curb.

63. All curb returns, at pedestrian crossing, shall include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp.
64. The County shall accept the offer of Carson Crossing drive and it is in the County maintenance program. Therefore, remove requirement for maintenance by a CSAZOB or appropriate entity with the filing of the final map.
65. The applicant shall irrevocably offer to dedicate the ROW as shown on the tentative map dated November 2007 (January 2008) with the filing of the final map. This offer will be rejected by the County.
66. Prior to filing of final map, the applicant shall join or form a drainage zone of benefit or other appropriate entity to ensure that all storm water drainage facility maintenance requirements are met.

STANDARD CONDITIONS

67. The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
68. All curb returns, at pedestrian crossing, shall include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp.
69. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Major Land Division Ordinance, prior to filing the final map.
70. The construction of all required improvements shall be completed with the presentation of the final map to the Planning Director 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, 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.
71. The final map shall show all utility, road and drainage easements per 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.

72. A final drainage study shall be prepared by the project proponent and submitted with the subdivision grading and improvement plans to the approval/satisfaction of the Department of Transportation. All drainage facilities identified in the drainage study shall be included in the subdivision grading and improvement plans.
73. Cross lot drainage shall be avoided. When cross lot drainage does occur, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway.
74. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.
75. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
76. All outside agency permit numbers shall be placed on the improvement plan set prior to approval of improvement plans.
77. The applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations.
78. Grading plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. The County shall issue no building permits until the Department of Transportation approves the final grading and erosion control plans and the grading is completed.
79. If the project disturbs more than one acre of land area (43,560 square feet), the Developer shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A notice of Intent form, the appropriate fee, and a location map are required for this filing. A copy of the Application shall be submitted to the County with two (2) copies of the Storm Water Pollution Prevention

Plan (SWPPP), prior to building permit issuance, and by state law must be done prior to commencing construction

80. The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
81. Turnarounds shall be constructed at any proposed entry gates within this subdivision and the design are subject to the review and approval by the Department of Transportation at the improvement plan stage.
82. The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).
83. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
84. The applicant shall pay the traffic impact fees in effect at the time a building application is deemed complete.

EL DORADO HILLS FIRE DEPARTMENT

85. The potable water system for the purpose of the fire protection for this residential development shall provide a minimum fire flow of 1,500 gpm with a minimum residual pressure of 20 psi for 2-hour duration. This equipment is based on a single-family dwelling 4,800 square feet or less in size. Any home larger than 4,800 square feet shall be required to provide the fire flow for the square footage of that dwelling or shall be required to provide the fire flow for the square footage of that dwelling or shall be fire sprinklered in accordance with NFPA 13D and Fire Department requirements. This fire flow shall be in excess of the maximum daily consumption rate of this development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval.
86. 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 spacing between hydrants in this development shall not exceed 500 feet. The exact location of each hydrant shall be determined by the Fire Department.

87. To enhance nighttime visibility, each hydrant shall be painted with safety white and marked in the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations.
88. In order to provide this development with adequate fire and emergency medical response during construction, 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.
89. Prior to Final Map approval, the applicant shall submit a Wildland Fire Safe Plan, subject to review and approval by the Fire Department. Specifically, the Plan shall include provisions for type, dimension, and location of gates and fencing for lots along Wildland Open Space.
90. This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump section of roadway.
91. The final design and configuration for the all primary and secondary emergency access gate entries located along Carson Crossing Drive shall be submitted to the department for review and approval at the time of Improvement Plans and Final Map process.

EL DORADO HILLS COMMUNITY SERVICES DISTRICT (EDH CSD)

92. Parkland Dedication requirements are triggered for subdivision projects with 50 or more residential units. Based on 3.3 persons per household and in accordance with Quimby Act, the District require 5.0 acre of parkland to be dedicated (302 residential units x 3.3 persons/household (residential unit) x 5 acres/ 1,000 persons). Carson Creek Phase 2, Unit 1 subdivision includes "Lot X", measuring 4.9 acres, identified to be a private recreation facility. The District would provide up to 50 percent park credit for private facilities, totaling 2.5 acre credit against the 5.0 required parkland acres. The balance of 2.5 acres will be made up in in-lieu Quimby fees, or request of park land, which are calculated using the equivalent value of finished in-project acres. This is determined through a formal appraisal process or through mutual agreement with the District and Developer. In-lieu fees shall be due and payable in full upon recording of final map.
93. The proposed multi-use trails shall be maintained by a new Homeowners Association (HOA) or through a Landscape Lighting Assessment District (LLAD) in coordination with the CSD. Evidence of a dedicated funding mechanism for trail maintenance is required prior to filing the first final map.
94. The applicant shall coordinate with CSD on the trail design and approval. The open space trails shall remain open to public and not gated. The trails will connect to the existing trail system to the North (Euer Ranch-Four Seasons) and will continue through to the future southern portions of the Carson Creek Specific Plan.

95. The project shall grant an Irrevocable Offer of Dedication through the open space area for trails to the El Dorado Hills Community Services District upon recording of the final map.
96. Prior to recordation of the first final map, the applicant shall coordinate with the District in forming a shell Landscaping and Lighting Assessment District (LLAD). The LLAD shall function as back-up funding mechanism to the Carson Creek Homeowner's Association for the maintenance and operation of landscaping, streetscape, lighting, fencing, trails, walkways, signage, soundwalls, entry, monuments, private recreation facilities and other common or public areas.
97. Payment of applicable Park Impact Fees shall be remitted to the District at the time of building permit issuance.
98. Street lights shall be installed at the primary and secondary access gate intersections. All streetlights shall comply with dark sky standards.
99. Bicycle lanes along Carson Crossing Road shall be Class II, striped and signed appropriately. All other bicycle lanes within the project shall be Class I.

COUNTY SURVEYOR

100. All survey monuments must be set prior to the representation of the final map to the Board of Supervisors for approval, or the developer shall a surety of work to be done by bond or cash deposit. Verification of set survey monuments, or amount of bond or deposit to coordinated with the County Surveyor's Office.
101. The roads serving the development shall be named by filing a completed Road Name Petition with the County Surveyor's Office prior to filing the Final Map.

The action today can be appealed to the Board of Supervisors within ten working days.

12. REZONE/PLANNED DEVELOPMENT/TENTATIVE SUBDIVISION MAP
(Public Hearing)

Z06-0011/PD06-0011/TM06-1412/Marble Valley Ridge Estates submitted by MARBLE VALLEY RIDGE LLC (Engineer: CTA Engineering) to rezone 4.39 acres from One-family Residential (R1) and 10.2 acres of Open Space (OS) to 2.77 acres of One-half Acre Residential-Planned Development (R20,000-PD) and 11.82 acres to Open Space-Planned Development (OS-PD); development plan for building envelopes on each single-family parcel of: 10,960 square feet on Parcel 1; 10,388 square feet on Parcel 2; and 7,450 square feet on Parcel 3. Design waivers have been requested to eliminate a 100-foot road frontage requirement and provide public and private road access to proposed Open Space Lot A via driveway easements and to allow Parcel 3 to have a lot configuration in excess of the 3:1 lot width to depth ratio. The properties, identified by Assessor's Parcel Numbers 119-310-39 and 119-320-06, consisting of 14.59 acres, are located on the south side of U. S. Highway 50, approximately 1,500 feet west of

the Cambridge Road interchange, in the **Cameron Park Community Region**, Supervisorial District II. (Mitigated negative declaration prepared)

Pierre Rivas recommended conditional approval to the Board of Supervisors. Using a copy of the tentative map, Mr. Rivas explained the rezone proposal.

