



EL DORADO COUNTY PLANNING COMMISSION

Building C Hearing Room
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Alan Tolhurst, Chair, District V
John MacCready, First Vice Chair, District II
Dave Machado, Second Vice Chair, District III
John Knight, District I
Walter Mathews, District IV

Jo Ann Gillion Clerk of the Commission

MINUTES

Regular Meeting April 10, 2008 – 8:30 A.M.

1. CALL TO ORDER

Meeting called to order at 8:41 a.m. Present: Commissioners Knight, Mac Cready, Machado, Mathews, and Tolhurst; Paula F. Frantz, County Counsel; and Jo Ann Gillion, Clerk to the Planning Commission.

2. ADOPTION OF AGENDA

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO ADOPT THE AGENDA, WITH ADDENDUM.

3. PLEDGE OF ALLEGIANCE

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

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

a. **Minutes:** March 27, 2008, February 19, and March 13, 2008

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER TOLHURST AND CARRIED BY THE FOLLOWING VOTE: AYES – COMMISSIONERS KNIGHT, MAC CREADY, MACHADO, AND TOLHURST; ABSTAIN – COMMISSIONER MATHEWS (as he was not present February 19), IT WAS MOVED TO APPROVE THE MINUTES OF FEBRUARY 19, 2008.

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER KNIGHT AND CARRIED BY THE FOLLOWING VOTE: AYES – COMMISSIONERS KNIGHT, MAC CREADY, MATHEWS, AND TOLHURST; ABSTAIN – COMMISSINER MACHADO (as he was not present March 13), IT WAS MOVED TO APPROVE THE MINUTES OF MARCH 13, 2008.

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MACHADO AND CARRIED BY THE FOLLOWING VOTE: AYES – COMMISSIONERS KNIGHT, MACHADO, AND MATHEWS; ABSTAIN – COMMISSIONERS MAC CREADY AND TOLHURST (as they were not present March 27), IT WAS MOVED TO APPROVE THE MINUTES OF MARCH 27, 2008.

- b. **OR07-0005/Bed and Breakfast Ordinance**: To consider incorporating the draft Bed and Breakfast section into the adopted Zoning ordinance. See Attachment 1 for draft ordinance. (Exempt pursuant to Section 15061(b.3) of the CEQA Guidelines)*

Staff pulled this item from the Consent Calendar. Lillian Mac Leod said based on further discussion with the stakeholders, staff would recommend deletion of two sentences in Item C.11.

Commissioner Mac Cready asked about Item 6. He does not want to see a commercial kitchen required. Mrs. Mac Leod commented the condition just requires approval by Environmental Management. It does not require a commercial kitchen.

Fred Sanford, Environmental Management, said bed and breakfast facilities are a restricted facility in the Health and Safety Code. There are certain restrictions or exemptions that are allowed. Mr. Sanford further explained.

Mark Hamlin agreed with the proposal; however, he feels there is a conflict in C1 relating to a second dwelling and a bed and breakfast.

There was no further input.

Roger Trout said the bed and breakfasts facilities are to be consistent with the residential zones. Cottages are not allowed in residential zoned under our ordinance. If there is a second dwelling, the kitchen will be discussed on a case-by-case basis. You have to adhere to state laws on these facilities.

Mrs. Mac Leod proposed modification of C.1 and explained 8.

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER KNIGHT AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS FIND THE ORDINANCE AMENDMENT EXEMPT PURSUANT TO SECTION 15061(b.3) OF THE CEQA GUIDELINES AND APPROVE OR07-0005, INCORPORATING THE PROPOSED DRAFT BED AND BREAKFAST GUIDELINES INTO THE CURRENT ZONING ORDINANCE.

Changes made during the hearing today are shown in double underlining for additions and ~~double strikethrough~~ for deletions.

17.xx.xxx Bed and Breakfast Inns.

A. Purpose. In order to further the development of the tourism and recreation economy of the County, while protecting the single family residential character of neighborhoods, the standards set forth in subsection C, below, shall apply to bed and breakfast inns.

B. Definitions.

“**Bed and breakfast inn**” means any owner-occupied residence that provides guest rooms, without individual kitchens, for paying guests, as a transient lodging facility.

C. Standards. Bed and breakfast inns shall be considered an expanded home occupation in residential and agricultural districts and shall only be authorized by approval of a special use permit based on the standards provided herein. Bed and breakfast inns within commercial zone districts are permitted by right pursuant to §17.32.xxx.

1. The bed and breakfast inn can provide up to a maximum of 20 guestrooms, which shall be contained within the primary ~~or~~ and secondary ~~dwelling residential~~ residential units only, in compliance with the development standards of the applicable residential or agricultural zone districts.
2. The property owner shall reside in either the primary or secondary ~~dwelling residential~~ residential unit on site.
3. Meal service shall be limited to registered guests and shall consist of breakfast and light snacks as a portion of the overall room rate in compliance with the California Retail Food Codes enforced by the County (Health and Safety Code §113893).
4. One, non-internally illuminated sign shall be permitted based on the applicable zone district standard set forth in Chapter 17.16 unless greater sign area is authorized under the special use permit. The design of the sign shall be reviewed by the approving authority for architectural compatibility with the ~~inn's~~ inn's existing or proposed structure(s).
5. Bed and breakfast inns shall have direct access to a maintained road in conformance with Department of Transportation standards. The entrance, parking area and walkways shall be illuminated pursuant to Chapter 17.14.170 and kept free of obstructions or hazards of any type.

6. Kitchens shall be clean, well-maintained and comply with accepted standards of sanitation and hygiene by conforming to the requirements of the applicable El Dorado County Environmental Health Department permit.
7. Bed and breakfast inns shall provide off-street parking at a ratio of one space per each guest room, plus two spaces required for the principal dwelling. Guest parking shall be subject to the following:
 - a. No guest parking shall be permitted within the required front or side yard setback.
 - b. Tandem parking, meaning two cars parked one behind the other, may be allowed. Denser parking lot configurations may be allowed if valet parking is required.
 - c. Guest parking shall be designed so as to prohibit the backing of vehicles directly into any public right of way in order to exit any parking space.
 - d. The parking area provided for a bed and breakfast inn may have a gravel surface.
8. A bed and breakfast inn consisting of five or fewer guestrooms shall be considered a single residential dwelling unit or lodging house for the purpose of building codes, unless additional standards are required by the California Codes, as amended and adopted by El Dorado County. Six or more guestrooms within one building shall be subject to further requirements under the California Codes.
9. Bed and breakfast inns within Agricultural Districts as identified on the General Plan land use maps or adjacent to land zoned Exclusive Agriculture (AE), Planned Agriculture (PA), Select Agriculture (SA), Residential Agriculture (RA-20, -40, -60, -80, -160), or Timberland Production Zone (TPZ) districts must be reviewed by the Agricultural Commission for compatibility with surrounding agricultural land uses prior to action by the approving authority.
10. The operation of a bed and breakfast inn shall be subject to Title 3.28 (Transient Occupancy Tax) and Title 5.08 (Business License Requirements) of the El Dorado County Code. The business license shall be posted in a conspicuous place on the premises prior to operation of the business.
11. The special use permit may authorize limited ancillary activities such as weddings, receptions, fund raisers or similar events attended by non-guests, subject to conditions of approval that include, but are not limited to, restrictions upon the frequency and time of holding events, duration thereof, and the maximum number of persons attending. ~~Food preparation, except for the aforementioned breakfast and light snacks, shall not be permitted to occur in the bed and breakfast inn. A separate area, inaccessible from within either the main~~

