

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: April 24, 2008

Item No.: 9.b.

Staff: Michael C. Baron

TENTATIVE SUBDIVISION MAP-TIME EXTENSION

FILE NUMBER: TM96-1321-E/Bell Ranch, TM00-1371-E/Hawk View and TM01-1380-E/Bell Woods

APPLICANT: Western Pacific Housing, Inc.

REQUEST: Five One-Year Time Extensions to three approved Tentative Subdivision Maps (TM96-1321-Bell Ranch, TM00-1371-Hawk View, TM01-1380-Bell Woods) in accordance with Section 16.74.030 of the El Dorado County Subdivision Ordinance and the Bass Lake Hills Specific Plan.

LOCATION: On the north side of U.S. Highway 50 between Bass Lake Road and El Dorado Hills Road interchanges, in the El Dorado Hills area; Supervisorial District II (Exhibit A).

APN: TM96-1321-E/Bell Ranch: 119-020-52
TM00-1371-E/Hawk View: 115-040-14
TM01-1380-E/Bell Woods: 119-020-50

ACREAGE: TM96-1321-E/Bell Ranch: 112.14 acres
TM00-1371-E/Hawk View: 38.46 acres
TM01-1380-E/Bell Woods: 33.67 acres

GENERAL PLAN: Area Plan/El Dorado Hills Community Region/Bass Lake Hills Specific Plan (AP/EDH/BLH)

ZONING: One Family Residential Zone District-Planned Development (R1-PD)

ENVIRONMENTAL DOCUMENT: Statutorily Exempt pursuant to Section 15182 of the CEQA Guidelines

SUMMARY RECOMMENDATION: Conditionally Approve

BACKGROUND

The Bass Lake Hills Specific Plan (BLHSP) was adopted by the El Dorado County Board of Supervisors in November 1995. The purpose of the BLHSP was to facilitate the orderly and systematic development of the Plan area. The Plan established maximum residential land use densities for all the land within the Plan area, specified how those lands would be developed, described the public facilities and services necessary to support the allowed development, and described the funding mechanisms necessary for implementation. The Plan did not replace the El Dorado County Zoning Ordinance. Rather the Plan refined the General Plan by providing detailed policy direction for the Plan area beyond that provided for in the General Plan. The Plan was implemented by existing County regulations and can be amended by resolution in the same manner as the General Plan. The goals of the Specific Plan are as follows:

- To encourage comprehensively planned villages;
- To create a functional, safe, and attractive residential community complimented by all necessary public facilities and services;
- To create integrated open space and park amenities which enhance the quality of life for Plan area residents;
- To facilitate development, while respecting and conserving the natural resources of the Plan area, that will continue to provide wildlife habitat;
- To provide mechanisms for the implementation, funding, enforcement, and maintenance of all aspects of the Plan;
- To provide for the perception of open space of the site within the viewshed of the U.S. Highway 50; and
- To maintain visual and spatial separation between the plan area and adjacent communities to the west and east.

The BLHSP areas are required to comply with subdivision, zoning, and planned development requirements. Infrastructure, public facilities, and services are required to be provided in advance of development and therefore are grouped or phased in a manner that comply with the Public Facilities Financing Plan (PFFP). The PFFP sets forth a strategy to finance the backbone infrastructure and other public facilities required to serve the proposed land uses in the BLHSP area. One of the stated goals of the BLHSP is that major infrastructure improvements in the plan area are to be constructed concurrent with the initial development. The Department of Transportation addressed the concurrency issue

and suggested that the first 300 housing units construct the realignment and construction of Bass Lake Road. The 300-unit threshold is referred to as “critical mass.”

In addition to Bass Lake Road improvements, the PFFP provides that the following items would be required at the 300-unit critical mass level:

- Highway 50 Interchange Project Study Report (PSR);
- Access roads and infrastructure to the school site;
- Sidewalks and the Class I bike trail along Bass Lake Road;
- Acquisition of an 8.7 acre sports park;
- Design of a sports park; and
- Acquisition of a 2-acre park-and-ride lot.

The PFFP allows for two phases of construction for the Bass Lake Road improvements. The first phase would be constructed by the Hollow Oak project (Phase 1). These improvements included the construction and re-alignment of Bass Lake Road from the intersection of Hollow Oak Road to the current alignment of Bass Lake Road just north of Serrano Parkway. Shoulder widening and related facilities would be completed from Bass Lake Road south to Highway 50 where the street section is less than 32 feet wide. The second phase (Phase 1A) would be completed by the next group of projects, whether the next project or group of projects equal 300 units. These projects currently include Hawk View, Bell Ranch, and Bell Woods. Phase 1A projects would complete the improvements to Bass Lake Road from Highway 50 to Serrano Parkway. Construction would include the bikeway and sidewalk running parallel to Bass Lake Road. The PFFP includes additional timing requirements for other infrastructure items to assure that the Specific Plan concurrency requirements have been completed. These include construction of an 8.7 acre sports park and construction of the 100 space park-and-ride lot by the 600 unit threshold. It is important to note that although the Phase 1A projects have been identified as Hawk View, Bell Woods, and Bell Ranch, other projects may come forward and be conditioned with Phase 1A improvements.

In 1998 El Dorado County voters approved Measure Y, the Control Traffic Congestion initiative, which added policies to the 1996 General Plan. As stated in the Initiative, Measure Y was designed “for the purpose of protecting public health and safety by requiring new development to fully pay its way to prevent traffic congestion from worsening.” The development agreements for the Bell Ranch, Hawk View and Bell Woods projects were in place prior to Measure Y; therefore, Measure Y does not apply to these projects. However, these projects in the BLHSP, are consistent with the goals of Measure Y as the financing issues are addressed in the PFFP.

The three Tentative Subdivision Maps were all conditionally approved by the El Dorado County Board of Supervisors April 28, 2005 with a three year expiration date of April 28, 2008.

On October 10, 2007 Western Pacific Housing applied for Time Extension requests on all three subdivisions. The applicant has been unable to file and record final maps for the three subdivisions because of challenges related to the PFFP. A one-year Time Extension would not allow sufficient time to accomplish the required improvements, obtain necessary permits, and final map approvals. Therefore, five one-year time extensions have been requested for each of the three subdivisions. If granted, the maps would expire April 28, 2010.

STAFF ANALYSIS

Staff has reviewed the project for consistency with the County’s regulations and requirements. An analysis of the proposal and issues for the Planning Commission consideration are provided in the following sections.

Project Description

The three subdivisions (TM96-1321-Bell Ranch, TM00-1371-Hawk View, TM01-1380-Bell Woods) consist of a combined total of 281 single-family residential lots ranging in size from 6,476 square feet to 251, 136 square feet, a total of five open space lots, 19 landscape lots, one park site, and public and private streets. The projects were granted Design Waivers allowing a reduction in both road and sidewalk widths, mountable dike installations in place of rolled curbs where applicable, decorative roadway surfacing, allowance of raised landscape medians, excess dead-end road lengths, and variable turn around radii. There are no changes or revisions to the maps associated with these time extension requests. Tentative Map Revisions are to be processed in the future.

Site Description

The project site is characterized by sloping terrain ranging from 0 to 30 percent and an elevation varying from 650 feet to 1,200 feet. The existing vegetation consists of corridors of oak woodland and annual grasslands.

Adjacent Land Uses

	Zoning	General Plan	Land Use/Improvements
North	R1//RE-10/A/RF	SEDH/BLH	Single-Family Residential/Park-Site/Open Space
South	R1/RE-10/A	SEDH/BLH	Single-Family Residential
East	R1/RE-10/RF	SEDH/BLH	Single-Family Residential/Park-Site
West	R1/RE-10/A	SEDH/BLH	Single-Family Residential/ Open Space

General Plan

The General Plan designates the subject sites as Adopted Plan, a designation that pertains to those areas where specific plans have been adopted; in this case, the Bass Lake Hills Specific Plan. These plans are “accepted and incorporated by reference, and the respective land use map associated with each such plan is hereby adopted as the General Plan map for such area.

The Bass Lake Hills Specific Plan was adopted in November 1995, and all subsequent development within the plan area must conform to the policies contained therein along with the corresponding development agreement and financing plan.

Zoning

The subject sites for all three time extension requests are Zoned Single-Family Residential/Planned Development (R1/PD). The R1 Zone District typically permits minimum parcel sizes of six thousand square feet when the lot is served with public water supply and sewage system. It is a requirement of the BLHSP that all lots are to be served by public water and sewer. Each parcel meets or exceeds the minimum requirement for the R1 Zone District as well as the provisions outlined within the Specific Plan. The approved parcels are therefore consistent with the zoning and the approved development plan.

Subdivision Ordinance

As detailed in Attachment 4, the proposed tentative map time extensions are found to be consistent with Section 16.44.030 of the El Dorado County Subdivision Zoning Ordinance.

Agency Comments

The Time Extension Requests were distributed for agency review and comment on December 04, 2007. The agencies distributed to include Department of Transportation (DOT), El Dorado Hills Community Services District (CSD), Cameron Park Community Services District (CSD), El Dorado Hills Fire Department, and the County Surveyor.

There were no objections to the requested Time Extensions.

Conditions of Approval

Included as Attachment 1, 2, and 3, the tentative subdivision map time extensions requested are 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 ~~strikethrough~~.

ENVIRONMENTAL REVIEW

An Environmental Impact Report was certified with the approval of the Bass Lake Hills Specific Plan on February 7, 1995. All mitigation measures contained in the Final EIR were adopted by the Board of Supervisors and incorporated as Conditions of Approval for the tentative map. Since the original certification of the EIR, no new environmental issues have been identified which would require additional environmental review. Therefore, the Time Extension Requests are deemed Statutorily Exempt pursuant to Section 15182 of California Environmental Quality Act (CEQA) Guidelines.

Pursuant to Resolution No. 240-93, a \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. Certify that the projects are Statutorily Exempt from CEQA pursuant to Section 15182; and
2. Approve the Tentative Subdivision Map Time Extension Requests based on the Conditions of Approval in Attachment 1, 2, 3 and Findings in Attachment 4.

SUPPORT INFORMATION

Attachment 1.....Conditions of Approval TM96-1321 Bell Ranch
Attachment 2.....Conditions of Approval TM00-1371 Hawk View
Attachment 3.....Conditions of Approval TM01-1380 Bell Woods
Attachment 4.....Findings
Exhibit A.....Vicinity Map
Exhibit B.....General Plan Land Use Map
Exhibit C.....Zoning Map
Exhibit D.....Hawk View Tentative Subdivision Map
Exhibit E.....Bell Ranch Tentative Subdivision Map
Exhibit F.....Bell Woods Tentative Subdivision Map

ATTACHMENT 1
CONDITIONS OF APPROVAL
(TM96-1321 Bell Ranch)

PD96-0006/TM96-1321 – As approved by the Board of Supervisors May 24, 2005

Conditions of Approval for the Development Plan

1. This Tentative Subdivision Map Time Extension Request is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits A-F, dated April 24, 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:

Five One-Year Time Extensions to approved Tentative Subdivision Map (TM96-1321 Bell Ranch) in accordance with Section 16.74.030 of the El Dorado County Subdivision Ordinance and Bass Lake Hills Specific Plan.

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 must be submitted for review and approval and shall be implemented as approved by the County.

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 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.