Commissioner Mathews asked if they are public or private easements. Mr. Rivas replied public. The only private easement serves Parcel 1 at the end of the cul-de-sac. Commissioner Mac Cready felt it was unfair to have three lots pay for maintenance of the road.

Karen Massy, Cooper, Thorne & Associates, proposed several modifications to the conditions (1 and 6). On Condition 8, they want to make sure they fall under any new oak guidelines. Paula Frantz, County Counsel, recommended deletion of the first sentence in Condition 8.

There was no one else wishing to give input.

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER MATHEWS AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS ADOPT THE MITIGATED NEGATIVE DECLARATION, AS PREPARED; APPROVE Z06-0011/PD06-0011 REZONING 4.39 ACRES FROM ONE-FAMILY RESIDENTIAL (R1) AND 10.2 ACRES OF OPEN SPACE (OS) TO 2.77 ACRES OF ONE-HALF ACRE RESIDENTIAL-PLANNED DEVELOPMENT (R20,000-PD) AND 11.82 ACRES TO OPEN SPACE-PLANNED DEVELOPMENT (OS-PD), ADOPTING THE DEVELOPMENT PLAN AS THE OFFICIAL DEVELOPMENT PLAN, BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED; AND APPROVE TM06-1412 BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1.0 CEQA FINDINGS

1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the County, has been completed in compliance with CEQA, and is adequate for this project.

1.2 The Initial Study identifies that this project proposes a less than significant impact on the environment with specific mitigation outlined within the Biological Resources, Cultural Resources, Land Use/Planning, and Noise categories. By including mitigation for these two categories, the effects on the Mandatory Findings of Significance section are also reduced below a level of significance for this project.

1.3 The documents and other materials, which constitute the record of proceedings upon which this decision is based, are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA 95667.

1.4 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 REZONE FINDING

2.1. *That the rezone is consistent with the adopted 2004 General Plan Land Use Designation and the policies of the General Plan.*

The rezone changes 4.39 acres of One-Family Residential (R1) and 10.2 acres of Open Space (OS) of the 14.59 acre lot to 2.77 acres of One-Half Acre Residential-Planned Development (R20,000-PD) and 11.82 acres of Open Space-Planned Development (OS-PD). The Development Plan that has been developed for this project provides a design of larger parcels in the least sensitive parts of the property and maintains a large proportion (over 30 percent) as common area open space, which meets the PD requirements for residential projects. The open space would be restricted from future residential development in perpetuity as non-developable open space and would be maintained by a Home Owners Association. General Plan *Policy 2.2.5.19* allows the County to consider development below the density contemplated by the High Density Residential (HDR) General Plan land use designation because development of the project on this site would not affect the County's ability to meet its affordable housing obligations under State Law. Given the sit's constraints, the request for three single-family residential detached homes and one large open space lot is the most appropriate proposal for the property. More intense residential uses would not be appropriate based on overall site constraints, access, and the location of the project site within an existing single-family residential subdivision. This project also meets applicable policies outlined by the General Plan including those for public access and services, public utilities, improvements that will be necessary for this project, noise attenuations, removal and replacement, and retention of oak woodland tree canopy, protection of special-status plant and animal species, protection of slopes, and protection of cultural resources in compliance with the policies established by the General Plan.

3.0 PLANNED DEVELOPMENT FINDINGS

3.1 *That the Development Plan is consistent with the General Plan.*

As proposed, the Development Plan and necessary improvements are consistent with the policies and land use designation of the adopted 2004 General Plan. The project provides a creative solution to provide the density that was approved but not built for the Cambridge Oaks Unit 3 tentative parcel map. It also preserves open space. The project and the Development Plan would provide consistency with the zoning and land use designation, in that the 4.39 acres that is currently zoned for residential would be reduced to 2.77 acres to allow for residential development. The Development Plan provides adequate site areas on each of the three new parcels and specific improvements for driveway connections over driveway easements, an

improvement to an existing berm, proper building envelopes and building setbacks, and general site design which address the policies required by the General Plan. The Design waivers would allow for consideration of parcel 3 which exceeds the 3:1 lot width to depth ratio and reduction of the road frontage. No other deviations have been requested. The driveways would all be established as easements over the Open Space Lot A and maintenance of which would be set forth in project CC&Rs. The CC&Rs would also maintain other project specific elements including, but not limited to, oak replacement (if any) for the project.

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

This project provides more than 30 percent common open space as required for a residential PD project. The 11.82 acres that that will be designated as Open Space Lot A would be maintained in perpetuity. Because the driveways are to be dedicated easements, the 0.85 acres that would be dedicated would provide continued accessibility for both the new residential parcels as well as the public. The driveways would be a combined public and private benefit that would be maintained for accessibility into the open space area and for the residences.

The location of the proposed new homes on larger lots and the impacts necessary for improvements associated with this project maintains and protects site resources. The project also promotes a balance between the new residences, the new open space Lot A and the existing Cambridge Oaks Unit 3 residential subdivision, as well as US Highway 50 located on the north. Protection for oak canopy includes impacts to only 0.36 acres of the existing 9.4 acre of the canopy on-site. The project would retain 9.04 acres of the canopy and would replace canopy in appropriate areas (if necessary), while siting homes in a sensitive manner to protect the remaining oak trees. Protected slopes 30 percent and steeper would not be affected because only isolated and very small areas of 30 percent slope may be affected. Such slopes are not part of a larger slope system and are not located on a ridgeline. Impacts to isolated and insignificant slopes will not create an inconsistency. As part of a future Site Plan Review (SPR) process required for each of the new residential parcels, minor adjustments could be made should these slopes necessitate preservation. Wetlands, special status plant and animal species would be protected with this project.

3.3 *That any exception to the standard requirements of the zone regulations are justified by the design or existing topography.*

Based on the information that has been provided, the project meets all of the required zoning requirements for lot size, setbacks, and other specifics associated to the creation of three residential single-family and one open space parcel. Because a requirement of this project is to process a Site Plan Review (SPR) prior to issuance of building permits for individual residential lot development, a subsequent review shall be made for zoning ordinance regulations, and more specifically based on the PD criteria established for this project. The project requests only one deviation from lot design standards for parcel 3 in that it is in excess of the allowed 3:1 lot width to depth ratio. The PD allows a project to make such a request. With the establishment of a large public benefit open space lot, the request can be justified.

3.4 *The site is physically suited for the proposed use.*

This property is located within the Cameron Park Community Region and is part of the Cambridge Oaks Unit 3 subdivision. That subdivision was originally approved with a 10.2 acre Open Space Lot A and 61 residential lots; however, during processing of the maps the lots were reconfigured and only 57 residential units were constructed. The remaining area designated for residential development was set aside. This project proposes to correct the isolated area of R1 residential zoning that was created by that project. The site is largely undeveloped, but there are areas of the property that are suitable for the type of large lot single-family residential development that is proposed. As designed, the project would fit on the new parcels and would blend with the site. Sensitive site resources would be protected. The site is physically suitable for the type of uses proposed.

3.5 *That adequate services are available for the proposed uses, including but not limited to, water supply, sewage disposal, roads, and utilities.*

Adequate public services are available or will be provided as conditioned by installation of driveway and encroachments, water and wastewater line extension (or in-lieu fees), and fire suppression facilities and improvements such as two fire hydrants and through driveway connections between the three residential parcels over Open Space Lot A. Adequate fire and police protection, parks and recreational opportunities, as well as schools exist in the area. These public services will be available for this planned development.