~~inn primary or secondary dwelling unit, is required to serve as either a commercial kitchen for food preparation or catered staging area for these catered events. A separate area, inaccessible from within either the primary or secondary dwelling unit, is required to be used as a commercial food facility for either on site food preparation or staging catered events.~~ Unless expressly authorized in the special use permit, such ancillary activities are prohibited.

A temporary use permit for an ancillary activity may be processed in situations where special events are not authorized under the special use permit for the bed and breakfast inn. Applicable conditions shall be imposed, as determined necessary by the approving authority, which restrict the number of people attending and offset other related impacts, in order to maintain the residential character of the surrounding neighborhood.

12. New construction proposed on a bed and breakfast inn site, including buildings not necessarily proposed for bed and breakfast inn use, or exterior remodeling of the building(s) to be used for ~~the inn~~ guest accommodations, is subject to architectural review by the approving authority as part of the special use permit process. This determination will be based on compatibility with neighborhood building style, building materials and any historic style indigenous to the area.

END OF APPLICATION CONSENT CALENDAR

5. DEPARTMENTAL REPORTS AND COMMUNICATIONS

These items were considered during the day as time permitted.

Larry Appel gave the Commission the proposed amendment to Policy 2.2.5.20 and briefly explained the proposal which should be coming before the Commission May 8.

6. COMMISSIONERS' REPORTS

Commissioner Mathews was contacted by Tina Farren, and they would still like to come before the Commission regarding their requirement for a biological report. Larry Appel informed the Commission that staff met with all parties involved, and it appears everyone has come to an agreement. It should not be necessary for the Commission to see anything on the project prior to the public hearing. Gina Hunter said the applicants are moving forward with their biological study.

Commissioner Machado spoke about Jack Sweeney's comments in the My Turn portion of the Mountain Democrat on the materials recovery facility (MRF). It was a very good description of the process. Commissioner Machado would like to be kept informed of the meetings held by Waste Management.

Commissioner Mac Cready was going to comment in the proposed Winery Ordinance. He was informed by Paula Frantz, County Counsel, that as he has recused himself on this ordinance he can only give input as a public citizen.

PUBLIC FORUM/PUBLIC COMMENT - None

7. TENTATIVE SUBDIVISION MAPS (Public Hearing)

a. **TM88-1095E/Sierra Sunrise** submitted by PACIFIC STATES DEVELOPMENT CORPORATION (Agent: CTA Engineering & Surveying, Inc.) for a one-year time extension to the subject map, extending the expiration date of the map to February 5, 2009. The request also includes a phasing plan. Phase 1 would be identified as Large Lot 1 and would consist of Parcels 14 through 18. Phase 2 would be identified as Large Lot 2 and would consist of Parcels 2 through 13. The properties, identified by Assessor's Parcel Numbers 116-030-28 and -30, consisting of 9.44 acres, are located on the east side of Woodleigh Lane, approximately 0.4 mile southeast of the intersection with Bass Lake Road, in the **Cameron Park area**, Supervisorial District I. (Negative declaration prepared)

Staff: Pat Kelly recommended conditional approval, proposing modification to Conditions 10, 11, and 38.

Chair Tolhurst asked if we are still within the time limit as far as extensions are concerned. Gina Hunter explained the extensions that have been granted. They are at the last year of their extensions. Staff did feel that the applicant should apply for a new map as they would not have sufficient time to final their current map. The applicant chose to move forward with a time extension rather than a new map.

Commissioner Machado asked for clarification on the sidewalk issue. Eileen Crawford, Department of Transportation, explained.

Olga Sciorelli, CTA Engineering, agreed with the proposed conditions. Bill Fisher, Pacific States Development, was present as was Dennis Nickson. Mr. Nickson spoke in support of the project. There was no further input.

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO ADOPT THE NEGATIVE DECLARATION, AS PREPARED, AND APPROVE TM88-1095E BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1.0 CEQA FINDING

1.1 A Negative Declaration including mitigation measures was certified by the Planning Commission, with the original approval of the Sierra Sunrise Tentative Subdivision Map on September 14, 1989. Since the original certification of the Negative Declaration, new

environmental issues have been identified which would require additional environmental review. Therefore, staff has prepared an Initial Study (Environmental Checklist with Discussion, (Exhibit E) to determine if the project would have a significant effect on the environment. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment, and a Negative Declaration has been prepared.

2.0 GENERAL PLAN FINDINGS

2.1 The project is consistent with the General Plan.

As proposed, the project is consistent with the High-Density Residential (HDR) land use designation of the subject site as defined within General Plan Policy 2.2.1.2 because the HDR land use designation permits a density of one to five dwellings units per acre. Additionally, allowable residential structure types within the HDR land use designation include single-family attached and detached dwellings and manufactured homes.

The proposal is consistent with all applicable General Plan Policies including 2.2.5.21, 5.2.1.2, 5.2.1.3, 5.3.1.1 and 5.7.1.1 concerning land use compatibility, groundwater supply, community wastewater systems and fire safe access. Because of the project's provision of adequate access, sufficient water and sewage disposal service systems and efforts to fit within the context of the surrounding land uses, it is consistent with the General Plan policies identified above.

3.0 ZONING FINDINGS

3.1 The project is consistent with the El Dorado County Zoning Ordinance

The subject site is zoned Single-family Residential/Airport Safety District (R1-AA). The project would be consistent with the Development Standards of the R1-AA zone district.

4.0 SUBDIVISION ORDINANCE FINDINGS

4.1 *A. That the proposed map is consistent with applicable general and specific plans;*

The proposed time extension to an approved Tentative Subdivision Map will create custom residential parcels consistent with the designated density under the 2004 El Dorado County General Plan.