- 3.1. The development plan (PD96-0006) for Bell Ranch shall consist of the following: 122 total lots consisting of 113 single family lots ranging in size from 13,500 to 126,930 square feet, with 7 landscape lots, 1 open space lot, and 1 park site on 112.14 acres.
- 4.2. The development plan (PD96-0006) for Bell Ranch (~~Exhibit E~~) shall be in substantial compliance with the Bell Ranch tentative map.
- 5.3. The development plan (PD96-06) for Bell Ranch shall conform to the development standards of the One-family Residential-Planned Development (R1-PD) Zone District with the exception of the following revised setbacks:

Lots 1 - 11

- i. Front – 30 feet minimum
- ii. Rear – 30 feet minimum
- iii. Side – 10 feet minimum

Lots 12 – 113

- i. Front – 20 feet minimum
- ii. Rear – 15 feet minimum
- iii. Side – 5 feet minimum (not height dependent)
- iv. Street Side – 15 feet minimum fronting street

Lot J (if not park)

- i. Front – 30 feet minimum
- ii. Rear – 30 feet minimum
- iii. Side – 20 feet minimum

Improvement Plans and General Conditions - Development Plan/Tentative Map

- 6.4. Pursuant to Item 9.3.1 of the Bass Lake Hills Specific Plan, the applicant shall agree to reimbursement of El Dorado County for the preparation, adoption, administration, and CEQA mitigation monitoring of the Plan. Fees will be assessed prior to the recordation of the final map and must be paid in full prior to issuance of the first building permit.
- 7.5. 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. All improvements shall be consistent with the approved tentative map.

- ~~8.6.~~ 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.
- ~~9.7.~~ The final map shall show all utility, road, and drainage easements per the recommendation of the utility purveyors and the County Engineer. The County Engineer shall make the final determination of the location of said easements. Said easements shall be irrevocably offered to the County.
- ~~10.8.~~ 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.
- ~~11.9.~~ 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.
- ~~12.10.~~ The location of fire hydrants and systems for fire flows are to meet the requirements of the responsible Fire Protection District. The emergency vehicle circulation and the location of hydrants shall be shown on the improvement plans, which shall be subject to the approval of the Fire Protection District.
- ~~13.11.~~ If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and the 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. If archaeological artifacts are discovered, the developer shall retain an archaeologist to make recommendations for the treatment of the artifacts. Treatment of Native American remains or archaeological artifacts shall be the responsibility of the developer and shall be subject to the review and approval of the County Planning Director.

Roads

- ~~14.12.~~ This project is subject to El Dorado County traffic fee programs. Said fees shall be due upon the issuance of a building permit. If, prior to the application for a building permit for said project a revised fee is established, such revised amount shall be paid.
- ~~15.13.~~ A vehicular access restriction shall be designated along L Way frontage of lots 25 through 28, along M Way frontage of lots 29 through 32, along R Way frontage of lots 111 through 113, along Tierra DE Dios frontage of corner lot 1, and also along all landscape lots, except for the driveway easements crossing landscape lots, which shall also be clearly designated at locations approved by the Department of

Transportation; the maintenance of driveways should be clearly assigned to the homeowner.

All roads shall be constructed in conformance with the Design and Improvements Standards Manual and the Bass Lake Hills Specific Plan with the following widths:

ROAD NAME	REFERENCE	ROAD WIDTH	EXCEPTIONS / NOTES
Tierra De Dios Drive (Country Club Drive)	Specific Plan Fig. 4-2 and Standard Plan 101B	36 foot pavement width (80-foot R/W), plus utility/ slope easements	Type 2 vertical curb and gutter and 6 foot sidewalk on both_north side and adjacent to park site (See Note R- 2 below)
Morrison Road – on- site, through the project.	Specific Plan Fig. 4-3 and Standard Plan 101B	36 foot curb face to curb face width, (60- foot R/W), plus utility/ slope easements	Type 2 vertical curb and gutter, with 6 foot sidewalk on east side, and 6 foot sidewalk on west side from the most southerly “A” Drive entrance to Tierra De Dios Drive.
Morrison Road – offsite	Specific Plan Fig. 4-3 and Standard Plan 101B	32 foot pavement width (60-foot R/W), plus utility/ slope easements	No curb and gutter. With 6 foot sidewalk on northeast side.
A Drive	Specific Plan Fig. 4-4 Standard Plan 101B	38 foot back of curb to back of curb (50-foot R/W), plus utility/ slope easements	Type 1 rolled curb and gutter* with 4 foot sidewalks on both sides (See Note R-1 below)
B Drive, H Circle, M, L and R Way	Specific Plan Fig. 4-4 and Standard Plan 101B	29 ft. back of curb to back of curb** minimum (50-foot R/W), plus utility/ slope easements	Type 1 rolled curb and gutter* with 4 foot sidewalks on both sides (See Note R-1 below)
Project Cul-de-sacs (C, D, E, G and K Courts	Specific Plan Fig. 4-4 and Standard Plans 101B and 114	29 foot back of curb to back of curb** minimum (50-foot R/W), plus utility/ slope easements	Type 1 rolled curb and gutter* with 4 foot sidewalks (See Note R-1 below)

*Type 2 vertical curb and gutter shall be installed adjacent to back-up lots, landscape lots, open space, and park site.

****Explanation:** Specific Plan Figure 4-4 shows pavement width varies from 24 to 36 foot wide. Figure 4.4 also shows a 3-width for the Type 1 rolled curb and gutter; since the County Standard Plan 104 for Type 1 rolled curb and gutter is actually 2.5-foot wide, the condition reflects a 24-foot pavement width with a 2.5-foot wide rolled curb and gutter on each side resulting in a 29-foot width from back of curb to back of curb as the minimum width for secondary local roads.

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 any walk/trail systems in the project open space areas. Pedestrian easements to be provided where necessary.

Note R-1: The following Design Waivers have been requested:

- a. All sidewalks on secondary local roads i.e. A and B Drive, C, D, E, and G Court, H Circle, M, L, and R Way reduced from 6 to 4 feet and meander as shown on the map. This 4-wide sidewalk is required in the Bass Lake Hills Specific Plan.
- b. A 40-foot roadway right of way (Lot R) for B and C, D, E, and G Court, H Circle, M and R Way. This requested design waiver includes the requirement that the roadways are fully contained within the road right-of-way and that any sidewalk areas not in the road right-of-way are contained within public pedestrian easements.
- c. Place Caltrans Type E and El Dorado County Type A mountable dike (where applicable) in lieu of El Dorado County Type 1 rolled curb and gutter. This requested design waiver includes the requirement that the back of the mountable dike is at the same location as the back of rolled curb and gutter as shown on Figure 4-4 of the Bass Lake Hills Specific Plan.
- d. Install a short transitional 'neck down' of the secondary local roads as shown on the tentative map. This requested design waiver includes the requirement that the roadway geometry will adequately accommodate the turning movements based on the standard El Dorado Hills Fire Department turning radius requirements (56-foot outside radius and 40-foot inside radius); any modifications to this requirement must be approved by the El Dorado Hills Fire Department. The requested neck down cannot result in less roadway width than is required in Figure 4-4 of the Bass Lake Hills Specific Plan.
- e. Allow enhanced raised, landscape medians in Morrison Road at the two A Drive entrances. The request for generous landscaped medians in Morrison Road, at the entrances to the project, is acceptable to the Department of Transportation subject to acceptable maintenance provisions and appropriate design and review and approval by the Department of Transportation at the plan review and permitting

phase. Traffic lanes of Morrison Road next to raised medians must be a minimum of 14 feet in order to allow room for striping and separation for the vehicle wheels. The Islands must be landscaped (landscaping and irrigation plans must be submitted with the improvement plans), and the El Dorado Hills Community Services District must establish the mechanism to assume the responsibility for maintenance prior to acceptance of roadway improvements. The design of Morrison Road and related intersections, during the plan review and permitting phase, must demonstrate that, as a minimum, the geometry will adequately accommodate both the turning movements based on the standard El Dorado Hills Fire Department turning radius requirements (56-foot outside radius and 40-foot inside radius) and based on the Caltrans Bus Design Vehicle, to the satisfaction of the Department of Transportation.

Note R-2: The design of Tierra De Dios must provide a left turn lane for eastbound traffic turning north on Morrison Road or present a traffic report that must be approved by the Department of Transportation demonstrating why a turn lane is not necessary within the General Plan horizon. An allowance must be provided in the roadway width for 14-foot traffic lanes next to any raised medians on Tierra De Dios Drive. In addition, any roadway area dedicated to turn lanes and medians must be in addition to the 36-foot pavement width indicated in the Specific Plan; this basic pavement width will assure adequate roadway area to accommodate bicycle traffic.

~~16.~~^{14.} An irrevocable offer of dedication, in fee, for the required rights-of-way (R/W) as indicated in the above table shall be made for all the proposed roads, with slope easements where necessary. Said offer will be rejected for internal subdivision roadways at the time of the final map, in which case, a homeowner's agreement and association, or other entity acceptable to the Department of Transportation, shall be established in order to provide for the long-term maintenance of the roads and roadway landscaping.

~~17.~~^{15.} Developer shall submit complete applications for Irrevocable Offers of Dedication (IOD) for the portions of Morrison Road outside of the subdivision boundary to the Right of Way unit of the Department of Transportation. The applications will thereafter be processed and forwarded to the Board of Supervisors for action.

~~18.~~^{16.} Bus turnouts and shelters shall be constructed at locations required by El Dorado Transit and the appropriate school district.

~~19.~~^{17.} No freestanding walls, fences, or retaining walls are allowed in the road right-of-way.

~~20.~~^{18.} Primary and secondary roadway access to the road network shall be constructed prior to the first building permit being issued for any residential structure except where the issuance of building permits is for model homes which shall be unoccupied. Primary access shall be to either Bass Lake Road or Country Club

Drive. A secondary access must be to a primary or secondary roadway in the designated alignment defined in the Specific Plan and to the satisfaction of the Department of Transportation and the Fire District.

~~21.~~^{19.} This project shall comply with the Bass Lake Hills Specific Plan, the related Bass Lake Hills Development Agreement, and the Bass Lake Hills Public Facilities Financing Plan (PFFP). In addition, excepting for model homes, certificates of occupancy will not be issued for any residential structures until the PFFP Phase 1 improvement requirements (anticipated to be accomplished through the requirements of the Hollow Oak Subdivision) are substantially complete, as determined by the Department of Transportation.

~~22.~~^{20.} Off-site improvements consistent with Phase 1A requirements of the adopted PFFP shall be completed in compliance as set forth within the Bass Lake Hills Specific Plan (BLHSP), the Bass Lake Hills Specific Plan Public Facilities Financing Plan (PFFP), and the related development agreement, including but not limited to the following. If one of the other two projects included in Phase 1A constructs the improvements, this project shall pay its fair share based on the PFFP leveling methodology. The following are the required improvements:

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 in items a., b., c., and j. above 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.

23. The applicant shall secure approved plans, must enter into a Road Improvement Agreement, or Subdivision Improvement Agreement, with the County, and all necessary right-of-way shall be acquired prior to approval of the first final map for the following PFFP requirements: construct Country Club Drive (G-H) with frontage improvements, and construct school infrastructure (water and sewer).

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 the 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. The road improvements must be determined to be substantially complete by the County Department of Transportation prior to issuance of a certificate of occupancy for any number of units greater than one half of the project units.

24. All necessary land shall be acquired prior to approval of the first final map. In the

event that the eminent domain process must be implemented to acquire said land, this condition shall be deemed satisfied by the developer entering into an agreement for condemnation proceedings with the County Council together with a deposit of funds as required by County Council or make other arrangements to the satisfaction of the Department of Transportation.

The Phase 1A projects, collectively, shall be responsible for design of the total park and ride lot, and the construction of no less than 35 spaces together with related facilities and standard encroachment into the County Roadway. These improvements must be substantially complete, as determined by the Department of Transportation, prior to the issuance of a certificate of occupancy for any number of units greater than one half of the units for the subdivision project advancing the construction, unless alternative arrangements have the agreement of the El Dorado County Transit Authority. The improvement plans must be approved concurrently with the approval of the improvement plans for the internal subdivision improvements. In order for these improvements to be eligible for either credit or reimbursement from the Bass Lake Hills Public Facilities Fee, the project must be publicly bid consistent with the Public Contracts Code of California.