3.6 *That the proposed uses do not significantly detract from the natural and scenic values of the site.*

This project protects sensitive site resources and appropriately places development on the project site. The site is physically suitable for the type of development proposed, in that it places the Open Space Lot between the residences and the adjacent US Highway 50. Existing berms would be improved to further screen and separate the residences and the freeway. The areas that would be developed are the least sensitive and areas that are most sensitive would be retained and maintained as open space, in perpetuity. The project would not significantly detract from, and would visually blend with the natural and scenic values of the site, as well as with the general area.

4.0 TENTATIVE MAP FINDINGS

4.1 *The proposed tentative map, including design and improvements, is consistent with the General Plan.*

All necessary improvements have been considered by the reviewing disciplines in order to determine that this tentative map, including design and improvements, is consistent with the policies of the General Plan. The General Plan HDR land use designation allows a maximum density of one to five units per acre. However, *Policy 2.2.5.19* allows the County to consider development below the density because it would not affect the County's ability to meet its affordable housing requirements. The tentative map proposes to subdivide 2.77 acres of the

property into three single family residential parcels, while maintaining 11.82 acres as Open Space Lot A. Each of the new parcels would have permanent access over driveway easements serving each residential parcel. These driveway easements would also be available for public access to open space lot.

As part of the project, infrastructure including driveway improvements, water and wastewater utility improvements, connections to the El Dorado Irrigation District (EID) system, fire hydrants and adequate water pressure will be provided. With the mitigation and conditions that have been established for this project, the impacts have been assessed and it has been found that there will be minimal impacts or effects associated with this project. The project will implement County grading and drainage standards to ensure proper grading and improvements area included in the final design.

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

The rezone changes 4.39 acres of One-Family Residential (R1) and 10.2 acres of Open Space (OS) of the 14.59 acre lot to 2.77 acres of One-Half Acre Residential-Planned Development (R20,000-PD) and 11.82 acres of Open Space-Planned Development (OS-PD). The Development Plan that has been developed for this project provides a design of larger parcels in the least sensitive parts of the property and maintains a large proportion, over 30 percent, as open space as required for a residential PD project. Design waivers being requested for the project to establish parcels without road frontage and allow Parcel 3 to exceeding the 3:1 lot width to depth ratio standard. This would allow for a traditional residential parcel design and provide public and private benefit via easements to open space and private parcels. Maintenance responsibilities for the easement would be set forth CC&Rs to be developed for this project. Additional review for development regulations established by the zoning ordinance, as well as conformity with the PD specifics would be made as part of a future Site Plan Review (SPR) process required for each residential parcel to be conducted prior to issuance of building permits. All grading, drainage, and improvements shall be designed to meet the County standards during the review of final grading plans. As such, the project conforms to the standards and requirements of the County's Zoning Ordinance and Minor Land Division Ordinance.

4.3 *The site is physically suitable for the proposed type and densities of development.*

This property is well suited within an established neighborhood and blends with the existing Cambridge Unit 3 subdivision. The project provides larger lot residential development and maintains, in perpetuity, a large proportion of the area as open space. The site has areas that are developable and is physically suitable for the density and type of development that is proposed.

4.4 *The proposed subdivision is not likely to cause substantial environmental damage*

As designed, the Development Plan would locate the single-family lots in the least sensitive portions of the project site; as such, the project will not have a significant impact on the environment. Parcel and driveways improvements will be directed to the least sensitive portions of the property. These areas are generally flat and comprised of little to no resources. A

minimal amount of oak canopy is planned to be removed; replanting may occur (if necessary) based on the plan that has been developed for this project. The impacts to oaks are well below that which is allowed by the General Plan. The project straddles Rare Plant Mitigation Areas 1 and 2; in-lieu fees will be assessed during the building permit review phase. This meets the adopted County policies for related impacts within these areas. Wetlands will be protected, as will special status plant and animal species not covered by the in-lieu fee option.

5.0 DESIGN WAIVER FINDINGS

The Design and Improvements Standards Manual (DISM) requires minimum of 100 feet of road frontage and that lots not exceed a 3 to 1 ratio of the lots width to depth. These requests can be justified based on the following:

4.1 *There are special conditions or circumstances peculiar to the property proposed to be subdivided which would justify the waiver.*

The site is currently comprised of residential and open space zoning on one lot, all of which currently lacks street frontage. The site is accessed three points, two off Crazy Horse Road and one off Crazy Horse Court. However, by allowing driveway easements over the open space lot to access each of the newly proposed parcels, it would allow the creation of more uniform lots. An added benefit for lack of road frontage would be that which is experienced by the private residential property owners. The driveway easements connecting each residential lot to Crazy Horse Road would be set forth in the project CC&Rs. The easements would provide a combined public and private benefit for access into the open space areas. The driveways on the Open Space Lot A would be maintained by CC&Rs, a Homeowners Association or other mechanism, in perpetuity. Parcel 3 exceeds the 3:1 width to depth ratio minimally and not of significance. Parcels 1 and 2 meet the standard.

4.2 *Strict application of the design or improvement requirement of this chapter would cause extraordinary and unnecessary hardship in developing the property.*

The existing parcel does not have 100 feet of road frontage; as such, it is impossible to provide the required 100 foot of road frontage for the new parcels. There will be extraordinary or unnecessary hardships in requiring 100 feet of road frontage because the maintenance responsibilities for such large sections of driveway would be that of individual property owners. Maintenance responsibilities will be identified in the CC&Rs and implemented by a Homeowners Association or other mechanism.

4.3 *The adjustment or waiver(s) would not be injurious to adjacent properties or detrimental to the health, safety, convenience, and welfare of the public.*

There would be an added benefit of this project in the creation and improvement of driveways that would provide better circulation for emergency vehicles. The waivers would not change any of the circumstances of the property and would promote public safety, emergency vehicle, and pedestrian circulation. There would be no detriment to the public health, safety, convenience, or well being.

4.4 *The waiver(s) would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.*

Justification of the requested design waivers can be made and this decision would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.

Conditions

Project Description

1. This rezone, development plan, and tentative map is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits A-N dated ~~January 10~~ February 14, 2008, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for substantial 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:

Rezone a 14.59 acre parcel containing 4.39 acres of One-Family Residential (R1) and 10.2 acres of Open Space (OS) to 2.77 acres of One-Half Acre Residential-Planned Development (R20,000-PD) and 11.82 acres of Open Space-Planned Development (OS-PD). A tentative map and Development Plan to subdivide the 2.77 acres zoned for residential into three single-family residential parcels ranging in size from 0.86 to 0.98 acres; building envelopes and setbacks are identified on the tentative map. Parcel 1 shall, at a minimum, provide 10 foot side yard setbacks. Parcels 2 and 3 shall provide, at a minimum, 20 foot front and rear yard setbacks. Building envelopes of 10,960 square feet, 10,388 square feet, and 7,450 square feet have been provided on Parcels 1-3, respectively. Proposed Open Space Lot A would be reconfigured, increased in size to include 11.82 acres, and designated non-developable for residential uses to be maintained by a Homeowners Association or other mechanism, in perpetuity. Several alternatives exist for providing water service to the site. Due to the small size of the project and nominal effect of adding three additional single family units to the EID system, the applicant and EID have agreed contribution of fees toward payment of Alternative #2 is the preferred option. As such, the applicant shall pay \$26,940 to EID (in lieu of the improvements) in addition to the Facilities Capacity Charges for the water meter award letter. The in-lieu payment is based on a 10 percent estimated cost to install Alternative #2 and would contribute to the required connection to be constructed by the approved Protzel Tentative Map TM05-1403 and/or proposed Porter Tentative Map TM07-1438, whichever occurs first.