4.2 *B. That the design or improvement of the proposed division is consistent with applicable general and specific plans;*

The Tentative Subdivision Map has been designed in conformance with the General Plan policies and standards including protection of natural resource, circulation, land use, and public facilities.

4.3 *C. That the site is physically suitable for the type of development;*

The site is physically suitable for custom residential development. The project site is characterized by sloping terrain ranging from 0 to 21 percent. No water bodies or streams are apparent. The project site is surrounded by residential development and existing public roads.

4.4 *D. That the site is physically suitable for the proposed density of development;*

The 18 parcels, ranging in size from 0.28 to 1.22 acres, are physically suitable to accommodate future residential development. The project site is characterized by sloping terrain ranging from 0 to 21 percent. No water bodies or streams are apparent. Development of the site shall be further reviewed for proper design, layout and improvements in conformance with the applicable County and agency standards.

4.5 *E. That the design of the division or the proposed improvements is not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;*

Development of these 18 custom residential parcels is subject to the specific project conditions of approval. Prior development of each parcel, individual construction and improvement plans shall be reviewed for conformance to applicable County standards. Therefore, the design of the subdivision is not likely to cause substantial environmental damage.

4.6 *F. That the design of the division or the type of improvements is not likely to cause serious public health hazards;*

The conditionally approved tentative subdivision map anticipates the development of 18 custom residential parcels. Overall development of the site shall be subject to subsequent permitting review in accordance with El Dorado County and affected agency standards to ensure orderly and safe development.

4.7 *G. 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 design of the Tentative Subdivision Map conforms to the requirements of Section 4291 of the Public Resources Code involving brush and vegetation fire prevention. Future development permits for the site will be reviewed for conformance for on-site fire suppression and emergency access and circulation by the Cameron Park CSD Fire District.

4.8 *H. 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)

Necessary utility easements are depicted on the tentative subdivision map and shall be further verified by the County Surveyor's Office at the time of filing of final map. Additional easements will be required during review of future discretionary development permit, as deemed necessary. Therefore, no conflicts with easements acquired by the public at large are anticipated.

Conditions

The tentative subdivision map time extension is subject to the original conditions of approval. Additional agency conditions of approval from Planning Services have been incorporated and depicted with underlines. The numerical sequencing of the original conditions of approval are shown with a ~~striketrough~~. Changes made during this hearing are indicated by double underling for additions and ~~double striketrough~~ for deletions.

1. This time extension is based upon and limited to compliance with the project description, the Planning Commission hearing dated April 10, 2008 exhibits marked Exhibit D and E, 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 proposed project, as considered, is described as follows:

The request would grant a one-year time extension for the approved Tentative Subdivision Map (TM88-1095). TM88-1095 would create eighteen (18) parcels ranging in size from 12,000 square feet to 53,000 square feet. The project would be accessed via a cul-de-sac road, identified a "A" Street on the Tentative Subdivision Map, (Exhibit D), which would be accessed from Woodleigh Lane, a county maintained road. The proposed "A" Street would extend from the project site north to provide access for the adjacent Tentative Subdivision Map TM92-1261 (Sierra Sunrise II).

The applicant proposes to develop the project site in phases. Phase 1 would be identified as Large Lot 1 on the Tentative Subdivision Map and would consist of Parcel 1 and Parcels 14 through 18. Phase 2 would be identified as Large Lot 2 on the Tentative Subdivision Map and would consist of Parcels 2 through 13 (Exhibit D).

The grading, development, use and maintenance of the property, the size, shape, arrangement, and location of structure, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of

approval below. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

Department of Transportation

- 2.9. The project shall be subject to area of benefit road fees in the amount of \$498 \$2500 per parcel for each parcel created. Said fees are to be collected at the time of building permit, unless at such time it appears that Government Code Section 53077.5 mandates collection at the time of occupancy. If prior to collection of the fee a revised road fee is established, such revised amount shall be paid.
- 3.10. ~~All roads shall be constructed to the Department of Transportation's standards unless determined otherwise by the County Transportation Director. Woodleigh Lane shall be constructed with a 32 foot wide paved surface. The loop drive serving the site shall have a 28 foot wide paved surface. The applicant shall widen Woodleigh Lane along the entire project frontage to a total width of 28 feet, with curb and gutter as required by the provisions of the Design and Improvement Standards Manual (DISM), Standard Plan 101B. 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 map.~~
4. The applicant shall construct "A" Street to a total width of 28 feet, with curb and gutter, as required by the provisions of DISM, Standard Plan 101B. A turnaround shall be constructed at the end of "A" Street, per the provisions of the local Fire District, unless the roadway is connected through to Woodleigh Lane via "A" Street, the access roadway for the adjacent Sierra Sunrise II (TM92-1261E) subdivision. 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 map.
5. The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment from "A" Street onto Woodleigh Lane to the provisions of County Standards Plan 103C, prior to the filing of the parcel map.
6. The applicant shall provide a reciprocal access agreement to Assessor Parcel Number 116-030-26, guaranteeing access for this site to use the proposed off-site roadway from the project to Woodleigh Lane, prior to the filing of the parcel map.
7. The applicant shall irrevocably offer to dedicate, in fee, 30 feet wide of right-of-way from the centerline of Woodleigh Lane along the entire property frontage. This offer will be acceptable by the County.
8. The applicant shall irrevocably offer to dedicate a 50 foot wide right-of-way for "A" Street, which will be rejected by the County.