25. Construct Morrison Road (J-I) without off-site frontage improvements. These improvements must be substantially complete, as determined by the Department of Transportation, prior to occupancy of any residential structures in the subdivision. The improvement plans must be approved concurrently with the approval of the improvement plans for the internal subdivision improvements. In order for these improvements to be eligible for either credit or reimbursement from the Bass Lake Hills Public Facilities Fee, the project must be publicly bid consistent with the Public Contracts Code of California.

26. Off-site improvements consistent with Phase 1A requirements of the adopted PFFP shall be completed in compliance as set forth within the Bass Lake Hills Specific Plan, the Bass Lake Hills Specific Plan Public Facilities Financing Plan, and related Environmental Impact Reports. Construction of the improvements to the Bass Lake/U.S. Highway 50 interchange area includes:
 1. A west bound 2-lane on-ramp;
 2. An east bound 2-lane off-ramp;
 3. On-ramp traffic metering;
 4. Widening at the Bass Lake Road/Eastbound off ramp intersection area to provide:
 - a) Dual eastbound left turn lanes;
 - b) A shared eastbound right/through lane;
 5. Two 12-foot northbound through lanes and 1 12-foot southbound lane plus 2-foot shoulders between the eastbound and westbound ramp intersections.

The applicant shall submit bid-ready documents prior to the issuance of the first certificate of occupancy. Improvements identified must be substantially complete prior to the issuance of the 81st certificate of occupancy.

At the discretion of the Director of the Department of Transportation, rather than construct the improvements described above, applicant shall pay an in-lieu fee equivalent to the full cost of constructing, designing, and permitting the improvements.

The cost of constructing these improvements, or the in-lieu fee if that option is chosen by the Department of Transportation, shall not be reimbursable by the County through its road fee programs but is eligible for reimbursement from the Public Facilities Financing Plan (PFFP) fees.

27. An executed contract to perform the Project Study Report (PSR) for the Highway 50/Bass Lake Road Interchange shall be submitted to the Department of Transportation prior to approval of the first final map. The contract will be between the applicant and a consultant acceptable to the County and will include a scope of work that is satisfactory to the County Department of Transportation. In addition, the applicant shall enter into an agreement with the County to guarantee the completion of this PSR and shall provide security equal to the estimated cost of the PSR. At the sole discretion of the Department of Transportation, the Department of Transportation may decide to prepare this Project Study Report directly through either a consultant contract or the use of staff, in which case the Developer would be required to fund the cost of PSR preparation and processing

At the discretion of the Director of the Department of Transportation, this requirement may be deleted.

28. Landscape and irrigation plans shall be included in the project improvement plans and cost estimates and shall be reviewed by the El Dorado Hills Community Services District and be subject to review and approval by the El Dorado County Planning Department; the Department of Transportation will review the plans for matters concerning roadway safety and sight distance.

Drainage

29. The applicant shall construct the detention facilities as identified in the project drainage analysis prior to issuance of building permits. Detention facilities shall be designed in accordance with the County of El Dorado Drainage Manual, including provisions for maintenance and vehicular access.
30. An irrevocable offer of dedication of drainage easement shall be made for the project drainage and detention facilities. A homeowner's agreement and association, or other entity, shall be established in order to provide for responsibility

and maintenance of the detention facilities.

31. A final drainage plan shall be prepared in accordance with the County of El Dorado Drainage Manual, subject to review and approval by the Department of Transportation. Drainage facilities shall be designed and shown on the project improvement plans consistent with the final drainage plan, the Bass Lake Hills Specific Plan, and the County's Stormwater Management Plan. The developer shall install said drainage facilities with the respective phase of construction, or as specified in the final drainage plan.
32. Cross lot drainage shall be avoided wherever possible. When cross lot drainage does occur, it shall be contained within dedicated drainage easements. 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.
33. The subdivider shall be required to form a County Service Area Zone of Benefit (ZOB) to fund the maintenance and improvement services to assure the proper storm water conveyance of the facilities. The funding mechanism for these services must be established prior to approval of the final map and shall include a provision for future increased funding requirements. It is recommended that a special tax with an escalator clause be used as the funding mechanism.
34. The final map shall show all drainage easements consistent with the County of El Dorado Drainage Manual, the project final drainage plan, and the project improvement plans.
35. The subdivider shall obtain irrevocable Offers of Dedication to the County for public drainage purposes, and shall process same through the County, for offsite drainage easement rights across properties subject to the Specific Plan Development Agreement, to the satisfaction of the Department of Transportation, to accommodate any offsite storm water facilities needed to convey concentrated storm water from the project boundary downgradient to an existing established waterway. Subdivider shall design and install any offsite storm water facilities as necessary to the satisfaction of the Department of Transportation.

Grading

36. Portions of this project are proposed for mass pad grading. Section 15.14.460 of the County of El Dorado Grading, Erosion and Sedimentation Ordinance (Amended Ordinance 4170, 8/20/91) states that a mass pad grading project application shall be transmitted for comment to the Supervisor of the district where the project is located, prior to the issuance. The district Supervisor will be allowed fifteen (15) calendar days to respond, before the grading permit is issued.

37. Subdivision improvements shall include rough grading of driveways for all lots 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. Construction of said driveways shall conform to the Design and Improvements Standards Manual and the Encroachment Ordinance.
38. Grading plans shall be prepared in substantial conformance with the preliminary grading plans submitted for Bell Ranch 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.
39. 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.
40. Improvement Plans shall incorporate protective measures toward existing oak trees pursuant to Volume IV, Design and Improvement Standards Manual, Oak Tree and Wetlands Preservation Requirements and Specifications (County Resolution No. 199-91).
41. Erosion control and drainage design from residential areas into the open space areas shall employ natural appearing methods. The use of native plant materials is required where revegetation is proposed.
42. Should asbestos-containing rock be exposed during grading, construction of roads, excavation for underground facilities, building foundations, or any construction related activity, Section 8.44 of the County of El Dorado County Asbestos and Dust Protection Ordinance (Ord. 4548 adopted 1/4/2000, Amended by Ord. 4360 adopted 5/13/2003) shall apply.

Fire Department

43. The potable water system for the purpose of fire protection for this residential development shall provide a minimum fire flow of 1,000 gpm with a minimum residual pressure of 20 psi for two-hour duration. This requirement is based upon a single family dwelling 3,600 square feet or less in size. This fire flow rate shall be

- in excess of the maximum daily consumption for this rate for this development. A set of engineering calculations reflecting the fire flow capabilities of the system shall be supplied to the Fire Department for review and approval prior to the approval of the improvement plans.
44. 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 fire hydrant shall be determined by the Fire Department prior to the approval of the improvement plans.
 45. To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations which shall be included in the improvement plans.
 46. 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 which shall be included in the improvement plans.
 47. The open space Lot K between the two developments has no access for emergency personnel and equipment to suppress a wildland fire within this area. The applicant shall be required to provide not less than three (3) all-weather access roadways into this area in accordance with Fire Department requirements which shall be included in the improvement plans.
 48. The lots that back up to Wildland Open Space shall be required to use non-combustible type fencing prior to approval of the improvement plans.
 49. During any phase of construction, this development shall be required to provide two independent, non-obstructed points of access prior to approval of the improvement plans.
 50. The driveways serving this project shall be designed to be in accordance with the El Dorado County Code prior to approval of the improvement plans. If there are any driveways in excess of 20 percent, the design must go back to the fire district for review.
 51. This development shall be conditioned to develop and implement a Wildland Fire Safe Plan that is approved by the Fire Department prior to recording the final map.

52. This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump section of roadway prior to approval of the improvement plans.
53. The construction of Morrison Road shall be deemed substantially complete by the Department of Transportation prior to issuance of building permits other than model homes that shall be left unoccupied.
54. The development shall provide pedestrian gates in any field fencing erected along the western boundary of lots 1 through 11 to provide access for the fire fighting personnel to the properties west of the development.

Resource Conservation District

55. The project will need to implement erosion control measures (including runoff control measures and soil stabilization measures) and sediment control measures (e.g., straw rolls, sediment fence, sediment basins). The types of practices chosen are site-specific and dependent on the time of year construction activities occur.
56. The applicant shall prepare a Stormwater Pollution Plan (SWPPP) that incorporates Best Management Practices (BMPs) to contain pollutants on the project site and prevent pollutants from entering stormwater runoff. BMPs shall be incorporated into the construction contract documents. The SWPPP shall be prepared prior to approval of the improvement plans.

Environmental Management-Air Pollution Control District

57. Project emissions of ROG, NOX, and PM-10 need to be quantified using either the URBEMIS 7G for windows 5.1.0 or similar model that is acceptable to the District. In addition, District Rule #223 addresses the regulation and mitigation measures for fugitive dust emissions – Rule 223 shall be adhered to during the construction process. In addition, prior to the issuance of any grading or construction permits for the project, the applicant shall submit, as determined by the El Dorado County Air Quality Management District (AQMD), a Fugitive Dust Plan (FDP) application and/or an Asbestos Dust Mitigation Plan (ADMP) application may be required for submittal to and approval by the District prior to beginning project construction.
58. It is the understanding of the District that this area is known to have soil bearing asbestos. Therefore compliance with “Title 17 Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations” of the California Code of Regulations will be mandatory prior to approval of the improvement plans.

59. Project construction involves road development and should adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials and the county ordinance concerning asbestos dust prior to the approval of the improvement plans.
60. A health risk assessment shall be prepared when the project will emit toxic air contaminants. Airborne toxic pollutants expected to be generated by the project must be identified. In addition, it must be determined if a project is to be located in an area which may impact existing or planned schools or facilities with the potential to emit toxic or hazardous pollutants. A potential airborne toxic pollutant to consider is asbestos in asbestos-containing serpentine. Applicant will assist the District in preparing a public notice in which the proposed project for which an application for a permit is made is fully described and complies to Health and Safety Code 42301.6. The risk assessment must address the pollutants and potential impacts on public health prior to the approval of the improvement plans.
61. Burning of wastes that result from Land Development Clearing must be permitted through the Air Pollution Control District. Only vegetative waste materials may be disposed of using an open outdoor fire prior to approval of the improvement plans.
62. The project construction will involve the application of architectural coating, which shall adhere to District Rule 215 Architectural Coatings prior to approval of the improvement plans.
63. Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, boilers, internal combustion engines, etc.), authority to construct applications shall be submitted to the District. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors prior to approval of the improvement plans.

County Surveyor

64. 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.
65. The roads serving the development shall be named by filing a completed Road Name Petition with the County Surveyors Office prior to filing the final map.

Community Services District

66. The project includes a 5.77 acre park site which will be offered for dedication to the El Dorado Hills Community Services District. If the parkland dedication is accepted, there will be a credit against Quimby fees; otherwise Quimby in-lieu fees shall be paid in accordance with County policy prior to recordation of the final map.

The EDHCSD reserves the right to select either Lot J or residential Lot 1 for the park site. A minimum of ninety (90) days prior to submitting the final map to Planning Services, the developer shall offer Lots 1 and J to the EDHCSD. The EDHCSD shall then have 90 days to accept one of the lots or reject the offer of park dedication. If no action is taken by the EDHCSD within 90 days, the decision of whether and where to locate a park site shall be determined by developer and shown on the final map submittal.