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 substantially conform to the project description above, tentative map, approved hearing exhibits, and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in substantial compliance with this project description, the tentative map, 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.

CONDITIONS FROM THE MITIGATED NEGATIVE DECLARATION

All mitigation measures listed in this section shall be placed as a note on all grading and/or improvement plan sets.

2. **MM Bio-1:** Prior to the issuance of building permits, the applicant shall pay the Rare Plant Mitigation Area 1 in-lieu fee for Parcels 2 and 3 and Rare Plant Mitigation Area 2 in-lieu fee for Parcel 1. The in-lieu fee shall be based upon the fee that is in place at the time of building permit issuance and shall be made to offset impacts within these mitigation areas based on adopted County policies.

Timing/Implementation: *Prior to issuance of building permits*

Enforcement/Monitoring: *El Dorado County Planning*

3. **MM Bio-2:** All grading, improvement, and building plans shall state: "It is the applicant and contractor's responsibility to comply with all applicable state and federal laws and regulations including the Federal and State Endangered Species Acts and the Clean Water Act for all on and/or off-site impacts. The County Grading Permit does not authorize Contractor to conduct activities not permitted by applicable State and Federal agencies in areas subject to State and Federal jurisdiction."

Timing/Implementation: *Prior to issuance of grading and building permits*

Enforcement/Monitoring: *El Dorado County Planning*

4. **MM Bio-3:** Prior to initiation of the proposed grading or construction activities, a qualified biologist must conduct a site survey during the blooming season (May through June) and provide a report to Planning Services to determine the existence of Stebbins false bindweed. The survey shall be conducted for areas identified for development footprint, which includes the areas necessary for pad development and driveway improvements.

If no such species is found, no further measures shall be necessary.

- a. If such species are found within identified development areas and not planned for removal, the applicant shall obtain a letter from a qualified biologist providing

recommendations for protection of such species, including, but not limited to, installation of habitat and/or biological protection fencing (or similar) to protect and buffer such species from impacts.

- b. If such species are found within identified development areas and would be removed, consultations and approvals for such take must be made by the California Department of Fish and Game and/or the US Fish and Wildlife Services. A copy of any incidental take permits for related impacts (or similar acknowledgement) must be provided to Planning Services to place in the project file.

Timing/Implementation *Prior to initiation of grading or construction or activities*

Enforcement/Monitoring *El Dorado County Planning*

5. **MM Bio-4:** 30 days prior to initiation of any proposed grading or construction activities to occur within the nesting period of Cooper's Hawk and raptors (March 1st through August 31st), and While-tailed kite (February to October) a qualified biologist shall conduct a site survey and provide a report to Planning Services to determine the existence of such species.
 - a. If no active nests are found, no further measures shall be necessary.
 - b. If an active nest is found within 200 feet of an area identified for development, a qualified biologist shall record the location(s) on a site map.
 - c. If the species is listed under the Federal or State Endangered Species Act, the appropriate federal or state agency shall be contacted for guidance.
 - d. If the species is not federally or state listed but protected under the federal Migratory Bird Treaty Act of 1918, a qualified biologist shall establish a minimum 100 foot buffer (Environmentally Sensitive Area) around the nest tree.
 - e. The biologist shall delimit the buffer zone with yellow caution tape, surveyor's flagging, pin flags, and/stakes, etc. The buffer zone shall be maintained until the young have fledged. Construction activities shall not occur within 100 foot of a nest tree while young are in the nest.
 - f. The biologist shall monitor the nest weekly during construction to evaluate potential disturbance caused by construction activities. The biological monitor shall have the authority to stop construction if the nesting birds appear to be adversely affected by construction activities.

Timing/Implementation: *Prior to initiation of grading or construction or activities*

Enforcement/Monitoring: El Dorado County Planning

6. **MM Bio-5:** Prior to initiation of any proposed grading or construction activities, a qualified biologist shall review the grading plans and submit a report to Planning Services identifying potential impact to on-site aquatic habitat, if any.
 - a. If not impact are identified, no further measures shall be necessary.
 - b. If impacts are identified, twenty-four hours prior to initiation of grading or construction activities, a qualified biologist shall conduct a preconstruction survey of on-site aquatic habitat to be impacted for foothill yellow-legged frog and northwestern pond turtle and submit a report to Planning Services. If no such species are found, no further measures shall be necessary.
 - c. In the event foothill yellow-legged frog and/or northwestern pond turtle are found in areas of on-site aquatic habitat to be impacted, a qualified biologist shall provide a recommendation for relocation, shall relocate said species, and shall be present during all clearing and grubbing activities to occur within the impacted aquatic habitat. All foothill yellow-legged frog and northwestern pond turtle found during clearing and grubbing shall be relocated based on the recommendations of the biologist.

Timing/Implementation: Prior to clearing and grubbing

Enforcement/Monitoring: El Dorado County Planning

7. **MM Bio-6:** The applicant shall identify a 100 foot buffer from the edge of the pond located along the eastern property line and from the edge of the stream bank that flows in a southwesterly direction along the northwest corner of the project site, as well as a 50 foot buffer from the edge of the intermittent wetland located midway along the northern property line. The identification shall be made on the final map, Site Plan Review, grading, improvement, and building plans.
 - a. Grading and construction activities shall not occur within the identified 100 foot buffers unless the applicant submits a letter prepared by a qualified biologist that states the specified encroachment would not result in any impacts to riparian habitat and/or wetlands.
 - b. Although not preferred or anticipated, should EID Alternative #1 improvements be required under US Highway 50 to connect to the EID water line located within Country Club Drive construction can only occur utilizing the jack and bore method previously approved and analyzed. Unless the applicant submits a letter prepared by a qualified biologist that states the specified encroachment would not result in any impacts to riparian habitat and/or wetlands, construction of

improvements must begin and end outside of the identified 50 foot buffer and must remain 5 to 10 feet below the existing surface grade.

- c. Driveway improvements within the identified 50 foot buffer shall not encroach north (but can encroach south) of the existing driveway footprint unless the applicant submits a letter prepared by a qualified biologist that states the specific encroachment would not result in any impacts to riparian habitat and/or wetlands.

Timing/Implementation: Prior to filling the final map, Site Plan Review (SPR), grading, improvement, and/or building plans approvals

Enforcement/Monitoring: El Dorado County Planning

8. **MM Bio-7:** ~~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 anyone of the following options will reduce impacts to a less than significant level:~~

- a. 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.
- b. 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.
- c. Acquisition of an off-site conservation easement covering property with healthy oak woodland canopy area of 0.36 acres, equivalent to 100 percent of the oak canopy area proposed to be removed by the project. 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.

Timing/Implementation: Prior to approvals of grading permits

Monitoring/Enforcement: El Dorado County Planning

9. **MM Bio-8:** If option a. above is utilized, the applicant shall provide an update letter to be prepared by a qualified professional about the health and progress of the re-planted oak saplings and/or oak acorns for this project.

Timing/Implementation: Prior to issuance of occupancy permits

Monitoring/Enforcement: El Dorado County Planning

10. **MM Bio-9:** If option a. above is utilized, Covenants, Conditions, and Restrictions (CC&Rs) shall be established and recorded for this project that would, in part, ensure the survival of replanted oaks by requiring that each property owner share equally in the responsibility in the long term monitoring and maintenance of replanted oaks. The CC&Rs shall require that the property owners coordinate a one year, three years, five years, and ten year monitoring survey to be prepared by a qualified professional for both oak and saplings that would be replaced, as well as a similar fifteen year survey update for acorns. In the event that the re-planted saplings or acorns not survive, they shall be replaced (at the sole and equally shared cost of each property owner) based on County adopted policies and standards, and based on the input of a qualified professional.