9. 4. The developer shall obtain approval of project improvement plans ~~construction drawings~~ consistent with the Subdivision Design and Improvement Standards Manual and cost estimates from the County Department of Transportation, and pay all applicable fees prior to filing of the final map, and ~~commencement of any improvements on the public streets and service facilities~~. All improvements on the public street and service facilities shall be consistent with the approved tentative map.
- ~~10. Sidewalks may be located outside the right of way and meander as a means to provide interest and variety in alignment. The alignment and design of the sidewalks shall be reviewed and approved by the Department of Transportation prior to filing the final map. Sidewalks shall be connected to walk/trail systems in the project open space areas. Pedestrian easements shall be provided where necessary. Final lane configurations, including the need for additional rights of way, shall be subject to review and approval of the Department of Transportation prior to improvement plan approval.~~
- ~~11. 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.~~
12. 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.
13. 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.
14. 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.
15. 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.
16. 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.
- 17.13. Subdivision improvements shall include rough grading of driveways for all parcels with street cuts or fills along the frontage of six feet or more difference in elevation, or as found necessary for reasonable access by the County Engineer ~~Transportation Director~~. Construction of said driveways shall conform to the Design and Improvements Standards Manual and the Encroachment Ordinance. As an alternative, a Notice of Restriction shall be filed against all downhill parcels with fill in excess of six feet which allows structural driveway access only. ~~Driveways shall be installed in a manner and location acceptable to the County Department of Transportation.~~
- 18.14. A final drainage study ~~plan~~ shall be prepared by the project proponent subdivider and submitted with the subdivision grading and improvement plans to and approval the Department of Transportation for approval. All ~~The~~ drainage facilities identified in the drainage study subdivider shall be included in the subdivision grading and improvement install drainage facilities as shown on said plans.
19. 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.
20. The Master Covenants, Conditions and Restrictions (CC&Rs) shall provide that no parking shall be permitted within cul-de-sac bulbs which have a radius to curb-face that is less than County standards and shall provide for enforcement of such provisions. The CC&Rs shall include a provision for off-street parking to compensate for lack of parking normally provided within the cul-de-sac bulb. The applicant shall either provide adequate parking for a three-car driveway or sufficient depth of driveway (18 feet per parking stall) to accommodate longitudinal and/or lateral parking for three spaces.
21. Provisions shall be included in the CC&Rs which require that the design of the drainage system for each residence shall connect to the storm drain system for the subdivision. Said design shall be prepared by a qualified individual. All conveyances shall be underground.
22. 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).
23. 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.
24. 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.
25. The applicant shall pay the traffic impact fees in effect at the time a building application is deemed complete.
- ~~26.~~ 5. The final map shall show all utility, road and drainage easements per the recommendation of utility purveyors and the County Engineer. Final determination of the location of said utility easements shall be made by the County Engineer. Said easements shall be irrevocably offered to the County.
- ~~27.~~15. The final map shall show drainage easements for all onsite drainage facilities outside of road rights-of-way. Said easements shall be irrevocably offered to the County.
- ~~28.~~17. A preliminary grading proposal shall be prepared that shall include the driveways required for construction of residential units on all parcels. Said plan shall include the vegetation thinning and removal proposal. The plan shall be included as part of the final grading improvement plans and be subject to the approval of the County Department of Transportation.
- ~~29.~~18. The grading of the driveways and the vegetation thinning/removal shall be part of the subdivision improvements and shall be subject to Condition ~~2~~ 3 above.
19. ~~Areas disturbed during construction, including cuts and fills, shall be revegetated. The timing of construction and method of revegetation shall be coordinated with between the El Dorado County Resource Conservation District (RCD), and the Department of Transportation. The Department of Transportation shall verify compliance with this condition when the final map is presented for consideration. 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 Soil Conservation Service for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.~~
20. ~~All grading and vegetation thinning/removal plans shall be prepared and submitted to the Soil Conservation Service and the Department of Transportation. The Soil Conservation Service shall review and make appropriate recommendations to the County. Upon receipt of the review report by the Soil Conservation Service, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigation erosion and sedimentation from the project. No building permits shall be issued by the County until~~

~~final grading plans and erosion control plans are approved by the Department of Transportation, and the grading is completed. All erosion control plans, where grading occurs, must be implemented by October 15 of the year of construction unless said condition is waived by the County Engineer.~~

30. Grading activities located outside of road rights-of-way and slope easements shall be limited to building footprints and driveways, and a grading proposal delineating the extent of the grading to be performed shall be included as a part of the final grading improvement plans submitted to the Department of Transportation.

a. All 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. No building permit shall be issued by the County until final grading plans and erosion control plans are approved by the Department of Transportation approves the final grading erosion control plans and the grading is completed. All erosion control plans, where grading occurs, must be implemented by October 15 of the year of construction unless said condition is waived by the County Engineer.

b. Areas disturbed during construction, including cuts and fills, shall be revegetated. The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). The Department of Transportation shall verify compliance with this condition when the final map is presented for consideration.

c. 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.

d. In all cases, the subdivider shall comply with the Department of Transportation's recommendations for erosion control and top soil conservation. 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.

~~31.21.~~ In all cases, the subdivider shall comply with the Department of Transportation's recommendation for erosion control and topsoil conservation.

- ~~32.25.~~ A letter of agreement from the cable television franchisee, pursuant to Section 16.16.010 (I) of the County Code, shall be submitted to ~~the Planning Division~~ Services prior to approval of the final map.
- ~~33.16.~~ Prior to approval of the final map by the Board of Supervisors, the subdivider shall be required to form a County Service Area Zone of Benefit to fund drainage facilities' maintenance.
- ~~34.12.~~ Where required by the County Engineer, the subdivider shall provide bus turnouts in a design and location acceptable to El Dorado Transit and the appropriate school districts.
- ~~35. 2.~~ The construction of all required improvements shall be completed with the presentation of the final map to the Development Services before ~~presenting~~ presentation of the 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.
- ~~36.~~ "A" Street sign per Standard Plan 105-A shall be located on at the intersection of Woodleigh Lane and the proposed "A" Street.
- ~~37.~~ A stop sign per Standard Plan 105-A shall be located on the proposed "A" Street at its intersection with Woodleigh Lane.
- ~~38.~~ A non-vehicular access shall be shown on the final map for parcels ~~2~~ 1 and ~~3~~ 14, fronting Woodleigh Lane.
- ~~39.~~ The applicant shall provide a paved access roadway to maintain the proposed detention basin on Parcel 4. This access shall conform to the DISM and/or fire safe regulations, as approved by the DOT. A turn-around shall be provided at the end of this access roadway, as approved by the DOT. The improvements shall be substantially completed, to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.

County Surveyor's Office

- ~~40.11.~~ All roads shall be named by filing a completed road naming petition for each road with the County Surveyor's Office prior to filing the final map.
- ~~41.3.~~ 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 a surety of work to be done by bond or cash deposit ~~and shall provide a 50 percent labor and material men bond.~~

Verification of set survey monuments, or amount of bond or deposit to be coordinated with ~~work completed, or work to be completed~~, and cost of completion is to be determined by the County Surveyors Office.

Cameron Park CSD Fire Department

~~42.22.~~ The location of fire hydrants and systems for fire flows are to meet the requirements of the fire department. Written approval from the fire district shall be submitted with the final map to ~~the Planning Division~~ Services prior to the Board of Supervisors' approval.

El Dorado County Environmental Management

~~43.~~ The project shall comply with all El Dorado County Air Pollution District (District) Rules and Regulations as determined by the District prior to issuance of grading or construction permits.