Depending on the option chosen by the EDHCSD, one of the following alternatives shall be shown on the final map submittal:

- a. Park site on Lot J – Dedicate Lot J to the EDHCSD (access provided through Lot C with a County approved encroachment off of Tierra de Dios Drive); Lot 2 designated as a residential lot (access off of Morrison Road);
 - b. Park site on Lot 1 – Dedicate Lot 1 to the EDH CSD (access off of Morrison Road); Lot J a residential Lot A (access provided through Lot C with a County approved encroachment on to Tierra de Dios Drive);
 - c. Omit Park Site – Lot 1 a residential lot (access off of Morrison Road); Lot J designated as a Neighborhood Service Zone (access provided through Lot C with a County approved access on to Tierra de Dios Drive);
 - d. Omit Park Site – Lot J a residential lot (access provided through Lot C with a County approved access on to Tierra de Dios Drive); Lot 1 reconfigured and merged into Lots 2, 3, 4, and 5; or
 - e. Private Park on Lot J – Grant to a Homeowner’s Association for ownership and maintenance (access provided through Lot C with a County approved access on to Tierra de Dios Drive).
67. The project is subject to the EDHCSD Park Impact Fee in place at the time the building permits are issued. Additionally, the project will be subject to the Bass Lake Hills Specific Plan (BLHSP) Public Facilities Financing Plan (PFFP).
68. EDHCSD requires that all utilities be underground. Underground drainage is also recommended to avoid the safety hazards and maintenance problems of open ditches.
69. A homeowner’s association (HOA) needs to be formed to finance ongoing operation and maintenance of street lights (if any), streetscape, and for open space management, or if no HOA is formed, then a Landscape and Lighting Assessment District (LLAD) needs to be created to fund the maintenance and operation of the same. The District also recommends the creation of a shell LLAD for the project as

a back-up funding mechanism to a homeowner's association, in the event the homeowner's association should fail to maintain the improvements to the District's standards.

70. Sidewalks and pedestrian/bicycle paths shall comply with the BLHSP. The proper shoulder widths, bikeway widths, striping and signage will be required and should be noted on the plans.
71. Cable television access should be made available to all homes and the development should allow for joint trenching.
72. The El Dorado Hills CSD will provide mandatory waste management services for the residences, including recycling services.
73. Prior to final map approval, a streetscape plan for projects located on all primary local roads shall be submitted for review and approval by the El Dorado Hills CSD.
74. The streetscape is a component of the future Landscape and Lighting Assessment District and would need to be detailed, approved, and have a related maintenance budget prior to the final map.
75. The homebuilders will install the front yard landscaping.
76. Pursuant to Section 4.13 #10 of the Bass Lake Hills Specific Plan, no parking is allowed on Tierra De Dios or Morrison Road. Therefore, to gain access to the park site, a driveway encroachment must be constructed to Department of Transportation requirements and on-site parking on the park site must be provided, allowing for vehicles to exit the site in a forward direction, to the satisfaction of the El Dorado Hills Community Services District and Planning Services. These improvements must be substantially complete, as determined by the Department of Transportation, prior to occupancy of any residential structures in the subdivision. The improvement plans must be approved concurrently with the approval of the improvement plans for the internal subdivision improvements.

Mitigation Monitoring and Reporting Program

77. The applicant shall comply with the Mitigation Monitoring and Reporting Program (MMRP) as a condition of project approval. Implementation of the MMRP shall be enacted as set forth by Table 3.0-1 of the MMRP prepared for the project and attached hereto.

Subdivision Requirements of Law

NOTE: The subdivision requirements as noted herein are provisions of County law either by Ordinance or Resolution and typically apply to all subdivisions. They do not represent all laws - which may be applicable to the subdivision, but do reflect obligations for which the subdivider should be aware of as the project proceeds toward final map submittal.

1. Improvement plans for on-site and off-site road improvements shall be prepared by a registered civil engineer and shall be subject to County Department of Transportation approval.
2. 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.
3. The developer shall obtain approval of construction drawings and project improvement plans consistent with the Subdivision Design and Improvement Standards Manual and cost estimates from the County Department of Transportation and pay all applicable fees prior to commencement of any improvements on the public street and service facilities. All improvements shall be consistent with the approved tentative map.
4. 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.
5. Subdivision improvements shall include driveways for all lots 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 Transportation Director. Driveways shall be installed in a manner and location acceptable to the County Department of Transportation and shall meet standard County driveway requirements.
6. 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 and the grading is completed.

7. The timing of construction and method of revegetation shall be coordinated by 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.
8. Improvement plans shall incorporate protective measures toward existing oak trees per Volume IV, Design and Improvement Standards Manual, Oak Tree and Wetlands Preservation Requirements and Specifications (County Resolution No. 199-91).
9. All survey monuments shall 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 50 percent labor and materials bond. Verification of set monuments, work completed, or work to be completed, and cost of completion is to be determined by the County Surveyor.
10. All roads shall be named by filing a completed road naming petition for each proposed road with the county Surveyor's office prior to filing the final map.
11. The location of fire hydrants and systems for fire flows are to meet the requirements of the responsible fire protection district. The location of hydrants shall be shown on the improvement plans which shall be subject to the approval of the fire protection district.
12. 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.
13. 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.
14. Prior to filing a final map, if the subject property is subject to liens for assessment or bonds, pursuant to the provisions of Government Code Section 66493, the owner or subdivider shall either: (a) Pay the assessment or bond in full, or (b) File security with the Clerk of the Board of Supervisors, or (c) File with the Clerk of the Board of Supervisors the necessary certificate indicating provisions have been

- made for segregation of bond assessment responsibility pursuant to Government Code Section 66493 (d).
15. 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. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed.
 16. If archaeological sites or artifacts are discovered, the subdivider shall retain an archaeologist to evaluate the resource. If the resource is determined to be important, as defined in Section 15064.5 of the CEQA Guidelines, mitigation measures, as agreed to by the subdivider, archaeologist, and Planning Department shall be implemented. Treatment of Native American remains and/or archaeological artifacts shall be the responsibility of the subdivider and shall be subject to review and approval by the County Planning Director.

ATTACHMENT 2
CONDITIONS OF APPROVAL
(TM00-1371 Hawk View)

PD00-0007/TM00-1371 – As adopted by the Board of Supervisors May 24, 2005

Conditions

1. This tentative subdivision map time extension is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits A-F, dated April 24, 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:

Five one-year time extensions to approved tentative subdivision map (TM00-1371 Hawk View) in accordance with Section 16.74.030 of the El Dorado County Subdivision Ordinance and Bass Lake Hills Specific Plan.

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 must be submitted for review and approval and shall be implemented as approved by the County.

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 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.

Development Plan

- 3.1. Development Plan PD00-0007 for Hawk View shall consist of the following: 114 single family lots ranging in size from 6,476 to 29,789 square feet, with 5 landscape lots and 2 open space lots on 40.10 acres.
- 4.2. Development Plan PD00-0007 for Hawk View (~~Exhibit E~~) shall be in substantial compliance with the Hawk View tentative map.

Improvement Plans and General Conditions for the Development Plan and the Tentative Map

- 5.3. Pursuant to Item 9.3.1 of the Bass Lake Hills Specific Plan, the applicant shall agree to reimbursement of El Dorado County for the preparation, adoption, administration, and CEQA mitigation monitoring of the Plan. Fees will be assessed prior to the recordation of the final map and must be paid in full prior to issuance of the first building permit.
- 6.4. 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. All improvements shall be consistent with the approved tentative map.
- 7.5. 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.
- 8.6. 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.
- 9.7. 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.
- 10.8. 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.
- 11.9. The location of fire hydrants and systems for fire flows are to meet the requirements of the responsible Fire Protection District. The emergency vehicle circulation and the location of hydrants shall be shown on the improvement plans, which shall be subject to the approval of the Fire Protection District.

~~12.10.~~ If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and the 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. If archaeological artifacts are discovered, the developer shall retain an archaeologist to make recommendations for the treatment of the artifacts. Treatment of Native American remains or archaeological artifacts shall be the responsibility of the developer and shall be subject to the review and approval of the County Planning Director.

Roads

~~13.11.~~ This project is subject to El Dorado County fee programs. Said fee shall be due upon the issuance of a building permit. If prior to the application for a building permit for said project a revised fee is established, such revised amount shall be paid.

~~14.12.~~ The encroachment onto realigned Bass Lake Road shall be constructed to El Dorado County Standard Plan 103F, or an alternative design approved by the County Engineer.

~~15.13.~~ The encroachment onto Silver Dove Way shall be constructed to El Dorado County Standard Plan 103E, or an alternative design approved by the County Engineer.

~~16.14.~~ A vehicular access restriction shall be designated along Bass Lake Road and Silver Dove Way for the frontage of the project except at the project roadway encroachments onto Bass Lake Road and Silver Dove Way.

~~17.15.~~ All roads shall be constructed in conformance with the Design and Improvements Standards Manual with the following widths:

ROAD NAME	REFERENCE	ROAD WIDTH	EXCEPTIONS/NOTES
Silver Dove Way	Spec. Plan and Std. Plan 101B	36 ft. (56' R/W), plus utility/ slope easements	Type 2 vertical curb and gutter, with 6 ft. meandering sidewalks
Project Secondary Local Roads(A, B, D, and E Roads)	Spec. Plan and Std. Plan 101B	32 ft. (50' R/W), plus utility/ slope easements	Type 1 rolled curb and gutter with 4 ft. sidewalks
Project Cul-de-sacs (A, B, C, and E Courts)	Spec. Plan and Std. Plans 101B and 114	28 ft. (50' R/W), plus utility/ slope easements	Type 1 rolled curb and gutter* with 4 ft. sidewalks (see note R-1 below)

*Type 2 vertical curb & gutter adjacent to Lot A detention basin.

Road widths in the preceding table are measured from curb face to curb face. 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 any walk/trail systems in the project open space areas. Pedestrian easements to be provided where necessary.

Note R-1: The following Design Waivers have been requested:

1. All sidewalks on the local roads reduced from 6 feet to 4 feet and meander as shown. This 4-wide sidewalk is required in the Bass Lake Hills Specific Plan. This Department recommends approval of the above requested design waiver.
 2. The proposed centerline radii for A and B Court and F Drive are to be modified to 120-feet, 185-feet and 63-feet respectively. This Department recommends approval of the above requested design waiver.
- ~~18.16.~~ An irrevocable offer of dedication, in fee, for the required rights-of-way (R/W) as indicated in the above table shall be made for all the proposed roads, with slope easements where necessary. Said offer may be accepted by the County at the time of the final map subject to improvements and subject to inclusion in a Zone of Benefit for road maintenance purposes. Said offer may be rejected at the time of the final map, in which case, a homeowner's agreement and association, or other entity, shall be established in order to provide for the long-term maintenance of the roads.
- ~~19.17.~~ Bus turnouts and shelters shall be constructed at locations required by El Dorado Transit and the appropriate school district.
- ~~20.18.~~ A secondary access road, providing permanent or temporary looped circulation for each phase of development, shall be constructed prior to the first building permit being issued for any residential structure except where the issuance of building permits is for model homes, which shall be unoccupied. Such looped circulation shall be subject to the approval of, or may be modified by, the El Dorado Hills Fire District.
- ~~21.19.~~ The applicant shall construct Silver Dove Way adjacent to the project and extending southwesterly approximately 300 linear feet to conform to an existing private roadway. All improvements shall be designed and constructed to the applicable County standards and requirements and meet with the approval of the Department of Transportation. The applicant may enter into a reimbursement agreement with the County providing for reimbursements of the funds provided by the applicant and used for the construction, or for construction related activities, of these improvements to the extent they are included in the Bass Lake Hills Specific Plan Fee Account.
- ~~22.20.~~ A left turn pocket shall be constructed on Bass Lake Road, at the entrance to the

project and is subject to the review and approval by the Department of Transportation at the improvement plan stage.

~~23.21.~~ This project shall comply with the Bass Lake Hills Specific Plan, the related Bass Lake Hills Development Agreement, and the Bass Lake Hills Public Facilities Financing Plan (PFFP). In addition, excepting for model homes, certificates of occupancy will not be issued for any residential structures until the PFFP Phase 1 improvement requirements (anticipated to be accomplished through the requirements of the Hollow Oak Subdivision) are substantially complete, as determined by the Department of Transportation.

