



COUNTY OF EL DORADO PLANNING COMMISSION

Building C Hearing Room
2850 Fairlane Court, Placerville, CA 95667
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Phone: (530) 621-5355 Fax: (530) 642-0508

Walter Mathews, Chair, District IV
Alan Tolhurst, First Vice-Chair, District V
Lou Rain, Second Vice-Chair, District I
Dave Pratt, District II
Tom Heflin, District III

Char Tim Clerk of the Planning Commission

MINUTES

Regular Meeting August 27, 2009 – 8:30 A.M.

1. CALL TO ORDER

Meeting was called to order at 8:42 a.m. Present: Commissioners Rain, Pratt, Heflin, Mathews, and Tolhurst; Paula Frantz-County Counsel*; and Char Tim-Clerk of the Planning Commission. [**Arrived at 9:04 a.m. and was in attendance at the start of the public hearing portion.*]

2. ADOPTION OF AGENDA

Motion: Commissioner Heflin moved, seconded by Commissioner Rain, and carried (4-0), to adopt the agenda as presented.

AYES: Tolhurst, Rain, Heflin, Mathews
NOES: None
ABSENT: Pratt

3. PLEDGE OF ALLEGIANCE

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

a. **Minutes:** July 23, 2009

END OF CONSENT CALENDAR

Motion: Commissioner Rain moved, seconded by Commissioner Tolhurst, and unanimously carried (5-0), to approve the Consent Calendar.

AYES: Pratt, Heflin, Tolhurst, Rain, Mathews
NOES: None

5. DEPARTMENTAL REPORTS AND COMMUNICATIONS
(Development Services, Transportation, County Counsel)

Pierre Rivas distributed a listing of County office closures and indicated that Development Services would be closed the 2nd and last Mondays of each month until further notice. Commissioner Tolhurst expressed concern that one of the scheduled office closures, October 12th, was right before the deadline of October 15th for earthmoving in the Tahoe Basin area. Mr. Rivas indicated that he would bring that to the Director's attention.

In response to status inquiries by some Commissioners, Mr. Rivas informed the Commission that the following workshops are being developed by staff and are anticipated to be brought forth in the near future:

- Density Bonus
- Noise impacts
- LED readerboard signs

6. COMMISSIONERS' REPORTS

Commissioner Heflin inquired on a situation that, although is not in his district, was brought to his attention and it involved an issue with sheepdogs being raised on RE land. Pierre Rivas stated that he is currently involved in the situation and it actually concerns a goat farmer that hires out goats for fire suppression control and utilizes "working" dogs to go on-site with the goats for protection and herding. The animals, including the dogs which live among the goats, are boarded on RE land when not hired out. Mr. Rivas stated that per Title 17, a Special Use Permit is required for more than 4 adult dogs on certain types of property and there is currently no exemption for "working" dogs. Several of the Commissioners expressed support on incorporating that type of exemption.

9:00 A.M.

PUBLIC FORUM/PUBLIC COMMENT – None

7. VARIANCE

V09-0002 submitted by PAT and RENATE FRY (Agent: Kristina Hill) to reduce the front-yard setback from 35 feet to 17 feet and reduce the rear-yard setback from 15 feet to five feet for the reconstruction of a single-family residence. The property, identified by Assessor's Parcel Number 021-331-04, consisting of 27,300 square feet, is located on the west side of Fallen Leaf Road, approximately three miles south of the intersection with Emerald Bay Road, in the Fallen Leaf Lake area, Supervisorial District V. [*Project Planner: Jason Hade*] (Categorical Exemption pursuant to Section 15305(a) of the CEQA Guidelines)

Jason Hade distributed a public comment letter (Malley) that was just received and acknowledged that numerous public letters have been received on this project. He also informed the Commission that right before the start of the hearing, the applicant submitted a new site plan revising the property line setbacks.

Pierre Rivas indicated that staff was now requesting a continuance to allow time for review of the new site plan and to adequately investigate and define “projection” lines which are indicated on the site plan.

County Counsel Paula Frantz also recommended a continuance due to the late submittal of the new site plan and stated that Variance requests require very specific findings for approval.

Commissioner Tolhurst felt that additional research was also needed on the regulations required not only by the County, but also by TRPA.

Kristina Hill, applicant’s agent, explained that there had been some legality issues regarding the property lines and that the request had been submitted with “projection” lines that went at an angle. However, it had now come to their attention that the property lines would actually be perpendicular and the variance request would need to be revised.

Mr. Rivas indicated that this new information would require staff to re-examine the variance request, including the proposed building height for a possible vertical variance request, and that the project would require re-noticing of the new setback requests.

Mr. Hade requested the item be continued off-calendar.

No further discussion was presented.

Motion: Commissioner Tolhurst moved, seconded by Commissioner Heflin, and unanimously carried (5-0), to continue the item off-calendar.