Timing/Implementation: Prior to issuance of building permits, occupancy permits, and on-going

Monitoring/Enforcement: El Dorado County Planning

11. **MM Cultural-1:** The applicant shall consult with Planning Services to coordinate the placement of a non-building buffer on the final map, Site Plan Review (SPR), grading, improvement, and/or building plans, based on the recommendations of the Cultural Resources Study. Planning Services staff shall review such plans and study to ensure the proper placement of the non-building buffer is made, to be labeled 'non-building buffer.'

Timing/Implementation: Prior to issuance of final map, Site Plan Review (SPR), grading, improvement, and/or building plans

Monitoring/Enforcement: El Dorado County Planning

12. **M Land Use-1:** The applicant shall submit a Site Plan Review (SPR) application for each of the newly created residential parcels to determine consistency with the approved rezone, tentative parcel map, and Planned Development (PD) application. The consistency determination shall be made based upon review of the tentative map, project exhibits, conditions of approval, mitigation measures, ordinances, and policies applicable at the time of the SPR review.

Timing/Implementation: *Prior to issuance of building permits*

Monitoring/Enforcement: *El Dorado County Planning*

13. **MM Noise-1:** The backyard area Parcel 1 shall be located at the furthest distance possible away from U.S. Highway 50 and the proposed residence shall be sited between US Highway 50 and the backyard areas. At no time, shall backyard areas including, but not limited to, grassy or play areas, balconies, patios, and/or decks be located between US Highway 50 and the residential structure.

Timing/Implementation: *Prior to SPR approval*

Monitoring/Enforcement: *El Dorado County Planning*

14. **M Noise-2:** Prior to the issuance of building permits on Parcels 2 and 3, the applicant shall illustrate the use of a minimum Sound Transmission Class rating 32 for all second story bedroom windows. Parcel 1 shall require such treatments on all stories. Balconies, patios, and decks on Parcels 2 and 3 shall only be allowed behind and below the berm.

Timing/Implementation: *Prior to issuance of building permits*

Monitoring/Enforcement: *El Dorado County Planning*

15. **MM Noise-3:** Prior to the issuance of building permits on Parcels 1, 2, and 3, the applicant shall illustrate central air and heating units will be installed to allow occupants to close doors and windows as desired to achieve compliance with applicable interior noise level criteria.

Timing/Implementation: *Prior to issuance of building permits*

Monitoring/Enforcement: *El Dorado County Planning*

Planning

16. 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.

- 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.
17. This tentative map shall expire within 36 months from the date of approval unless a timely extension has been filed.
 18. The applicant shall make the actual and full payment of planning processing fees for the rezone, planned development, and tentative map application prior to the County Recorder processing the final map.
 19. Prior to the issuance of building permits, the applicant shall pay Quimby in-lieu fees to Planning Services pursuant to Subdivision Ordinance Section 16.12.090. The applicant 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.
 20. A notice of Restriction on Open Space Lot A shall be filed concurrent with the final map restricting all future residential development activities in perpetuity. With exception to environmental protection and maintenance of the driveways, no future development activities shall be allowed on Open Space Lot A.
 21. Concurrent with the final map recording and prior to the County issuing building permits on any parcel Covenants, Conditions, and Restrictions (CC&Rs) must be established for the project to address, at a minimum, the maintenance of Open Space Lot A, existing and proposed improvements to the berm, oak tree replacement and monitory (if any), driveway easements, and driveway encroachments. Planning Services shall review the Covenants, Conditions, and Restrictions (CC&Rs) to ensure consistency with project mitigation, permit conditions, and county standards.
 22. At the discretion of the Deputy Director of Planning Services, the applicant can request specific encroachments into identified wetland buffers. The applicant shall submit a letter prepared by a qualified biologist that states the specified encroachment would not result in ay impacts to riparian habitat and/or wetlands. Should the report identify impacts, no such encroachments could occur without a Planning Commission decision, at a noticed public hearing with proper CEQA assessments. Fees associated with the processing of a Planning Commission request for such encroachments shall be paid by the applicant.
 23. The Site Plan Review (SPR) on Parcels 1, 2, and 3, shall substantially conform to exhibits labeled 'Noise and Visual Analysis Exhibit Parcels 1-3' and the tentative map for building envelops and established setbacks, location of building pads associated to steep slopes, finished floor elevations, fence lines, backyard areas shielded from noise sources,

- and site line building elevations to US Highway 50. SPRs processing fees shall be based on a deposit and 'Time and Materials Agreement' for reimbursement for County time spent on such reviews.
24. Central air and heating units shall be screened from public view. Roof mounted units shall not be allowed. The location of outdoor equipment associated with central air and heating units shall be shown on the Site Plan Review (SPR) plans and building plans for each parcel.
 25. Propane tanks shall be screened from public view. The location of propane tanks shall be shown on the Site Plan Review (SPR) plans and building plans for each parcel.
 26. Prior to the issuance of building permits, the applicant shall connect to the existing El Dorado Irrigation District (EID) water lines and provide a copy of the meter award letter to Planning Services to be placed in the project file.
 27. Prior to occupancy, the applicant shall connect to the existing El Dorado Irrigation District (EID) 6 inch sewer line located in Crazy Horse Road.
 28. At no time shall gates be installed across the driveway easements for Parcels 1, 2, and 3. The existing gate serving parcel 45 of final map I-107 located across the existing 30 foot wide public utility and driveway easement shall remain. Primary driveway access and gate openers shall be made available to property owners of Parcel 1 of this project, in perpetuity. At no time shall primary driveway access for Parcel 1 occur over and across the primary driveway access for Parcel 2 which connects to Crazy Horse Road.
 29. All fencing shall be designed to meet the County's Fence Ordinance Section 17.14.155. All fencing shall be kept free of graffiti and each individual property owner shall be responsible for meeting this requirement.
 30. Common area lighting is not permitted. All necessary outdoor lighting shall be designed to meet the County's Lighting Ordinance Section 17.14.170.
 31. For Parcels 1, 2, and 3, the CC&Rs shall contain a provision regulating refuse and recycling materials and storage. Such storage shall occur out of public view and shall only be located curbside on trash/recycling pick-up days.
 32. Prior to the approval of occupancy permits for each parcel, the applicant shall schedule an inspection with Planning Services for verification of compliance with applicable conditions of approval numbered 19 thru 33. The applicant shall provide evidence that each of these conditions have been satisfied and such information shall be included in the project file for reference.
 33. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine

the find in place and determine its significance. If the find is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after the appropriate measures are taken or the site is determined not to be of significance. Planning Services shall review the grading plans prior to the issuance of a grading permit.

34. In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission. Planning Services shall review the grading plans prior to the issuance of a grading permit.

Cameron Park Community Services District

35. Prior to the recording of the final map, the applicant shall form a Home Owner's Association or other mechanism and establish the CC&Rs for the project.
36. Prior to the approval of building permits, the applicant shall consult with the Cameron Park Community Services District (CPCSD) to address requirements associated with the Landscaping and Lighting Assessment District (LLAD), including, but not limited to, the payment of fees in place at the time of building permit issuance.
37. Prior to the issuance of building permits, the applicant must make the payment for all applicable Park and Recreation impact fees. Fees shall be assessed based on the fees in place at the time of building permit issuance.