~~6. If blasting activities are to occur in conjunction with subdivision improvements, the subdivider shall ensure that such blasting activities are conducted in compliance with State and local regulations.~~

~~8. If burning activities are to occur during the construction of the subdivision improvements, the subdivider shall obtain the necessary burning permits from the California Department of Forestry and air pollution permits from the County prior to said burning activities.~~

El Dorado Irrigation District

~~44.~~ The applicant shall submit a facilities plan report to the El Dorado Irrigation District prior to implementation of sewer service.

~~45.~~ A 20-foot wide EID water and sewer easement acceptable as to location shall be recorded with the final map. Applicant shall contact EID, Right-of-Way Division, for specific location of the easement.

~~46.~~ A meter award letter shall be provided by the water purveyor prior to the filing of the final map.

~~23.~~ No final map may be filed until a Policy 22 letter, or similar document, indicating EID's capability to serve the project, has been received by the County.

Planning Services

~~47.26.~~ As specified in conditions of approval, the subdivider is required to perform off-site improvements. If it is determined that the subdivider does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the subdivider's expense and within 120 days of filing the final map,

acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for the immediate possessing of the property.

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

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

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

In addition to the agreement, the subdivider shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County counsel.

48. Existing trees six inches DBH (diameter at breast height) shall be retained wherever possible. The location of such trees shall be shown on the improvement or project plans when such trees are located within a construction area where the ground will be disturbed. Trees proposed for removal shall be noted on the plan. Trees eight inches DBH to less than 20 inches DBH located in an area of moderate grading (up to three feet of cut or fill) shall only be removed if an arborist retained by the subdivider determines it is impractical to preserve the tree (s) with retaining walls or other construction features. The arborist's recommendations shall be noted on a ~~plain~~ project plans signed by the arborist with a copy provided to the ~~Planning~~ Development Services Director prior to filing the final map. Trees 20 inches DBH or greater shall not be removed unless:

- a. Topographic constraints make alternatives infeasible; and
- b. The ~~Planning~~ Development Services Director concurs that no feasible alternative exists. This determination shall occur prior to filing the final map.

49.7. If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and Native American Heritage Commission shall be contacted per Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public

Resources Code, respectively. If archaeologist artifacts are discovered, the subdivider shall retain an archaeologist to make recommendations for treatment of the artifacts. Treatment of Native American remains or archaeologist artifacts shall be the responsibility of the subdivider and shall be subject to review and approval by the County Planning Director.

51. The project is subject to all state and federal permits when and if needed.
52. 4. Existing trees six inches DBH (diameter at breast height) shall be retained wherever possible. The location of such existing trees shall be shown on the improvement or project plans, and the trees proposed to be removed where the ground is to be disturbed shall be identified. Trees to be retained within 50 feet of areas of construction shall be fenced or flagged to insure that such trees are not damaged.
28. ~~The alternatives and mitigation measures developed for the mitigated declaration prepared and adopted for this tentative map are herewith incorporated as conditions of approval of this tentative map and shall be implemented prior to filing of the final subdivision map or as specifically provided for in the final subdivision agreement. Said mitigation measures read as follows:~~
- ~~Mass grading and extensive vegetation removal would will create a significant impact on the view the public has of the ridge the project is located on. The proposal by the applicant does not involve either of the above. Provided that this is the case, there could not be a significant impact.~~
- ~~Mitigation: The project will be subject to the grading ordinance as adopted by the County. Adherence to the regulations as specified in the ordinance will mitigate any significant impact. Mass pad grading and total removal of vegetation on the site shall be prohibited unless a revised initial study and environmental findings are prepared that would will indicate there could be no significant impacts.~~
53. 24. Pursuant to 16.12.090 of the County Code, upon calculation by the County Assessor's Office, The subdivision is subject to parkland dedication in-lieu fees in the amount of \$7,980.00 shall be paid to the Cameron Park Community Services District. The fees shall be paid at the time of filing the final map.
27. ~~The tentative map shall not become effective until the appropriate zoning is approved by the Board of Supervisors.~~
54. A fee of \$150 shall be paid to the El Dorado County Assessor to offset the appraisal cost required herein. This fee is to be paid prior to filing the final map.
55. CC&Rs shall notice an aviation noise easement for all parcels within the project. Said avigation easement shall be recorded with the final map.

56. A Landscape and Lighting Assessment District shall be created for this project. In the event the CSD forms their own LLAD, the Sierra Sunrise II LLAD shall be required to incorporate into that community district.
57. Prior to issuance of a building permit, the applicant shall pay the required in-lieu fee for mitigation of impacts on rare plant species in accordance with El Dorado County Zoning Ordinance Chapter 17.71.
59. Prior to the filing of the final map, the developer shall provide evidence of agreement with the affected school districts for payment of such fees as may be established by said school district (s) in accordance with Government Code Section 65995-65997 and SB 1287; provided, however, if: 1) prior to the filing of the final map, Assembly Constitutional Amendment 6 of the 1991-1192 Regular Session of the State Legislature fails to receive the approval of a majority of the voters voting on the measure; or 2) the final map is filing prior to the vote on the measure and said measure fails, then the developer shall produce evidence of an agreement with said school district (s) to pay, for each building permit issued thereafter, the amount of \$7,198 per residential unit pursuant to Resolution No. 220-91, or such other fee amount established by the Board of Supervisors pursuant thereto or pursuant to any successor thereto.
60. A boundary line adjustment shall be required for the adjustment of the common boundary of parcels 1, 11, 10, and 9 of Sierra Sunrise II, and parcels 18, 9, 8 of Sierra Sunrise. Note: Said BLA cannot record until Sierra Sunrise has recorded.
61. 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 occur 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.

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

- b. TM92-1261E/Sierra Sunrise II submitted by DARREN and CINDY OWEN (Agent: CTA Engineering and Surveying, Inc.) for two one-year time extensions to the subject map, extending the expiration date of the map to August 24, 2010. The request includes a phasing plan. Phase 1 would be identified as Large Lot 1 and would consist of Parcels 1 through 3 and Parcel 11. Phase 2 would be identified as Large Lot 2 and would consist of Parcels 4 through 10.

The property, identified by Assessor's Parcel Number 116-030-26, consisting of 5.56 acres, is located on the east side of Woodleigh Lane, approximately 0.25 mile north of Kimberly Road, in the Cameron Park area, Supervisorial District I. (Negative declaration prepared)

Staff: Pat Kelly recommended conditional approval, proposing modification to Conditions 10, 11, and 38.

Olga Sciorelli, CTA Engineering, was present, and agreed with all the proposed conditions.

Commissioner Machado asked for clarification on the revision to Condition 38. Ms. Sciorelli explained. There was no further input.