~~24.22.~~ Off-site road improvements consistent with Phase 1A requirements of the adopted PFFP shall be completed in compliance as set forth within the Bass Lake Hills Specific Plan (BLHSP), the Bass Lake Hills Specific Plan Public Facilities Financing Plan (PFFP), and the related development agreement, including but not limited to the following:

- A. Reconstruct Bass Lake Road with full improvements as required in the BLHSP from Hollow Oak Road to Highway 50. Provide underground utilities as required (see following Note 1).
- B. Construct bike lane and sidewalks along Bass Lake Road from Hollow Oak Road to Highway 50 (see following Note 1).
- C. Finish median and other improvements on Bass Lake Road from Hollow Oak Road to Serrano Parkway as required by the BLHSP. Provide underground utilities as required (see following Note 1).
- D. Construct Country Club Drive (G-H) with frontage improvements (see following Note 2).
- E. Construct Silver Dove Way to school site (Q-G) with frontage improvements (see following Note 2).
- F. Construct Silver Dove Way (C-D) if Hawk View is included in the critical mass projects (see following Note 5).
- G. Construct school infrastructure (water and sewer) (see following Note 2).
- H. Construct Morrison Road (J-I) without off-site frontage improvements if Bell Ranch is in the critical mass projects (see following Note 5).
- I. Construct traffic signals on Bass Lake Road if required by traffic warrants. If signals are not yet warranted, the initial design will incorporate underground facilities (such as conduits) to minimize disturbance of new pavement.

- J. Construct or complete funding for Hwy 50/Bass Lake Road Interchange ramp improvements and ramp metering (see following Note 3 and Note 1).
- K. Acquire approximately two acres for the park-and-ride lot (see following Note 4). Construct a portion of the lot, the number of parking spaces shall be proportionate to the number of lots developed. The proposed construction shall be shown appropriately in the improvement plans.
- L. Acquire land for an 8.7-acre sports park (see following Note 4).
- M. Planning and design of Sports Park

Note 1: Funding and a bid-ready package for items A, B, and C above (Bass Lake Road improvements), together with a road improvement agreement, shall be submitted to the County Department of Transportation at a time sufficient to allow award of public construction contract prior to issuance of the first residential building permit.

Funding and a bid-ready package for item J. above (interchange ramp improvements), together with a road improvement agreement, shall be submitted to the County Department of Transportation at a time sufficient to allow award of public construction contract prior to issuance of the first residential building permit. The Department of Transportation may, at its sole discretion, alter the timing of the bid award for this project if the Department determines the alteration is in the public interest.

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 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.

Excepting for model homes, certificates of occupancy will not be issued for any residential building permit in excess of 19 for the subdivision project that submits the funding and bid-ready package to the County, until the improvements in items A, C, and J above are substantially complete as determined by the Department of Transportation. For the remaining projects in the Phase 1A portion of the PFFP, excepting for model homes, certificates of occupancy will not be issued for any residential building permit until the improvements in items A, C, and J above are substantially complete as determined by the Department of Transportation.

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.

Bass Lake Road shall be improved with 2, 18-foot widths of pavement to accommodate the north-bound and south-bound traffic together with a nominal 8-foot wide median area that varies to 16-foot wide to accommodate turn lanes at appropriate intersections. The design shall include reconstruction of a portion Bass Lake Road with full improvements consistent with Phase 1A requirements of the adopted PFFP, including but not limited to underground utilities, bike lane, sidewalks, the finished median with landscaping and irrigation and other improvements as outlined in the PFFP. This requirement is made pursuant to the Bass Lake Hills Specific Plan and related Development Agreement and Public Facilities Financing Plan. Landscaping and irrigation plans shall be reviewed by the El Dorado Hills Community Services District (EDH CSD) and shall be reviewed and approved by the Department of Transportation.

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 in items A, B, C, and J above 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.

Note 2: (Items D, E, and G above) - The applicant shall secure approved plans, must enter into a road improvement agreement, or subdivision improvement agreement, with the County, and all necessary right-of-way shall be acquired prior

to approval of the first final map. 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 the developer entering into an agreement for condemnation proceedings with County Counsel together with a deposit of funds as required by County Counsel, or alternative arrangement to the satisfaction of the Department of Transportation. The road improvements must be determined to be substantially complete by the County Department of Transportation prior to issuance of a certificate of occupancy for any number of units greater than one half of the project units.

Note 3: (Item J above) - An executed contract to perform the Project Study Report (PSR) for the Highway 50/Bass Lake Road Interchange shall be submitted to the Department of Transportation prior to approval of the first final map. The contract will be between the applicant and a consultant acceptable to the County and will include a scope of work that is satisfactory to the County Department of Transportation. In addition, the applicant shall enter into an agreement with the County to guarantee the completion of this PSR and shall provide security equal to the estimated cost of the PSR. At the sole discretion of the Department of Transportation, the Department of Transportation may decide to prepare this Project Study Report directly through either a consultant contract or the use of staff, in which case the Developer would be required to fund the cost of PSR preparation and processing.

Note 4: (Items K and L above) - All necessary land shall be acquired prior to approval of the first final map. In the event that the eminent domain process must be implemented to acquire said land, this condition 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 make other arrangements to the satisfaction of the Department of Transportation.

The Phase 1A projects, collectively, shall be responsible for design of the total park and ride lot, and the construction of no less than 35 spaces together with related onsite travel ways, facilities and standard encroachment into the County roadway. These improvements must be substantially complete, as determined by the Department of Transportation, prior to issuance of a certificate of occupancy for any number of units greater than one half of the units for the subdivision project advancing the construction, unless alternative arrangements have the agreement of the El Dorado County Transit Authority and the Department of Transportation. The improvement plans must be approved concurrently with the approval of the improvement plans for the internal subdivision improvements. In order for these improvements to be eligible for either credit or reimbursement from the Bass Lake Hills Public Facilities Fee, the project must be publicly bid consistent with the Public Contracts Code of California

Note 5: (Items F and H above) - These improvements must be substantially complete, as determined by the Department of Transportation, prior to occupancy of any residential structures in the respective, named subdivision. The

improvement plans must be approved concurrently with the approval of the improvement plans for the internal subdivision improvements. In order for these improvements to be eligible for either credit or reimbursement from the Bass Lake Hills Public Facilities Fee, the project must be publicly bid consistent with the Public Contracts Code of California.

25.23. Landscape and irrigation plans shall be included in the project improvement plans and cost estimates, and shall be reviewed by the El Dorado Hills Community Services District and be subject to review and approval by the El Dorado County Planning Department; the Department of Transportation will review the plans for matters concerning roadway safety and sight distance.

DRAINAGE

26.24. A final drainage plan shall be prepared in accordance with the County of El Dorado Drainage Manual, subject to review and approval by the Department of Transportation. Drainage facilities shall be designed and shown on the project improvement plans consistent with the final drainage plan, the Bass Lake Hills Specific Plan, and the County's Storm Water management Plan. The developer shall install said drainage facilities with the respective phase of construction, or as specified in the final drainage plan.

27.25. Cross lot drainage shall be avoided wherever possible. When cross lot drainage does occur, it shall be contained within dedicated drainage easements. 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.

28.26. The subdivider shall be required to form a County Service Area Zone of Benefit (ZOB) to fund the drainage facility maintenance and improvement services. The funding mechanism for these services must be established prior to approval of the final map and shall include a provision for future increased funding requirements. It is recommended that a special tax with an escalator clause be used as the funding mechanism.

29.27. The final map shall show all drainage easements consistent with the County of El Dorado Drainage Manual, the project final drainage plan, and the project improvement plans.

30.28. The subdivider shall obtain irrevocable Offers of Dedication to the County for public drainage purposes, and shall process same through the County, for offsite easement rights across properties subject to the Specific Plan Development Agreement, to the Satisfaction of the Department of Transportation, to accommodate any offsite storm water facilities needed to convey concentrated storm water from the project boundary downgradient to an existing established waterway. Subdivider shall design and install said offsite storm water facilities as necessary to the satisfaction of the Department of Transportation.

Grading

- 31.29. This project is proposing mass pad grading. Section 15.14.460 of the County of El Dorado Grading, Erosion and Sedimentation Ordinance (Amended Ordinance 4170, 8/20/91) states that a mass pad grading project application shall be transmitted for comment to the supervisor of the district where the project is located, prior to the issuance. The district supervisor will be allowed 15 calendar days to respond, before the grading permit is issued.
- 32.30. Grading plans shall be prepared in substantial conformance with the preliminary grading plans submitted for Hawk View 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.
- 33.31. 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.
- 34.32. Improvement Plans shall incorporate protective measures toward existing oak trees pursuant to Volume IV, Design and Improvement Standards Manual, Oak Tree and Wetlands Preservation Requirements and Specifications (County Resolution No. 199-91).
- 35.33. Erosion control and drainage design from residential areas into the open space areas shall employ natural appearing methods. The use of native plant materials is required where revegetation is proposed.
- 36.34. Should asbestos-containing rock be exposed during grading, construction of roads, excavation for underground facilities, building foundations, or any construction related activity, Section 8.44 of the County of El Dorado County Asbestos and Dust Protection Ordinance (Ord. 4548 adopted 1/4/2000, Amended by Ord. 4360 adopted 5/13/2003) shall apply.

Fire Department

- 37.35.—The potable water system for the purpose of fire protection for this residential development shall provide a minimum fire flow of 1,000 gpm with a minimum residential pressure of 20 psi for two-hour duration. This requirement is based upon a side lot setback of 10 feet or greater. This fire flow rate shall be in excess of the maximum daily consumption for this rate for this development. A set of engineering calculations reflecting the fire flow capabilities of the system shall be supplied to the Fire Department for review and approval.
- 38.36. 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 be determined by the Fire Department.
- 39.37. To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations.
- 40.38. 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.
- 41.39. All streets within this project shall be constructed in accordance with El Dorado County and Fire Department requirements.
- 42.40. During each phase of this project, a minimum of two independent access roadways shall be provided for each phase of the project.
- 43.41. The applicant shall have a wildland fire safety plan developed for this project.
- 44.42. If phasing of development creates any dead-end access roadways in excess of 150 feet, the roadway shall be provided with a turnaround in accordance with Fire Department specifications.

Resource Conservation

- 45.43. The project will need to implement erosion control measures (including runoff control measures and soil stabilization measures) and sediment control measures (e.g., straw rolls, sediment fence, sediment basins). The types of practices chosen are site-specific and dependent on the time of year construction activities occur.
- 46.44. The applicant will need to control non-storm water discharges (e.g., wash water), potentially hazardous materials such as hydraulic fluid from construction vehicles and paint materials, and all potential pollutants on the construction site.

Environmental Management – Air Pollution Control District

~~47.45.~~ Project emissions of ROG, NOX, and PM-10 need to be quantified using either the URBEMIS 7G for windows 5.1.0 or similar model that is acceptable to the District. In addition, District Rule 223 addresses the regulation and mitigation measures for fugitive dust emissions – Rule 223 shall be adhered to during the construction process. In addition, a Fugitive Dust Prevention and Control Plan and Contingent Asbestos Hazard Dust Mitigation Plan shall be submitted to and approved by the District prior to beginning project construction.

~~48.46.~~ It is the understanding of the District that this area is known to have soil bearing asbestos. Therefore compliance with Title 17 Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations of the California Code of Regulations will be mandatory.

~~49.47.~~ Project construction involves road development and should adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials and the county ordinance concerning asbestos dust.

~~50.48.~~ A health risk assessment shall be prepared when the project will emit toxic air contaminants. Airborne toxic pollutants expected to be generated by the project must be identified. In addition, it must be determined if a project is to be located in an area which may impact existing or planned schools or facilities with the potential to emit toxic or hazardous pollutants. A potential airborne toxic pollutant to consider is asbestos in asbestos-containing serpentine. Applicant will assist the District in preparing a public notice in which the proposed project for which an application for a permit is made is fully described and complies to Health and Safety Code 42301.6. The risk assessment must address the pollutants and potential impacts on public health.