Department of Transportation (Zone of Benefit)

38. Prior to final map recording, the applicant shall provide written confirmation of how the project may or may not affect the Cambridge Oaks Zone of Benefit #98391 shall be provided in the form of a professionally prepared Engineer's Report consistent with the requirements for the formation of a zone of benefit, except that no legal description and boundary map are required (Exhibits A and B to the Report). The report shall contain a map depiction of the entire existing zone of benefit, including the existing drainage facilities as well as the plan for the proposed project, Marble Valley Ridge Estates TM 06-1412. The cost apportionment shall include the existing facilities and any additional facilities that are planned and depicted for Marble Valley Ridge Estates.
39. Any additional drainage facilities built in the project area that tie into the existing drainage facilities shall be maintained by the zone of benefit, not by the HOA.
40. Prior to the recordation of the final map, the applicant shall consult with the Department of Transportation Zone of Benefit to consider the requirement of an irrevocable offer of

dedication (IOD) for drainage easements and maintenance based on the written confirmation be provided.

41. Prior to the recordation of the final map, if there are no additional facilities added with the proposed project, the plans and Engineer's Report will serve as written confirmation. If additional facilities are proposed, the Engineer's report will serve as written confirmation that the apportioned cost requirements for all facilities in the zone will not exceed the current per parcel annual special tax amount of \$200.00.

Department of Transportation

42. The applicant shall obtain an encroachment permit from DOT and construct the roadway encroachment (with the minimum required sight distance) from the on-site driveways onto Crazy Horse Road to meet County Standard Plan 103A-1, prior to the recordation of the map.
43. The applicant shall form and/or verify the existence of an entity, to the satisfaction of DOT, for maintenance of all on-site shared driveways and drainage facilities, prior to the recordation of the final map.
44. The final map shall show all utility, road and drainage easements per 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.
45. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.
46. The applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading plans shall incorporate the findings of detailed geologic and geotechnical investigations.
47. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
48. Grading plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. The County shall issue no building permits until the Department of

Transportation approves the final grading and erosion control plans and the grading is completed.

49. The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
50. This project disturbs more than one acre of land area (43,560 square feet). At the time that an application is submitted for improvement plans or a grading permit, the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the State of California. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the SWRCB, with a duplicate copy submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
51. The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants, Conditions, and Restrictions (CC&Rs).
52. Construction activities shall be conducted in accordance with the County noise regulation or limited to the following hours and days: 7 a.m. and 7 p.m., Monday through Friday, and 8 a.m. and 5 p.m. on weekends, and on federally-recognized holidays. Exceptions are allowed if it can be shown that construction beyond these times is necessary to alleviate traffic congestion and safety hazards.

El Dorado County Fire Protection District

53. Prior to the issuance of building permits, the applicant must consult with the El Dorado County Fire Protection District about required fees, plan reviews, and/or site visits for this project. Plan review fees are \$120.
54. Prior to the approval of building permits, the applicant shall consult with the Fire District to install two new fire hydrants. Hydrants will be Muller model 200 Centurion and are approved as shown.
55. Minimum fire flow required is 1,000 gallons per minute (gpm) at 20 pounds per square inch (psi) for a period of two hours.

56. A 20 foot wide all weather fire access road is required to connect Parcels 1 and 3. This may be accomplished with 12 feet of asphalt and/or using a chip seal or pavement with 3 inches of aggregate base shoulders.
57. Access driveways to Parcels 2 and 3 shall not be gated.
58. A Fire District approved opticon gate opening device shall be added to the Knox key switch that is in place.

Environmental Management

59. Prior to approval of grading and/or improvement plans, the applicant shall provide an Asbestos Dust Mitigation Plan (ADMP) and application with the appropriate fees to be reviewed and approved by the County Air Quality Management District (AQMD). The ADMP shall comply with the requirements of Rule 223, 223.1, and/or 223.2.
60. All project construction activities shall adhere to AQMD Rule 224 for Cutback and Emulsified Paving Materials.
61. All project architectural coatings shall adhere to AQMD Rule 215.
62. Any burning of wastes that result from 'Land Development Clearing' must be permitted through the AQMD. Only vegetative waste material may be disposed of using an open outdoor fire pursuant to AQMD Rule 300.
63. The following measures shall be implemented during construction activities to maintain the air quality standards established by the AQMD. The standards include: use of low emission on-site mobile construction equipment, maintenance of on-site equipment to manufacture's specifications, retardation of on-site diesel engine injection timing by two to four degrees, use of electricity from power poles rather than temporary gasoline or diesel generators, use of reformulated low-emission diesel fuel, use of catalytic converters on gasoline powered equipment, substitution of electric and gasoline powered equipment for diesel-powered equipment where feasible, inactive construction equipment shall not remain idling for periods in excess of two minutes, materials shall be scheduled for delivery during off-peak hours, configure construction parking to minimize traffic interference, and develop a construction traffic management plan.
64. Prior to the construction or installation of any new point source emission units or non-permitted emission units such as gasoline dispensing facilities, boilers, internal combustion engines, the applicant shall submit an authority to construct application to be reviewed and approved by the AQMD. Submittal of the application shall include facility diagram(s), equipment specifications, and emission factors.

County Surveyor

65. 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 to be coordinated with the County Surveyor's Office.
66. Provide a Parcel Map Guarantee, issued by a title company, showing proof of access to a State or County Maintained Road as defined in 16.44.120(B)(2).

13. APPEAL (Public Hearing)

Design Review DR07-0003S - Appeal submitted by ROBERT BYRNE/CAMERON PARK AIRPORT DISTRICT BOARD PRESIDENT requesting the conditions of approval be modified to require an eight-foot high security fence to match the existing fencing along the rear of the parcels abutting the Airport Taxi Runway. The approved design review allows construction of three commercial buildings totaling 18,720 square feet on two lots. Building 1 would be 4,680 square feet; and Buildings 2 and 3 would total 7,020 square feet each. The properties, identified by Assessor's Parcel Numbers 083-180-04 and 083-182-05, consisting of 1.72 acres, are located on the south side of Cameron Park Drive, 300 feet south of the intersection with Mira Loma Drive, in the **Cameron Park area**, Supervisorial District I.

Jonathan Fong recommended denial of the appeal.

Mike Turner, representing the property owner, concurred with the proposal for fencing. They did apply for a received FAA approval. The fence line is five feet behind the property line.

Joe Fuller spoke about the obstruction area where nothing is allowed.

Gina Hunter said this project was sent to the appropriate agencies for review, and no comments were received.

Mr. Turner commented their buildings are set to the 7:1 ratio. They will be lower than the Garrett building. There are no planes with larger than a 40 foot span allowed, and their setback is 41 feet. Necessary lighting will be placed on the buildings.

There was no further input.

MOTION: COMMISSIONER MATHEWS, SECONDED BY COMMISSIONER MACHADO AND UNANIMOUSLY CARRIED, IT WAS MOVED TO DENY THE APPEAL AND UPHOLD THE APPROVAL OF DR07-0003S, BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1.0 CEQA Findings

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 The project will not affect wetlands, water courses, riparian lands, unique plant or animal life and habitats, or other terrestrial matters under the jurisdiction of the California Department of Fish and Game (CDFG). The project is subject to the CDFG environmental filing fee of \$1,800 and a \$50 El Dorado County processing fee based on CDFG Code Section 711.4 and Senate Bill 1535.
- 1.4 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department – Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 ADMINISTRATIVE FINDINGS

2.1 The proposed use and design conforms to the General Plan;

The General Plan designates the subject parcel as (C) which permits the proposed retail and office land uses.

No uses would be permitted through this Design Review which would be inconsistent within the (C) land use designation.

2.2 The proposed use and design conforms to the Zoning Ordinance;

The Zoning Ordinance designates the site as General Commercial- Design Control-Airport Safety (CG-DC-AA). The proposed design and use of the structure is consistent with the development standards of the CG zone district and the requirements within the Airport Safety (AA) zoning overlay.