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MACHADO AND UNANIMOUSLY CARRIED, IT WAS MOVED TO ADOPT THE NEGATIVE DECLARATION, AS PREPARED, AND APPROVE TM92-1261E BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1.0 CEQA FINDING

1.1 A Negative Declaration including mitigation measures was certified by the Planning Commission, with the original approval of the Sierra Sunrise II Tentative Subdivision Map on July 22, 1993. Since the original certification of the Negative Declaration, new environmental issues have been identified which would require additional environmental review. Therefore, staff has prepared an Initial Study (Environmental Checklist with Discussion, (Exhibit E) to determine if the project would have a significant effect on the environment. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment, and a Negative Declaration has been prepared.

2.0 ADMINISTRATIVE FINDINGS

2.1 GENERAL PLAN FINDINGS

As proposed, the project is consistent with the High-Density Residential (HDR) land use designation of the subject site as defined within General Plan Policy 2.2.1.2 because the HDR land use designation permits a density of one to five dwellings units per acre. Additionally, allowable residential structure types within the HDR land use designation include single-family attached and detached dwellings and manufactured homes.

The proposal is consistent with all applicable General Plan Policies including 2.2.5.21, 5.2.1.2, 5.2.1.3, 5.7.1.1, 7.4.4.4 concerning land use compatibility, adequate quantity and quality of water for all uses, including fire protection, community wastewater systems, and retention and replacement for removal of oak tree canopy. Because of the project's provision of adequate access, sufficient water

and sewage disposal service systems and efforts to fit within the context of the surrounding land uses, it is consistent with the General Plan policies identified above.

2.2 ZONING CODE

The subject site is zoned Single-family Residential/Airport Safety District (R1-AA) which permits a minimum parcel size of six thousand square feet when the parcels are served with a public water supply and sewage system under Section 17.28.040.D of the El Dorado County Zoning Ordinance.

As proposed, the project meets all applicable development standards contained within Section 17.28.040 of the El Dorado County Zoning Ordinance.

2.3 Subdivision Ordinance

A. That the proposed map is consistent with applicable general and specific plans;

The proposed time extension to an approved Tentative Subdivision Map would create custom residential parcels consistent with the designated density under the 2004 El Dorado County General Plan.

B. That the design or improvement of the proposed division is not consistent with applicable general and specific plans;

The Tentative Subdivision Map has been designed in conformance with the General Plan policies and standards including protection of natural resource, circulation, land use, and public facilities.

C. That the site is physically suitable for the type of development;

The site is physically suitable for custom residential development. The project site is characterized by sloping terrain ranging from 0 to 21 percent. No water bodies or streams are apparent. The project site is surrounded by residential development and existing public roads.

D. That the site is physically suitable for the proposed density of development;

The 11 parcels, with an average size of .43 acres, are physically suitable to accommodate future residential development. The project site is characterized by sloping terrain ranging from 0 to 21 percent. No water bodies or streams are apparent. Development of the site shall be further reviewed for proper design, layout and improvements in conformance with the applicable County and agency standards.

E. That the design of the division or the proposed improvements is not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;

Development of these 11 custom residential parcels is subject to the specific project conditions of approval. Prior to development of each parcel, individual construction and improvement plans shall be reviewed for conformance to applicable County standards. Therefore, the design of the subdivision is not likely to cause substantial environmental damage.

F. That the design of the division or the type of improvements is not likely to cause serious public health hazards;

The conditionally approved tentative subdivision map anticipates the development of 11 custom residential parcels. Overall development of the site shall be subject to subsequent permitting review in accordance with El Dorado County and affected agency standards to ensure orderly and safe development.

G. 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 design of the Tentative Subdivision Map conforms to the requirements of Section 4291 of the Public Resources Code involving brush and vegetation fire prevention. Future development permits for the site would be reviewed for conformance for on-site fire suppression and emergency access and circulation by the Cameron Park CSD Fire District.

H. 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)

Necessary utility easements are depicted on the tentative subdivision map and shall be further verified by the County Surveyor's Office at the time of filing of final map. Additional easements would be required during review of future discretionary development permit, as deemed necessary. Therefore, no conflicts with easements acquired by the public at large are anticipated.

Conditions

The tentative subdivision map time extension is subject to the original conditions of approval. Additional agency conditions of approval from Planning Services have been incorporated and depicted with underlines. The numerical sequencing of the original conditions of approval are shown with a ~~strike through~~. Changes made during the hearing today are indicated by double underlining for additions and ~~double strike through~~ for deletions.

1. This time extension is based upon and limited to compliance with the project description, the Planning Commission hearing dated April 10, 2008, exhibits marked Exhibit D and E, 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 proposed project, as considered, is described as follows:

The request would grant two remaining one-year time extensions for an approved Tentative Subdivision Map (TM92-1261). TM92-1261 would create eleven (11) parcels ranging in size from 11,200 square feet to 35,400 square feet. The project would be accessed via a cul-de-sac road, identified as "A" Street on the Tentative Subdivision Map, (Exhibit D) which would be accessed from Woodleigh Lane, a county maintained road. The proposed "A" Street would extend from the project site south to provide access for the adjacent Tentative Subdivision Map TM88-1095 (Sierra Sunrise).

The applicant proposes to develop the project site in phases. Phase 1 would be identified as Large Lot 1 on the Tentative Subdivision Map and would consist of Parcels 1 through 3 and Parcel 11. Phase 2 would be identified as Large Lot 2 on the Tentative Subdivision Map and would consist of Parcels 4 through 10 (Exhibit D).

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

Department of Transportation

- ~~2.10.~~ The project shall be subject to area of benefit road fees in the amount of \$2500 per parcel for each parcel created. Said fees are to be collected at the time of building permit issuance unless at such time it appears that Government Code Section 53077.5 mandates collection at time of occupancy. If prior to collection of the fee a revised road fee is established, such revised amount shall be paid.