~~51.49.~~ Burning of wastes that result from “Land Development Clearing” must be permitted through the Air Pollution Control District. Only vegetative waste materials may be disposed of using an open outdoor fire.

~~52. 50.~~ The project construction will involve the application of architectural coating, which shall adhere to District Rule 215 Architectural Coatings.

~~53.51.~~ Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, boilers, internal combustion engines, etc.), authority to construct applications shall be submitted to the District. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors.

County Surveyor

~~54.52.~~ The interior roads of the project will be named thorough the Road Naming Process established by the County Surveyor.

Community Services District

- ~~55.53.~~ The project is subject to the Quimby Act and dedication requirements for parkland based on El Dorado Hills standards of 5 acres per 1,000 residents population. Population density is based on 3.3 persons per home, which works out to 1.9-acres of parkland to be dedicated to the District before the filing of the final map. As no park site is indicated on this tentative map, nor indicated in the Bass Lake Hills Specific Plan, the District will negotiate in-lieu fees with the developer.
- ~~56.54.~~ The project is subject to the El Dorado Hills CSD Park Impact Fee in place at the time the building permits are issued. Additionally, the project will be subject to the Bass Lake Hills Specific Plan (BLHSP) Public Facilities Financing Plan (PFFP).
- ~~57.55.~~ The El Dorado Hills CSD requires that all utilities be underground. Underground drainage is also recommended to avoid the safety hazards and maintenance problems of open ditches.
- ~~58.56.~~ A Homeowner's Association (HOA) needs to be formed to finance ongoing operation and maintenance of street lights (if any), streetscape, and for open space management, or if no HOA is formed, then a Landscape and Lighting Assessment District (LLAD) needs to be created to fund the maintenance and operation of the same. The District also recommends the creation of a shell LLAD for the project as a back-up funding mechanism to a Homeowner's Association, in the event the Homeowner's Association should fail to maintain the improvements to the District's standards.
- ~~59.57.~~ Sidewalks and pedestrian/bicycle paths shall comply with the BLHSP which calls for a Class II Bikeway along the proposed Silver Dove Way and a Class I bikeway along Bass Lake Road (realigned). The proper shoulder widths, bikeway widths, striping and signage will be required and should be noted on the plans.
- ~~60.58.~~ Cable television access should be made available to all homes and the development should allow for joint trenching.
- ~~61.59.~~ The El Dorado Hills CSD will provide mandatory waste management services for the residences, including recycling services.
- ~~62.60.~~ Prior to final map approval, a streetscape plan for projects which front Bass Lake Road and all primary local roads shall be submitted for review and approval by the El Dorado Hills CSD.
- ~~63.61.~~ The streetscape is a component of the future Landscape and Lighting Assessment District and would need to be detailed, approved, and have a related maintenance budget prior to the final map.

~~64.62.~~ The home builders will install the front yard landscaping.

~~65.63.~~ The El Dorado Hills CSD will review and approve the following items prior to final maps being recorded:

- a. Open Space and Tree Preservation Management Plan;
- b. CC&Rs need to be reviewed and approved by the El Dorado Hills CSD Board of Directors prior to recording the final map and include any conditions that are specific to any lots or areas, such as oak tree preservation and vegetation management.

Subdivision Requirements Of Law

NOTE: The subdivision requirements as noted herein are provisions of County law either by Ordinance or Resolution and typically apply to all subdivisions. They do not represent all laws - which may be applicable to the subdivision, but do reflect obligations for which the subdivider should be aware of as the project proceeds toward final map submittal.

1. Improvement plans for on-site and off-site road improvements shall be prepared by a registered civil engineer and shall be subject to County Department of Transportation approval.
2. 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.
3. The developer shall obtain approval of construction drawings and project improvement plans consistent with the Subdivision Design and Improvement Standards Manual and cost estimates from the County Department of Transportation and pay all applicable fees prior to commencement of any improvements on the public streets and service facilities. All improvements shall be consistent with the approved tentative map.
4. 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.
5. Subdivision improvements shall include driveways for all lots 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 Transportation Director. Driveways shall be installed in a manner and location acceptable to the County Department of Transportation and shall meet standard County driveway requirements.

6. 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 and the grading is completed.
7. The timing of construction and method of revegetation shall be coordinated by 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.
8. Improvement plans shall incorporate protective measures toward existing oak trees per Volume IV, Design and Improvement Standards Manual, Oak Tree and Wetlands Preservation Requirements and Specifications (County Resolution No. 199-91).
9. All survey monuments shall 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 50 percent labor and materials bond. Verification of set monuments, work completed, or work to be completed, and cost of completion is to be determined by the County Surveyor.
10. All roads shall be named by filing a completed road naming petition for each proposed road with the county Surveyor's office prior to filing the final map.
11. The location of fire hydrants and systems for fire flows are to meet the requirements of the responsible fire Protection district. The location of hydrants shall be shown on the improvement plans which shall be subject to the approval of the fire protection district.
12. 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.
13. 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.

14. Prior to filing a final map, if the subject property is subject to liens for assessment or bonds, pursuant to the provisions of Government Code Section 66493, the owner or subdivider shall either: (a) Pay the assessment or bond in full, or (b) File security with the Clerk of the Board of Supervisors, or (c) File with the Clerk of the Board of Supervisors the necessary certificate indicating provisions have been made for segregation of bond assessment responsibility pursuant to Government Code Section 66493 (d).
15. 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. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed.
16. If archaeological sites or artifacts are discovered, the subdivider shall retain an archaeologist to evaluate the resource. If the resource is determined to be important, as defined in Section 15064.5 of the CEQA Guidelines, mitigation measures, as agreed to by the subdivider, archaeologist, and Planning Department shall be implemented. Treatment of Native American remains and/or archaeological artifacts shall be the responsibility of the subdivider and shall be subject to review and approval by the County Planning Director.

ATTACHMENT 3
CONDITIONS OF APPROVAL
(TM01-1380 Bell Woods)

PD01-0008/TM01-1380 – As adopted by the Board of Supervisors May 24, 2005

Conditions

1. This tentative subdivision map time extension is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits A-F, dated April 24, 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:

Five one-year time extensions to approved tentative subdivision map (TM01-131380 Bell Woods) in accordance with Section 16.74.030 of the El Dorado County Subdivision Ordinance and Bass Lake Hills Specific Plan.

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 must be submitted for review and approval and shall be implemented as approved by the County.

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 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.

- 3.1. The Development Plan PD01-0008 for Bell Woods shall consist of the following: 54 single family lots ranging in size from 11,004 to 26,080 square feet, with five (5) landscape lots and 2 open space lots on 34.28 acres.
- 4.2. The Development Plan PD01-08 for Bell Woods (Exhibit E) shall be in substantial compliance with the Bell Woods tentative map.
- 5.3. The Development Plan PD01-0008 for Bell Woods shall conform to the development standards of the R1-PD zoning district.

IMPROVEMENT PLANS AND GENERAL CONDITIONS

- 6.4. Pursuant to Item 9.3.1 of the Bass Lake Hills Specific Plan, the applicant shall agree to reimburse El Dorado County for the preparation, adoption, administration, and CEQA mitigation monitoring of the Plan. Fees will be assessed prior to the recordation of the final map and must be paid in full prior to issuance of the first building permit.
- 7.5. 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. All improvements shall be consistent with the approved tentative map.
- 8.6. 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.
- 9.7. 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 and shall be irrevocably offered to the County.
- 10.8. 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.
- 11.9. 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.
- 12.10. The location of fire hydrants and systems for fire flows are to meet the requirements of the responsible Fire Protection District. The emergency vehicle circulation and the location of hydrants shall be shown on the improvement plans, which shall be subject to the approval of the Fire Protection District.

~~13.11~~. If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and the 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. If archaeological artifacts are discovered, the developer shall retain an archaeologist to make recommendations for the treatment of the artifacts. Treatment of Native American remains or archaeological artifacts shall be the responsibility of the developer and shall be subject to the review and approval of the County Planning Director.

Roads

~~14.12~~. This project is subject to El Dorado County traffic fee programs. Said fees shall be due upon the issuance of a building permit. If, prior to the application for a building permit for said project, a revised fee is established, such revised amount shall be paid.

~~15.13~~. A vehicular access restriction shall be designated along Covello Circle for the frontage of lots 1 and 31.

~~16.14~~. All roads shall be constructed in conformance with the Design and Improvements Standards Manual and the Bass Lake Hills Specific Plan with the following widths:

ROAD NAME	REFERENCE	ROAD WIDTH	EXCEPTIONS / NOTES
Covello Circle	Specific Plan & Std Plan 101B	32 ft. (50' R/W), plus utility/ slope easements	Type 2 vertical curb & gutter, with 4 ft. sidewalks (see Note R-1 below)
Nicole Drive and A, B, C and D Court	Specific Plan & Std Plan 101B	28 ft. (50' R/W), plus utility/ slope easements	Type 1 rolled curb & gutter* with 4 ft. sidewalks (see Note R-1 below)
Project Cul-de-sacs (A, B, C and D Courts)	Specific Plan & Std Plans 101B & 114	28 ft. (50' R/W), plus utility/ slope easements	Type 1 rolled curb & gutter* with 4 ft. sidewalks (see note 1 below)

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

**Type 2 vertical curb and gutter shall be installed adjacent to Lot B and Lot A open space.*

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 any walk/trail systems in the project open space areas. Pedestrian easements are to be provided where necessary.

Note 1: Cul-de-sacs shall be per Std Plan 114 and shall have no landscaping within the cul-de-sacs.

Note R-1: the following Design Waivers have been requested:

1. All sidewalks on the local roads reduced from 6 to 4 feet and meander as shown. This 4-wide sidewalk is required in the Bass Lake Hills Specific Plan. This Department recommends approval of the above requested design waiver.
 2. The proposed lengths of C and D Court exceed 500 feet and the applicant requests lengths of approximately 600 feet and 750 feet respectively. The proposed lengths of A and B Court exceed 500' when the length of Nicole Drive is added. The Department of Transportation recommends approval of the above requested design waiver.
- 17.15. All offsite roadways necessary for access from Bass Lake Road to Nicole Drive must be substantially complete, as determined by the Department of Transportation, prior to issuance of building permits for lots 32 through 54.
- 18.16. An irrevocable offer of dedication, in fee, for the required rights-of-way (R/W) as indicated in the above table shall be made for all the proposed roads, with slope easements where necessary. Said offer may be accepted by the County at the time of the final map subject to improvements and subject to inclusion in a County Service Area Zone of Benefit (ZOB) for road maintenance purposes and a Landscape and Lighting Assessment District (LLAD) for roadway landscaping maintenance purposes. Said offer may be rejected at the time of the final map, in which case, a homeowner's agreement and association, or other entity, shall be established in order to provide for the long-term maintenance of the roads and roadway landscaping.
- 19.17. Bus turnouts and shelters shall be constructed at locations required by El Dorado Transit and the appropriate school district.
- 20.18. No freestanding walls, fences, or retaining walls are allowed in the road right-of-way.
- 21.19. A slope easement shall be recorded on Lot 7, sufficient to accommodate road-side slope for Knollwood Drive.
- 22.20. The emergency access road through Lot A shall be constructed to link Covello Circle and Nicole Drive prior to the first building permit being issued for any residential structure except where the issuance of building permits is for model homes, which shall be unoccupied. This emergency access road shall be gated at its entrance to the public roads and is subject to the approval of, or may be modified by, the appropriate Fire District.
- 23.21. Primary and secondary roadway access shall be constructed prior to the first building permit being issued for any residential structure except where the issuance of building permits is for model homes, which shall be unoccupied. Primary access for Lots 1 through 31 shall be Country Club Drive. Primary access for Lots 32

through 54 shall be Bass Lake Road. A secondary access must be to a primary or secondary roadway in the designated alignment defined as in the Specific Plan and to the satisfaction of the Department of Transportation and the Fire District.