2.3 The proposed use and design will not be detrimental to the public health, safety, and welfare, nor injurious to the neighborhood.

The proposed retail and office building would not create any hazards that would negatively impact the surrounding neighborhood. No use allowed within the CG zone district would be injurious to the neighborhood. The proposed retail use would not create

negative noise, air, or traffic impacts that would be harmful to the land uses in the project vicinity.

3.0 ADMINISTRATIVE RELIEF FINDINGS

3.1 The intent of the parking ordinance is preserved;

The El Dorado County Zoning Ordinance requires two loading spaces for 18,720 square feet of commercial space. The project would construct one additional loading space for a total of three spaces. The intent of the parking ordinance is to provide for loading areas in order to provide for adequate parking and circulation onsite. The project provides for an additional loading space and parking which exceeds the County requirements.

3.2 The parking provided is sufficient to serve the use for which it is intended;

The project would construct three commercial buildings for retail uses. The loading space modification would not conflict with the proposed retail use of the site. The additional loading space would be sufficient to allow for the proposed modification to the loading space design requirements.

3.3 The modification will not be detrimental to the public health or safety.

The modification to the loading space design requirements would not impair onsite circulation. The additional loading space would be sufficient to allow the modification to the loading zone requirements.

Conditions

Planning Services

1. This Design Review is based upon and limited to compliance with the project description, the exhibits marked Exhibits D (Site Plan), E (Color Palette), F (Grading Plan), G (Landscaping Plan), and H (Elevations), dated September 27 , 2007, 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 Design Review would allow the construction of three commercial retail buildings totaling 18,720 square feet. Building 1 would be 4,680 square feet, Building 2 would be 7,020 square feet, and Building 3 would be 7,020 square feet.

The following colors would be uses for the project:

Dunn Edwards DE5358 “Ivory Oats”

Dunn Edwards DE6150 “Gourmet Honey”

Dunn Edwards DE6192 “Nomadic Taupe”

Dunn Edwards DE6209

Dunn Edwards DE6209 “Rock N’ Oak”

These colors would be applied as shown on the Elevations Plan (Exhibit H).

Seventy-four parking spaces would be provided including 55 standard stalls and 19 compact stalls. Three loading spaces would be installed in front of each building.

Lighting would be installed as shown on the Lighting Plan. A total of 23 outdoor lights would be installed on the site.

Administrative relief would allow for the loading spaces to be constructed 18 feet wide by 18 feet long.

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.

2. Building design and colors, building placement, and parking lot improvements shall be completed in conformance with the plans submitted and in conformance with the Conditions of Approval herein (Exhibits D - H,). Minor variations are allowed, however, any major changes in the design of buildings, location of buildings, access ways, and parking shall require Planning Services review and approval.
3. No signage is proposed at the time of application. Future signage shall be located as shown on the Site Plan (Exhibit D). Future signage shall be subject to review and approval by the Cameron Park Design Review Committee and all necessary permits shall be obtained from Development Services prior to installation. All signage shall conform to Chapter 17.16 and Chapter 17.28 of the County Code.
4. The project shall be started or diligently pursued within one year of approval, or the Design Review approval shall become null and void.

5. A joint access and parking agreement shall be provided to ensure on-going access and maintenance of the parking to all property owners within the development. A copy of said agreement shall be provided to Planning Services for review and approval, and the approved agreement shall then be recorded and a copy shall be provided to Planning Services prior to issuance of a building permit.
6. All outdoor lighting 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, the following apply:
 - a. External lights used to illuminate a sign or side of a building or wall shall be shielded in order to prevent light from shining off the surface to be illuminated.
 - b. Lighting for outdoor display areas shall be turned off within 30 minutes after the closing of the business. No more than 50 percent of the parking lot lighting may remain on during hours of non-operation. Security lighting shall be designed with motion-sensor activation.
7. Grading and construction activities on the site shall be limited to daylight hours from 7 a.m. and 7 p.m., Monday through Friday, and 8 a.m. and 5 p.m. on weekends, and on federally-recognized holidays. The construction hours shall be placed on the grading plans and verified by Planning Services prior to issuance of a grading permit.
8. Prior to issuance of a building permit or commencement of any use authorized by this permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval.
9. The applicant shall schedule an inspection by Planning Services prior to issuance of a building permit for verification of compliance with applicable conditions of approval.
10. Prior to issuance of any Building Permits, all Development Services fees shall be paid.
11. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the California Government Code.

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

Department of Transportation

Project Specific Conditions

12. The applicant shall be subject to an encroachment permit, Standard Plan 103G, for the proposed encroachment onto Cameron Park Drive. The encroachment shall be completed prior to the occupancy of this commercial development.
13. The applicant shall construct the following frontage improvements along Cameron Park Drive:
 - A 14-foot wide center two way left turn lane
 - A 12-foot wide travel lane
 - An 8-foot wide shoulder to include a Class II Bike Path to flow line of curb and gutter.
 - Type 2 curb, gutter, and eight (8) foot wide sidewalk, according to the provisions of El Dorado County Standard Plan 104 and 110,

The improvements shall be constructed to a two percent grade from crown of road to the lip of gutter. The improvements shall taper out to the existing improvements to the north and south of proposed project along Cameron Park Drive. The improvement plans for this work shall be submitted with the application for on-site grading/improvement plans, and construction shall be substantially complete, as determined by the Department of Transportation, prior to the issuance of any building permit for this commercial development.

14. An easement shall be obtained from the Cameron Park Airport District for drainage thru their facility prior to the issuance of any building permit for this commercial development.
15. Prior to issuance of a building permit, the applicant shall offer/verify an irrevocable offer to dedicate from centerline of Cameron Park Drive, a 40-foot ROW and PUE easement along the project frontage and provide a 10-foot slope easement along the project frontage prior to issuance of any building permit for this commercial development. This offer, in fee, shall be accepted by the County.
16. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department for review and approval, prior to the issuance of any building permit for this project. 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.

17. The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to commencement of any improvements on the project facilities
18. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
19. The developer 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. The improvements shall be substantially completed, to the approval of the Department of Transportation, prior to occupancy.

Standard Conditions

20. Any import, or export to be deposited within El Dorado County, shall require an additional grading permit for that offsite grading.
21. The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.
22. The applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations.
23. This project disturbs more than one acre of land area (43,560 square feet). The developer shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the State of California. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the SWRCB, with a duplicate copy submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.

24. Grading plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. The County shall issue no building permits until the Department of Transportation approves the final grading and erosion control plans and the grading is completed.
25. The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
26. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
27. The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.
28. The applicant shall install temporary construction fencing around the property boundaries of the project site. The temporary fencing shall be eight feet tall and shall comply with all height restrictions of the Cameron Park Airport. Planning Services and the Cameron Park Airport District shall review and approve the fencing prior to issuance of a grading permit.
29. The applicant shall ~~install~~ submit plans for permanent fencing to the FAA. Permanent fencing shall be installed along the rear of the project site matching the existing fencing in the area. The fencing shall be eight feet in height and shall comply with all height restrictions of the Cameron Park Airport. Planning Services and the Cameron Park Airport District shall review and approve the fencing prior to issuance of final occupancy for the building permits.

El Dorado County Air Quality Management District/ Environmental Health

30. The applicant shall prepare a Fugitive Dust Plan. The District shall review and approve the Plan and Program prior to issuance of a grading permit.
31. The applicant shall adhere to all District rules during project construction.

The action today can be appealed to the Board of Supervisors within ten working days.