3. The applicant shall widen Woodleigh Lane along the entire project frontage to a total width of 28 feet, with curb and gutter as required by the provisions of the Design and Improvement Standards Manual (DISM), Standard Plan 101B. 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 map.
4. The applicant shall construct "A" Street to a total width of 28 feet, with curb and gutter, as required by the provisions of DISM, Standard Plan 101B. A turnaround shall be constructed at the end of "A" Street, per the provisions of the local Fire District, unless the roadway for the adjacent Sierra Sunrise (TM88-1095) subdivision. 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 map.
5. The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment form "A" Street onto Woodleigh Lane to the provisions DISM, Standard Plan 103C, prior to the filing of the map.
6. The applicant shall provide a reciprocal access agreement to Assessor Parcel Number 116-030-28, guaranteeing access for this site to use the proposed off-site roadway from this project to Woodleigh Lane, prior to the filing of the map.
7. Woodleigh Lane is classified as a minor collector. The applicant shall irrevocable offer to dedicate in fee, 30 feet wide of right-of-way, with slope easements where necessary from the centerline of Woodleigh Lane along the entire property frontage. This offer shall be accepted by the County.
8. The applicant shall irrevocably offer to dedicate a 50 foot wide right-of-way for "A" Street, which will be rejected by the County.
9. 1. The developer shall obtain approval of project improvement plans ~~construction drawings~~ consistent with the Subdivision Design and Improvement Standards Manual and cost estimates from the County Department of Transportation and pay all applicable fees prior to filing of the final map. ~~and commencement of any improvements on the public streets and service facilities. All improvements on the public street and service facilities shall be consistent with the approved tentative map.~~
10. ~~Sidewalks may be located outside the right of way and meander as a means to provide interest and variety in alignment. The alignment and design of the sidewalks shall be reviewed and approved by the Department of Transportation prior to filing the final map. Sidewalks shall be connected to walk/trail systems in the project open space areas. Pedestrian easements shall be provided where necessary. Final lane configurations, including the need for additional rights-of-way, shall be subject to review and approval of the Department of Transportation property improvements plan approval.~~

- ~~11.~~ 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.
12. 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.
- ~~13.35.~~ Cross lot drainage shall be avoided. When cross lot drainage does occur, it shall be contained within dedicated drainage easements, and tThe project is to be annexed into CSA9, Zone of Benefit (ZOB) 77, for drainage system maintenance., 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.
14. 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.
15. 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.
16. The 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.
- ~~17.21.~~ Subdivision improvements shall include rough grading of driveways for all parcels with street cuts or fills along the frontage of six feet or more difference in elevation, or as found necessary for reasonable access by the County Engineer Transportation Director. Construction of said ~~Driveways~~ shall conform to the Design and Improvements Standards Manual and the Encroachment Ordinance. ~~be installed in a manner and location acceptable to the County Department of Transportation. As an alternative, a~~ Notice of restriction shall be filed against all downhill parcels with fill in excess of 6 feet which allows structural driveway access only.

- ~~18.22.~~ A final drainage plan shall be prepared by the project proponent subdivider and submitted with the subdivision grading and improvement plans to the ~~approval of and approved by~~ the Department of Transportation for approval. ~~The subdivider shall install drainage facilities as shown on said~~ All drainage facilities identified in the drainage study shall be included in the subdivision grading and improvement plans
19. The applicant shall submit a soils 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.
20. The Master Covenants, Conditions and Restrictions (CC&Rs) shall provide that no parking shall be permitted within cul-de-sac bulbs which have a radius to curb-face that is less than County standards and shall provide for enforcement of such provisions. The CC&Rs shall include a provision for off-street parking to compensate for lack of parking normally provided within the cul-de-sac bulb. The applicant shall either provide adequate parking for a three-car driveway or sufficient depth of driveway (18 feet per parking stall) to accommodate longitudinal and/or lateral parking for three spaces.
- ~~21.34.~~ Provisions shall be included in the CC&Rs which require that the design of the drainage system for each residence shall connect to the storm drain system for the subdivision. Said design shall be prepared by a qualified individual. All conveyances shall be underground.
22. 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).
23. 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.
24. 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.
25. The applicant shall pay the traffic impact fees in effect at the time a building application is deemed complete.
26. ~~5.~~ The final map shall show all utility, road and drainage easements per the recommendation of utility purveyors and the County Engineer. Final determination of the location of said utility easements shall be made by the County Engineer. Said easements shall be irrevocably offered to the County.

~~27.23.~~ The final map shall show drainage easements for all onsite drainage facilities outside of road rights-of-way. Said easements shall be irrevocably offered to the County.

28. A preliminary grading proposal shall be prepared that shall include the driveways required for construction of residential units on all parcels. Said plan shall include the vegetation thinning and removal proposal. The plan shall be included as part of the final grading improvement plans and be subject to the approval of the County Department of Transportation.

29. The grading of the driveways and the vegetation thinning/removal shall be part of the subdivision improvements and shall be subject to Condition 3 above.

~~30.~~ 24. Grading activities located outside of road rights-of-way and slope easements shall be limited to building footprints and driveways, and a grading proposal delineating the extent of the grading to be performed shall be included as a part of the final grading improvement plans submitted to the Department of Transportation.

a. All 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. No building permit shall be issued by the County until final grading plans and erosion control plans are approved by the Department of Transportation approves the final grading erosion control plans and the grading is completed. All erosion control plans, where grading occurs, must be implemented by October 15 of the year of construction unless said condition is waived by the County Engineer.

b. Areas disturbed during construction, including cuts and fills, shall be revegetated. The timing of construction and method of revegetation shall be coordinated with ~~between~~ the El Dorado County Resource Conservation District (RCD) ~~and the Department of Transportation.~~ The Department of Transportation shall verify compliance with this condition when the final map is presented for consideration.

c. 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) Soil Conservation Service for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.

d. In all cases, the subdivider shall comply with the Department of Transportation's recommendations for erosion control and top soil conservation. 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 pollutions into drainages.

31. In all cases, the subdivider shall comply with the Department of Transportation's recommendation for erosion control and topsoil conservation.
32. A letter of agreement from the cable television franchisee, pursuant to Section 16.16.010 (I) of the County Code, shall be submitted to Planning Services prior to approval of the final map.
33. Prior to approval of the final map by the Board of Supervisors, the subdivider shall be required to form a County Service Area Zone of Benefit to fund drainage facilities' maintenance.
34. Where required by the County Engineer, the subdivider shall provide bus turnouts in a design and location acceptable to El Dorado Transit and the appropriate school districts.
35. 2. The construction of all required improvements shall be completed with the presentation of the final map to the Planning-Development Services Director before presenting the 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 material men 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.
11. ~~Drainage from and within the project must be addressed and specific mitigation measure identified to assure no upstream or downstream damage from storm water runoff. Particular attention is to be given to any wetlands and water quality of runoff from the project.~~
13. ~~Improvement plans shall be prepared by a registered civil engineer and shall be subject to DOT approval.~~
14. ~~All necessary permits and agreements shall be obtained from the DOT prior to commencement of any road construction.~~
15. ~~Subject to improving on site road easements to Standard Plan 101-B, roadway width (curb face to curb face) is to be 32'. Said improvements shall be in the area described as:~~
 - a. ~~Woodleigh Lane adjacent to parcel 2 and 3;~~
 - b. ~~Proposed road A.~~

16. ~~Subject to improving on-site cul de sac at the end of proposed road "A" construction shall conform to standard Plan 114, Type A (if Sierra Sunrise I is built prior to this and division, this condition shall not apply).~~
- ~~36.~~17. "A" Street sign per Standard Plan 105-A shall be located on at the intersection of Woodleigh Lane and the proposed Road "A" Street.
- ~~37.~~18. A stop sign per Standard Plan 105-A shall be located on the proposed Road "A" Street at its intersection with Woodleigh Lane.
- ~~38.~~19. A non-vehicular access shall be shown on the final map for parcels ~~2~~ 1 and ~~3~~ 2, fronting Woodleigh Lane.