~~24.22~~. This project shall comply with the Bass Lake Hills Specific Plan, the related Bass Lake Hills development agreement, and the Bass Lake Hills Public Facilities Financing Plan (PFFP). In addition, excepting for model homes, certificates of occupancy will not be issued for any residential structures until the PFFP Phase 1 improvement requirements (anticipated to be accomplished through the requirements of the Hollow Oak subdivision) are substantially complete, as determined by the Department of Transportation.

~~25.23~~. Off-site road improvements consistent with Phase 1A requirements of the adopted PFFP shall be completed in compliance as set forth within the Bass Lake Hills Specific Plan (BLHSP), the Bass Lake Hills Specific Plan Public Facilities Financing Plan (PFFP), and the related Development Agreement, including but not limited to the following. If one of the other two projects included in Phase 1A constructs the improvement, this project shall pay its fair share based on the PFFP leveling methodology. The following are the required improvements:

- A. Reconstruct Bass Lake Road with full improvements as required in the BLHSP from Hollow Oak Road to Highway 50. Provide underground utilities as required.
- B. Construct bike lane and sidewalks along Bass Lake Road from Hollow Oak Road to Highway 50.
- C. Finish median and other improvements on Bass Lake Road from Hollow Oak Road to Serrano Parkway as required by the BLHSP. Provide underground utilities as required.
- D. Construct Country Club Drive (G-H) with frontage improvements.
- E. Construct Silver Dove Way to school site (Q-G) with frontage improvements.
- F. Construct Silver Dove Way (C-D) if Hawk View is included in the critical mass projects.
- G. Construct school infrastructure (water and sewer).
- H. Construct Morrison Road (J-I) without off-site frontage improvements if Bell Ranch is in the critical mass projects.

- I. Construct traffic signals on Bass Lake Road if required by Traffic Warrants. If signals are not yet warranted, the initial design will incorporate underground facilities (such as conduits) to minimize disturbance of new pavement.
 - J. Acquire approximately two acres for the park-and-ride lot to the satisfaction of the El Dorado County Transit Authority. Construct a portion of the lot, the number of parking spaces shall be proportionate to the number of subdivision lots developed. The proposed construction shall be shown appropriately in the improvement plans.
 - K. Acquire land for an 8.7-acre sports park.
 - L. Planning and design of Sports Park.
- 26.24. Funding and a bid-ready package for Bass Lake Road improvements, including reconstruction with full improvements from Hollow Oak Road to approximately Highway 50, bike lane and sidewalks from Hollow Oak Road to approximately Highway 50, and finish median and other improvements on Bass Lake Road from Hollow Oak Road to Serrano Parkway as required by the BLHSP including 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 residential building permit.

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 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.

Excepting for model homes, certificates of occupancy will not be issued for any residential building until the improvements are substantially complete as determined by the Department of Transportation.

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.

Bass Lake Road shall be improved with 2, 18-foot widths of pavement to accommodate the north-bound and south-bound traffic together with a nominal 8-foot wide median area that varies to 16 feet wide to accommodate turn lanes at appropriate intersections. The design shall include reconstruction of a portion Bass Lake Road with full improvements consistent with Phase 1A requirements of the adopted PFFP, including but not limited to, underground utilities, bike lane, sidewalks, the finished median with landscaping and irrigation and other improvements as outlined in the PFFP. This requirement is made pursuant to the Bass Lake Hills Specific Plan and related Development Agreement and Public Facilities Financing Plan. 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 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.

- 27.25. The applicant shall secure approved plans, must enter into a road improvement agreement, or subdivision improvement agreement, with the County, and all necessary right-of-way shall be acquired prior to approval of the first final map for the following project PFFP requirements: construct Country Club Drive (G-H) with frontage improvements, construct Silver Dove Way to school site (Q-G) with frontage improvements, and construct school infrastructure (water and sewer).

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 the developer entering into an agreement for condemnation proceedings with County Counsel together with a deposit of funds as required by County Counsel, or alternative arrangement to the satisfaction of the Department of Transportation. The road improvements must be determined to be substantially complete by the County Department of Transportation prior to issuance of a certificate of occupancy for any number of units greater than one half of the project units.

- 28.26. All necessary land shall be acquired prior to approval of the first final map for the approximately two acres for the park-and-ride lot and also for the 8.7-acre sports park. In the event that the eminent domain process must be implemented to acquire said land, this condition 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 make other arrangements to the satisfaction of the Department of Transportation.

The Phase 1A projects, collectively, shall be responsible for design of the total park and ride lot (100 spaces), and the construction of no less than 35 spaces together with related on-site travel ways, facilities, and standard encroachment into the County roadway all to the satisfaction of the El Dorado County Transit Authority. These improvements must be substantially complete, as determined by the Department of Transportation, prior to issuance of a certificate of occupancy for any number of units greater than one half of the units for the subdivision project advancing the construction, unless alternative arrangements have the agreement of the El Dorado County Transit Authority and the Department of Transportation. The improvement plans must be approved concurrently with the approval of the improvement plans for the internal subdivision improvements. In order for these improvements to be eligible for either credit or reimbursement from the Bass Lake Hills Public Facilities Fee, the project must be publicly bid consistent with the Public Contracts Code of California

- 29.27. Off-site road improvements consistent with Phase 1A requirements of the adopted PFFP shall be completed in compliance as set forth within the Bass Lake Hills Specific Plan, the Bass Lake Hills Specific Plan Public Facilities Financing Plan, and related Environmental Impact Reports. Construction of the improvements to the Bass Lake/U.S. Highway 50 interchange area includes:

1. A west bound 2-lane on-ramp;
2. An east bound 2-lane off-ramp;
3. On-ramp traffic metering;
4. Widening at the Bass Lake Road/Eastbound off ramp intersection area to provide:
 - a) Dual eastbound left turn lanes;
 - b) A shared eastbound right/through lane;
5. Two 12-foot northbound through lanes and 1 12-foot southbound lane plus 2-foot shoulders between the eastbound and westbound ramp intersections.

The applicant shall submit bid-ready documents prior to the issuance of the first certificate of occupancy. Improvements identified must be substantially complete prior to the issuance of the 41 certificate of occupancy.

At the discretion of the Director of the Department of Transportation, rather than construct the improvements described above, applicant shall pay an in-lieu fee equivalent to the full cost of constructing, designing, and permitting the improvements.

The cost of constructing these improvements, or the in-lieu fee if that option is chosen by the Department of Transportation, shall not be reimbursable by the County through its road fee programs but is eligible for reimbursement from the Public Facilities Financing Plan (PFFP) fees.

- 30.28. An executed contract to perform the Project Study Report (PSR) for the Highway 50/Bass Lake Road Interchange shall be submitted to the Department of Transportation prior to approval of the first final map. The contract will be between the applicant and a consultant acceptable to the County and will include a scope of work that is satisfactory to the County Department of Transportation. In addition, the applicant shall enter into an agreement with the County to guarantee the completion of this PSR and shall provide security equal to the estimated cost of the PSR. At the sole discretion of the Department of Transportation, the Department of Transportation may decide to prepare this Project Study Report directly through either a consultant contract or the use of staff, in which case the developer would be required to fund the cost of PSR preparation and processing.

At the discretion of the Director of the Department of Transportation, this requirement may be deleted.

- 31.29. Landscape and irrigation plans shall be included in the project improvement plans and cost estimates and shall be reviewed by the El Dorado Hills Community Services District and be subject to review and approval by El Dorado County Planning Services; the Department of Transportation will review the plans for matters concerning roadway safety and sight distance.

Drainage

- 32.30. The applicant shall construct the detention facilities as identified in the project drainage analysis prior to issuance of building permits. Detention facilities shall be designed in accordance with the County of El Dorado Drainage Manual, including provisions for maintenance and vehicular access. Vehicular access shall be provided from C Court to the basin in Lot B with security provisions or alternative access shall be provided if determined to be satisfactory by the Department of Transportation.

- 33.31. An irrevocable offer of dedication of drainage easement shall be made for the project detention facilities. A homeowner's agreement and association, or other entity, shall be established in order to provide for ownership in fee title to the detention facility.
- 34.32. A final drainage plan shall be prepared in accordance with the County of El Dorado Drainage Manual subject to review and approval by the Department of Transportation. Drainage facilities shall be designed and shown on the project improvement plans consistent with the final drainage plan, the Bass Lake Hills Specific Plan, and the County's Storm water Management Plan. The developer shall install said drainage facilities with the respective phase of construction or as specified in the final drainage plan.
- 35.33. Cross lot drainage shall be avoided wherever possible. When cross lot drainage does occur, it shall be contained within dedicated drainage easements. 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.
- 36.34. The subdivider shall be required to form a County Service Area Zone of Benefit (ZOB) to fund the drainage facility maintenance and maintenance of the flows through the detention facility, and any replacement of the flow related facilities, together with maintenance vehicle access to the detention facility. The funding mechanism for these services must be established prior to approval of the final map and shall include a provision for future increased funding requirements. It is recommended that a special tax with an escalator clause be used as the funding mechanism.
- 37.35. The final map shall show all drainage easements consistent with the County of El Dorado Drainage Manual, the project final drainage plan, and the project improvement plans.
- 38.36. The subdivider shall obtain irrevocable Offers of Dedication to the County for public drainage purposes, and shall process same through the County, for offsite easement rights across properties subject to the Specific Plan Development Agreement, to the satisfaction of the Department of Transportation, to accommodate any offsite storm water facilities needed to convey concentrated storm water from the project boundary downgradient to an existing established waterway. Subdivider shall design and install said offsite storm water facilities as necessary to the satisfaction of the Department of Transportation.

Grading

- 39.37. This project is proposing mass pad grading. Section 15.14.460 of the County of El Dorado Grading, Erosion and Sedimentation Ordinance (Amended Ordinance No. 4170, 8/20/91) states that a mass pad grading project application shall be transmitted for comment to the supervisor of the district where the project is located, prior to the issuance. The district supervisor will be allowed fifteen (15) calendar days to respond, before the grading permit is issued.
- 40.38. Subdivision improvements shall include rough grading of driveways for all lots 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. Construction of said driveways shall conform to the Design and Improvements Standards Manual and the Encroachment Ordinance.
- 41.39. Grading plans shall be prepared in substantial conformance with the preliminary grading plans submitted for Bell Woods 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.
- 42.40. 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.
- 43.41. Improvement Plans shall incorporate protective measures toward existing oak trees pursuant to Volume IV, Design and Improvement Standards Manual, Oak Tree and Wetlands Preservation Requirements and Specifications (County Resolution No. 199-91).
- 44.42. Erosion control and drainage design from residential areas into the open space areas shall employ natural appearing methods. The use of native plant materials is required where revegetation is proposed.
- 45.43. Should asbestos-containing rock be exposed during grading, construction of roads, excavation for underground facilities, building foundations, or any construction related activity, Section 8.44 of the County of El Dorado County Asbestos and Dust Protection Ordinance (Ordinance No. 4548 adopted 1/4/2000, Amended by Ordinance No. 4360 adopted 5/13/2003) shall apply.

Fire Department

- 46.44. That portion of the project that is not within the fire district boundary would have to annex into a District and shall pay all fees associated with that annexation.
- 47.45. The potable water system for the purpose of fire protection for this residual development shall provide a minimum fire flow as determined by the fire district in accordance with the Uniform Fire Code. This requirement is based upon a single family dwelling 3,600 square feet or less in size. This fire flow rate shall be in excess of the maximum daily consumption for this rate for this development. A set of engineering calculations reflecting the fire flow capabilities of the system shall be supplied to the fire department for review and approval prior to approval of the improvement plans.
- 48.46. 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 fire hydrant shall be determined by the fire department prior to approval of the improvement plans.
- 49.47. To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations shall be included in the improvement plans.
- 50.48. 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 applicable fire district shall be included in the improvement plans.
- 51.49. The applicant shall have a Wildland Fire Safety Plan developed for this project prior to approval of the final map.
- 52.50. If the phasing of this development creates any dead-end access roadways in excess of 150 feet, the roadway shall be provided with a turnaround in accordance with applicable Fire District specifications prior to approval of the improvement plans.