14. **SPECIAL USE PERMITS** (Public Hearing)

a. **S85-0070R2** submitted by JEAN and REN REINDERS to amend Condition 5 to read as follows: A minimum of ~~126~~ 21 on-site parking spaces shall be provided for employees and patrons of the Fudge Factory. A minimum of one handicap accessible parking space shall be provided adjacent to the Fudge Factory building. The applicant shall install directional signs identifying the location of the on-site parking area. ~~and~~ ~~†~~Two employees shall be available to direct vehicles to the parking area ~~that location~~ 11:30 a.m. to 4:00 p.m., ~~weekends and holidays~~ as needed during peak hours. The property, identified by Assessor's Parcel Number 048-160-44, consisting of 10.01 acres, is located on the east side of High Hill road, approximately one-quarter mile north of the intersection of High Hill Road and Carson Road, in the **Camino area**, Supervisorial District III. (Categorically exempt pursuant to Section 15301 of the CEQA Guidelines)

Staff: Michael Baron presented this item. The cabinet shop is no longer in operation.

Commissioner Machado asked why this is back before the Commission. Mr. Baron replied because the applicant cannot comply with the required number of on-site parking spaces. Commissioner Mathews asked about the parking lot. Mr. Baron explained.

Jean Reinders said the reason they are here is because they were called in by staff and told they had to amend the parking condition. The cabinet shop will no longer be on the property. It is going into an industrial area. The fire district is willing to drop the condition for a fire hydrant. They have already applied for a permit for the barn, with electricity.

Chair Tolhurst asked about the number of parking spaces (21). Mrs. Reinders said that is the number staff recommended. Mr. Baron said the number of spaces is based on County Ordinance. They are actually providing 26 spaces. Paula Frantz, County Counsel, said when the permit was revised by the Board of Supervisors and some uses deleted, perhaps the number of parking spaces was not reduced in accordance with the approved uses.

Commissioner Machado asked when the cabinet shop will be closed. Mrs. Reinders replied when the equipment is fully moved. Code Enforcement will check the site once it is moved.

Commissioner Machado asked if there is any more free flat land that could be cleaned up to allow more parking. Mrs. Reinders said they would be happy to look at this issue.

Robert Laurie, representing High Hill Ranch, summarized their position. The proposed modification is detrimental to the neighborhood, specifically High Hill Ranch, and asked that the request be denied.

Jerry Visman presented a photograph of the Fudge Factory, indicating there are crafters on the site.

Gina Hunter said staff has changed its recommendation and would like the permit continued. Ms. Frantz agreed the item should be continued off calendar as it will take staff some time to resolve the issues. Mr. Laurie said he will review the parking space numbers presented in the information from David Becker.

Ren Reinders explained the determination for the 126 parking spaces. Under the Caltrans study, he is shown to have 149 spaces. He laid out the parking, and he can park 126 cars. He does not park cars in the orchard. The children he employees are 14 years old and do not drive. Jerry Visman closes off the road from 6:00 AM to 6:00 PM. The children are dropped off and have to walk to the Fudge Factory. Mr. Reinders informed the Commission that he has a letter stating he is approved for ranch marketing. There are other ranches that conduct ranch marketing and also have special use permits. Why are they being singled out? The photograph presented by Jerry Visman was taken in 2001.

Chair Tolhurst said he would like to see a layout that shows 126 parking spaces. Mr. Reinders said Michael Baron has given him information on parking layouts. He will do the parking layout and show it to the Commission.

Commissioner Mac Cready asked what they have in agricultural production. Mr. Reinders informed the Commission

Ms. Hunter said she would like the parking layout prepared by a licensed surveyor.

There was no further input.

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO CONTINUE S85-0070R2 OFF CALENDAR.

b. **S07-0025/Swan Cove Wedding Gardens:** Determination as to whether a special use permit can be processed for the requested use in the Estate Residential Five-acre (RE-5) Zone District. The property, identified by Assessor's Parcel Number 070-210-02, consisting of 7.71 acres, is located on the west side of Ponderosa Road, approximately 1.5 miles north of the intersection with Meder Road, in the **Shingle Springs area**, Supervisorial District IV. Applicants: CORENE BECKER and RANEL GOSLING.

Pierre Rivas recommended the Commission find a wedding facility is not a use authorized by the Zoning Ordinance in the RE-5 Zone District; and direct staff to refund the applicant the applicable processing fees. Paula Frantz, County Counsel, explained the request before the Commission today.

Commissioner Knight asked about the approved business license. Mr. Rivas said the license was approved for bridal consulting only.

Ranel Gosling gave some background information on their business.

Commissioner Mathews commented he does not know where the 12 weddings came from. Mr. Rivas explained it could have come from the Winery Ordinance.

Mr. Rivas asked who resides on the property. Ms. Gosling replied it is her father.

Ms. Frantz said the question is whether a wedding facility is the type of business that should be considered as a home occupation. Ms. Gosling's father commented weddings would only be held on weekends.

Maria Brugger gave the Commission her written comments. Their special use permit application states every day of the year. She presented two maps, one showing the subject parcel and the surrounding parcels, and the other map was the zoning map with the same parcels indicated. Mrs. Brugger asked that the Commission uphold the recommendation of the staff and that the County not accept any further applications of this type.

Art Marinaccio, resident approximately one third mile from the subject property, said with a home occupation you need to look at the number of people using the site. He agreed with the staff recommendation and asked that the Commission see that the application fee is returned to the applicants.

Art Quillan, resident in the area, said this type of use does affect their standard of living. He asked that this be denied and that the application fees be returned. This sets a dangerous precedent.

Randall Wright has heard a lot of noise from this site at 11:00 PM. He asked that the Commission deny the request.

Brett Norberry, property owner immediately due east of the applicant's, stated he feels bad for the Goslings, but they are devastated by this application. The easement is only one vehicle wide. The road cannot be widened. The issued today should be this application. Ms. Frantz said staff is asking for an overall decision that weddings are not an appropriate home occupation. If the Commission does not feel it is an appropriate use, this request would not be accepted as well as any future applications for such a use. Mr. Norberry feels this type of use in this zone district should be rejected.

Ms. Gosling feels the concerns of the neighbors are noise. They would be willing to hold weddings only with no receptions or music.

Commissioner Knight said he is all for home occupations, but the use should not change the residential character of the area. He concurs with staff's recommendation.

There was no further input.

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MAC CREACY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FIND THAT A WEDDING FACILITY IS NOT A USE AUTHORIZED BY THE ZONING ORDINANCE IN THE

ESTATE RESIDENTIAL FIVE-ACRE (RE-5) ZONE DISTRICT AND THE SPECIAL USE PERMIT APPLICATION SHOULD NOT HAVE BEEN ACCEPTED FOR CONSIDERATION; FURTHER, STAFF WAS DIRECTED TO REFUND THE APPLICANT APPLICABLE APPLICATION FEES.

After the motion, Ms. Frantz said as this is a determination; the wedding facility cannot be operated. If the decision is appealed and the Board makes a different determination, the use permit would be processed.

The action today can be appealed to the Board of Supervisors within ten working days.

15. **GENERAL PLAN UPDATE** - None
16. **ZONING ORDINANCE UPDATE** - None
17. **DEPARTMENT OF TRANSPORTATION** - None
18. **COUNTY COUNSEL'S REPORTS** - None
19. **DIRECTOR'S REPORTS** - None
20. **ADJOURNMENT**

Meeting adjourned at 4:25 p.m.

APPROVED BY THE COMMISSION
Authenticated and Certified:

Alan Tolhurst, Chair