County Surveyor

- ~~39.~~20. All roads shall be named by filing a completed road naming petition for each road with the County Surveyor's Office prior to filing the final map.
- ~~40.~~ 3. 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 a surety of work to be done by bond or cash deposit ~~and shall provide a fifty (50) percent labor and material men bond.~~ Verification of set survey monuments, or amount of bond or deposit to be coordinated with ~~work completed, or work to be completed, and cost of completion is to be determined by the County Surveyors~~ Office.

Cameron Park CSD Fire Department

41. The location of fire hydrants and systems for fire flows are to meet the requirements of the fire department. Written approval from the fire district shall be submitted with the final map to Planning Services prior to the Board of Supervisors' approval.

El Dorado County Environmental Management

42. The project shall comply with all El Dorado County Air Pollution District Rules and Regulations as determined by the District prior to issuance of grading or construction permits.
- ~~6. If blasting activities are to occur in conjunction with subdivision improvements, the subdivider shall ensure that such blasting activities are conducted in compliance with state and local regulations.~~
- ~~8. If burning activities are to occur during the for construction of the subdivision improvements, the subdivider shall obtain the necessary burning permits from the California Department of Forestry and air pollution permits from the County prior to said burning activities.~~

El Dorado Irrigation District

43.25. The applicant shall submit a facilities plan report to the El Dorado Irrigation District prior to implementation of sewer service.

44.30. A 20-foot wide EID water and sewer easement acceptable as to location shall be recorded with the final map. Applicant shall contact EID, Right-of-Way Division, for specific location of the easement.

45.36. A meter award letter shall be provided by the water purveyor prior to the ~~recording~~ filing of the final map.

Planning Services

46. As specified in conditions of approval, the subdivider is required to perform off-site improvements. If it is determined that the subdivider does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the subdivider's expense and within 120 days of filing the final map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for the immediate possession of the property.

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

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

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

In addition to the agreement, the subdivider shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County counsel.

- 47.4. Existing trees six inches DBH (diameter at breast height) shall be retained wherever possible. The location of such trees shall be shown on the improvement or project plans when such trees are located within a construction area where the ground will be disturbed. Trees proposed for removal shall be noted on the plan. Trees eight inches DBH to less than 20 inches DBH located in an area of moderate grading (up to three feet of cut or fill) shall only be removed if an arborist retained by the subdivider determines it is impractical to preserve the tree (s) with retaining walls or other construction features. The arborist's recommendations shall be noted on ~~a plain project plans~~ signed by the arborist with a copy provided to the Planning Development Services Director prior to filing the final map. Trees 20 inches DBH or greater shall not be removed unless:
- a. Topographic constraints make alternatives infeasible; and
 - b. The Planning Development Services Director concurs that no feasible alternative exists. This determination shall occur prior to filing the final map.
- 48.7. If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and Native American Heritage Commission shall be contracted per Section 7050.5 of the Health and Safety Code, and Section 5097.89 of the Public Resources Code, respectively. If archaeological artifacts are discovered, the subdivider shall retain an archaeologist to make recommendations for treatment of the artifacts. Treatment of Native American remains or archaeological artifacts shall be the responsibility of the subdivider and shall be subject to review and approval by the County Planning Director.
- 49.9. The project is subject to all state and federal permits when and if needed.
- 50.26. Pursuant to Section 16.12.090 of the County Code, upon calculation by the County Assessor's Office, a parkland dedication in-lieu fees shall be paid to the Cameron Park Community Services District. The fees shall be paid at the time of filing the final map.
- 51.27. A fee of \$150 shall be paid to the El Dorado County Assessor ~~County Planning Department~~ to offset the appraisal cost required herein. This fee is to be paid prior to filing the final map.
- 52.28. CC&Rs shall notice an aviation noise easement for all parcels within the project. Said aviation easement shall be recorded with the final map.
- 53.29. A Landscape and Lighting Assessment District shall be created for this project. In the event the CSD forms their own LLAD, the Sierra Sunrise II LLAD shall be required to incorporate into that community district.
54. Prior to issuance of a building permit, the applicant shall pay the required in-lieu fee for mitigation of impacts on rare plant species in accordance with El Dorado County Zoning Ordinance Chapter 17.71.

~~55.31.~~ Prior to the ~~recording~~ filing of the final map, the developer shall provide evidence of agreement with the affected school districts for payment of such fees as may be established by said school district (s) in accordance with Government Code Section 65995-65997 and SB 1287; provided, however, if: 1) prior to the ~~recording~~ filing of the final map, Assembly Constitutional Amendment 6 of the 1991-1192 Regular Session of the State Legislature fails to receive the approval of a majority of the voters voting on the measure; or 2) the final map is ~~recorded~~ filing prior to the vote on the measure and said measure fails, then the developer shall produce evidence of an agreement with said school district (s) to pay, for each building permit issued thereafter, the amount of \$7,198 per residential unit pursuant to Resolution No. 220-91, or such other fee amount established by the Board of Supervisors pursuant thereto or pursuant to any successor thereto.

~~56.32.~~ A boundary line adjustment shall be required for the adjustment of the common boundary of parcels 1, 11, 10, and 9 of Sierra Sunrise II, and parcels 18, 9, 8 of Sierra Sunrise I. Note: Said BLA cannot record until Sierra Sunrise I has recorded.

~~33. Subject to payment of the State Department of Fish and game fees of 1275 prior to the filing of the Notice of Determination.~~

~~57.~~ 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 occur 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.

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

8. **GENERAL PLAN UPDATE** - None

9. **ZONING ORDINANCE UPDATE** - None

10. **DEPARTMENT OF TRANSPORTATION** - None

11. **COUNTY COUNSEL'S REPORTS** - None

12. **DIRECTOR'S REPORTS** - None

13. ADJOURNMENT

Meeting adjourned at 9:55 a.m.

APPROVED BY THE COMMISSION
Authenticated and Certified:

Alan Tolhurst, Chair