Resource Conservation

- 53.51. The project will need to implement erosion control measures (including runoff control measures and soil stabilization measures) and sediment control measures (e.g., straw rolls, sediment fence, sediment basins). The types of practices chosen are site-specific and dependant on the time of year construction activities occur.

54.52. The applicant shall prepare a Stormwater Pollution Plan (SWPPP) that incorporates Best Management Practices (BMPs) to contain pollutants on the project site and prevent pollutants from entering stormwater runoff. BMPs shall be incorporated into the construction contract documents. The SWPPP shall be prepared prior to approval of the improvement plans.

Environmental Management/Air Pollution Control District

55.53. Project emissions of ROG, NOX, and PM-10 need to be quantified using either the URBEMIS 7G for windows 5.1.0 or similar model that is acceptable to the District. In addition, District Rule #223 addresses the regulation and mitigation measures for fugitive dust emissions – Rule 223 shall be adhered to during the construction process. In addition, a Fugitive Dust Prevention and Control Plan and Contingent Asbestos Hazard Dust Mitigation Plan shall be submitted to and approved by the District prior to beginning project construction prior to approval of the improvement plans.

56.54. It is the understanding of the District that this area is known to have soil bearing asbestos. Therefore compliance with *Title 17 Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations* of the California Code of Regulations will be mandatory prior to approval of the improvement plans.

57.55. Project construction involves road development and should adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials and the county ordinance concerning asbestos dust prior to approval of the improvement plans.

58.56. A health risk assessment shall be prepared when the project will emit toxic air contaminants. Airborne toxic pollutants expected to be generated by the project must be identified. In addition, it must be determined if a project is to be located in an area which may impact existing or planned schools or facilities with the potential to emit toxic or hazardous pollutants. A potential airborne toxic pollutant to consider is asbestos in asbestos-containing serpentine. Applicant will assist the District in preparing a public notice in which the proposed project for which an application for a permit is made is fully described and complies to Health and Safety Code 42301.6. The risk assessment must address the pollutants and potential impacts on public health prior to approval of the improvement plans.

59.57. Burning of wastes that result from Land Development Clearing must be permitted through the Air Pollution Control District. Only vegetative waste materials may be disposed of using an open outdoor fire prior to approval of the improvement plans.

60.58. The project construction will involve the application of architectural coating, which shall adhere to District Rule 215 Architectural Coatings prior to approval of the improvement plans.

~~61.59~~. Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, boilers, internal combustion engines, etc.), authority to construct applications shall be submitted to the District. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors prior to approval of the improvement plans.

County Surveyor

~~62.60~~. 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.

~~63.61~~. The interior roads of the project will be named thorough the Road Naming Process established by the County Surveyor.

Community Services District

These conditions would apply if the project were annexed in part or in entirety by the EDHCSD.

~~64.62~~. The project is subject to the Quimby Act and dedication requirements for parkland based on EDH standards of 5 acres per 1,000 residents population. Population density is based on 3.3 persons per home, which works out to 0.89-acres of parkland to be dedicated to the District before the filing of the final map. As no park site is indicated on this tentative map, but is indicated in the Bass Lake Hills Specific Plan, the District shall be paid in-lieu fees by the developer prior to recording the final map.

~~65.63~~. The project is subject to the EDHCSD Park Impact Fee in place at the time the building permits are issued. Additionally, the project will be subject to the Bass Lake Hills Specific Plan (BLHSP) Public Facilities Financing Plan (PFFP) Phase 1A requirements and shall participate in the acquisition and dedication of the 8.7-acre park site, along with adequate water supply, to the EDHCSD prior to recording of the first map.

~~66.64~~. The EDHCSD requires that all utilities be underground. Underground drainage is also recommended to avoid the safety hazards and maintenance problems of open ditches.

~~67.65~~. A Homeowner's Association (HOA) needs to be formed to finance ongoing operation and maintenance of street lights (if any), streetscape, and for open space management. The District recommends the creation of a shell Landscape and Lighting Assessment District for the 54-lot development as a back-up funding mechanism to a Homeowner's Association, in the event the Homeowner's Association should fail to maintain the improvements to the District's standards.

- ~~68.~~^{66.} Prior to final map approval, a streetscape plan for projects which front Bass Lake Road and all primary local roads shall be submitted for review and approval by the El Dorado Hills CSD.
- ~~69.~~^{67.} The streetscape is a component of the future Landscape and Lighting Assessment District and would need to be detailed, approved, and have a related maintenance budget prior to the final map.
- ~~70.~~^{68.} The development should allow for joint trenching for cable television services.
- ~~71.~~^{69.} The District will provide mandatory waste management services for the residences, including recycling services.
- ~~72.~~^{70.} The EDHCSD will review and approve the following items prior to final maps being recorded:
- c. Phasing Plan
 - d. Open Space and Tree Preservation Management Plan; and
 - e. CC&Rs need to be reviewed and approved by the CSD Board of Directors prior to recording the final map and include any conditions that are specific to any lots or areas, such as oak tree preservation and vegetation management.

Mitigation Monitoring and Reporting Program

- ~~73.~~^{71.} The applicant shall comply with the Mitigation Monitoring and Reporting Program (MMRP) as a condition of project approval. Implementation of the MMRP shall be enacted as set forth by Table 3.0-1 of the MMRP prepared for the project and attached hereto.

Subdivision Requirements Of Law

NOTE: The subdivision requirements as noted herein are provisions of County law either by Ordinance or Resolution and typically apply to all subdivisions. They do not represent all laws - which may be applicable to the subdivision, but do reflect obligations for which the subdivider should be aware of as the project proceeds toward final map submittal.

1. Improvement plans for on-site and off-site road improvements shall be prepared by a registered civil engineer and shall be subject to County Department of Transportation approval.
2. 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.

3. The developer shall obtain approval of construction drawings and project improvement plans consistent with the Subdivision Design and Improvement Standards Manual and cost estimates from the County Department of Transportation and pay all applicable fees prior to commencement of any improvements on the public street and service facilities. All improvements shall be consistent with the approved tentative map.
4. 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.
5. Subdivision improvements shall include driveways for all lots 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 Transportation Director. Driveways shall be installed in a manner and location acceptable to the County Department of Transportation and shall meet standard County driveway requirements.
6. 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.
7. No building permit 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.
8. The timing of construction and method of revegetation shall be coordinated by 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.
9. Improvement plans shall incorporate protective measures toward existing oak trees per Volume IV, Design and Improvement Standards Manual, Oak Tree and Wetlands Preservation Requirements and Specifications (County Resolution No. 199-91).

10. All survey monuments shall 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 50 percent labor and materials bond. Verification of set monuments, work completed, or work to be completed, and cost of completion is to be determined by the County Surveyor.
11. All roads shall be named by filing a completed road naming petition for each proposed road with the county Surveyor's office prior to filing the Final Map.
12. The location of fire hydrants and systems for fire flows are to meet the requirements of the responsible fire Protection district. The location of hydrants shall be shown on the improvement plans which shall be subject to the approval of the fire protection district.
13. 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.
14. 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.
15. Prior to filing a Final Map, if the subject property is subject to liens for assessment or bonds, pursuant to the provisions of Government Code Section 66493, the owner or subdivider shall either: (a) Pay the assessment or bond in full, or (b) File security with the Clerk of the Board of Supervisors, or (c) File with the Clerk of the Board of Supervisors the necessary certificate indicating provisions have been made for segregation of bond assessment responsibility pursuant to Government Code Section 66493 (d).
16. 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. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed.
17. If archaeological sites or artifacts are discovered, the subdivider shall retain an archaeologist to evaluate the resource. If the resource is determined to be important, as defined in Section 15064.5 of the CEQA Guidelines, mitigation measures, as agreed to by the subdivider, archaeologist, and Planning Department shall be implemented. Treatment of Native American remains and/or archaeological artifacts shall be the responsibility of the subdivider and shall be subject to review and approval by the County Planning Director.

ATTACHMENT 4 FINDINGS FOR APPROVAL

TM96-1321E/TM00-1371E/TM01-1380E

1.0 CEQA FINDING

- 1.1 An Environmental Impact Report was certified with the original approval of the Bass Lake Hills Specific Plan on February 7, 1995. All mitigation measures contained in the Final EIR were adopted by the Board of Supervisors and incorporated as conditions of approval of the Tentative Subdivision Maps. Since the original certification of the EIR, no new environmental issues have been identified which would require additional environmental review. Therefore, the Time Extension is deemed Statutorily Exempt pursuant to Section 15182 of California Environmental Quality Act (CEQA) Guidelines.

2.0 ADMINISTRATIVE FINDINGS

2.1 General Plan

The proposed time extensions are consistent with the land use designations and maximum allowable density as identified in the 2004 El Dorado County General Plan and the Bass Lake Hills Specific Plan as defined in the development agreement.

2.2 Zoning Code

The subject sites for all three time extension requests are Zoned Single-Family Residential/Planned Development (R1/PD). The R1 Zone District typically permits minimum parcel sizes of six thousand square feet when the lot is served with public water supply and sewage system. It is a requirement of the BLHSP that all lots are to be served by public water and sewer. Each parcel meets or exceeds the minimum requirement for the R1 Zone District as well as the provisions outlined within the Specific Plan. The approved parcels are therefore consistent with the zoning and the approved development plan.

2.3 Subdivision Ordinance

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

The proposed time extension to an approved 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 consistent with applicable general and specific plans;

The proposed tentative 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 the proposed type and density of development, because the tentative map, as conditioned, is consistent with the General Plan, Zoning, Specific Plan, and all mitigation measures of the Environmental Impact Report.

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

The combined acreage of all three Tentative Subdivision Maps is physically suitable to accommodate the approved subdivisions. The three combined subdivisions anticipate a maximum of 281 single-family residential lots ranging in size from 6,476 square feet to 251, 136 square feet, a total of five open space lots, 19 landscape lots, one park site, and public and private streets. Development of each lot shall be subject to the Bass Lake Hills Specific Plan.

- 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 residential lots are subject to the specific project conditions of approval and required mitigation measures under the certified Environmental Impact Report minimizing impacts to natural resources on site. Prior development of each lot, 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 Maps anticipate the combined development of 281 single-family residential lots ranging in size from 6,476 square feet to 251,136 square feet, a total of five open space lots, 19 landscape lots, one park site, and public and private streets. Overall development of all three sites shall be subject to subsequent permitting review in accordance with the El Dorado County and affected agency standards. Also, the original approvals included granting of a Design

Waivers from the El Dorado County Design and Improvement Standards Manual by allowing reductions in both road and sidewalk widths, mountable dike installations in place of rolled curbs where applicable, decorative roadway surfacing, allowance of raised landscape medians, excess dead-end road length, and variable turn around radii. No changes to design waivers are proposed as part of the Time Extension requests. The project design anticipates a safe and orderly development is not likely to cause serious public health hazards.

- 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 designs of the Tentative Subdivision Maps conform to the requirements of Section 4291 of the Public Resources Code involving brush and vegetation fire prevention. Future development permits for these sites would be reviewed for conformance for on-site fire suppression and emergency access and circulation by the El Dorado Hills Fire Protection District.

- H. That the design of the subdivision or the type of improvements would 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 maps and shall be further verified by the County Surveyor's Office at the time of filing of final maps. Additional easements would be required during review of future discretionary development permits, as deemed necessary. Therefore, no conflicts with easements acquired by the public at large are anticipated.