AYES: Rain, Pratt, Heflin, Tolhurst, Mathews
NOES: None

8. REZONE/TENTATIVE MAP

Z08-0004/TM08-1466/Blackhawk Estates submitted by BRUCE WIRTANEN (Agent: Patterson Development) to rezone from Exclusive Agricultural District (AE) to Estate Residential Five-Acre District (RE-5) and Estate Residential Ten-Acre District (RE-10); A tentative map creating 9 lots, ranging in size from 5 acres to 11.5 acres for APN 078-200-71; and the following two Design Waiver requests: (a) Allow the creation of parcels with a length in excess of three times the width for Lots 4 and 5; and (b) Reduction in the required 10 foot shoulder to 2 feet as required in Section III(A)(12) of the Design Improvements Standards Manual. The property, identified by Assessor’s Parcel Numbers 078-200-70 and -71, consisting of 77.42 acres, is located on the north and south side of Blackhawk Lane, approximately .25 miles east of the intersection with Mt. Aukum (E16), in the Pleasant Valley area, Supervisorial District II. *[Project Planner: Aaron Mount]* (Mitigated negative declaration prepared)
[continued from July 23, 2009, meeting]

Aaron Mount informed the Commission that this item had been conceptually approved at the July 23, 2009, meeting and was before them today to clarify two concerns that had been identified: (1) split zoning and (2) leach lines crossing over the boundary lines. Mr. Mount referred to Staff Memo dated August 10, 2009, which provided new information, including new exhibits, regarding these two issues. He also noted, as stated in the memo, that staff was requesting a new condition (Condition #47) be added requiring a separation be shown on the final map between existing septic system and the southern lot line of Lot 5.

Bruce Wirtanen, applicant, was available for questions.

County Counsel Paula Frantz suggested, for clarification purposes, to modify Condition #1 to indicate that the originally submitted Exhibits B and D were deleted and replaced with the revised Exhibits B and D submitted under Staff Memo dated August 10, 2009.

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Heflin, and unanimously carried (5-0), to recommend the Board of Supervisors take the following actions: 1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff; 2. Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the Conditions of Approval and Mitigation Measures; 3. Approve Rezone Z08-0004 for APNs 078-200-70 and -71 based on the findings proposed by staff; 4. Approve Tentative Map TM08-1466 for APN 078-200-71 based on the findings proposed by staff, subject to the conditions of approval as modified to include: (a) New Condition #47; and (b) Amend Condition #1 to identify the replacement of Exhibits B and D with the revised exhibits submitted under Staff Memo dated August 10, 2009; and 5. Approve design waiver requests to: (a) Allow the creation of parcels with a length in excess of three times the width for Lots 4 and 5; and (b) Reduce the required 10 foot shoulder to 2 feet as required in Section III(A)(12) of the Design Improvements Standards Manual.

AYES: Rain, Tolhurst, Heflin, Pratt, Mathews
NOES: None

Findings

1.0 CEQA Findings

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received during the public review process. The proposed project, as conditioned, will not have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.

- 1.2 The Planning Commission finds that through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with the corresponding permit monitoring requirement, is hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 1.4 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of the Development Services at 2850 Fairlane Court, Placerville, CA.

2.0 General Plan Findings

- 2.1 As proposed, the project is consistent with the Medium Density Residential (MDR)/Low Density Residential-Important Biological Corridor (LDR-IBC)/Rural Residential-Important Biological Corridor (RR-IBC) land use designations of the subject site as defined by General Plan Policy 2.2.1.2, because these land use designations identify those areas suitable for the proposed density. Residential subdivisions within the MDR/LDR/RR land use designations are directed to maintain a density range from one dwelling unit an acre to one dwelling unit per 10 acres. The project proposes an overall density of one unit per 8.6 acres. The nine single-family residential parcels ranging in size from 5 acres to 11.5 acres conforms to the General Plan land use designations.
- 2.2 As conditioned and with strict adherence to County Code, the proposal is consistent with all applicable Policies of the General Plan. As conditioned, the proposal is consistent with the intent of General Plan Objectives 2.1.2 (Rural Center boundaries), Policies 2.1.2.2 (Rural Center definition), 2.1.1.7 (adequate roads, utilities and addressing fire hazards), 2.2.5.3 (rezone criteria), 2.2.5.21 (compatibility with surroundings), 5.1.2.1 (adequate utilities), 5.2.1.2 (water for emergency), 5.2.1.4 (available domestic water), 5.7.1.1 (adequate emergency water and related facilities), 6.2.3.2 (adequate access), 7.3.3.4 (impacts to wetlands), 7.4.2.9 (Important Biological Corridors), 7.4.4.4 (impacts to oak canopy), 8.1.3.2, 8.1.4.1, 8.2.2.5 (impacts to agricultural lands). Because of the review for General Plan consistency, and as conditioned and mitigated, less than significant impacts to water, agricultural lands, public facilities, public utilities, and on existing emergency response capabilities will occur. The project can be found to be compatible with the local community. It has been reviewed and conditioned by the El Dorado County Fire Protection District, Department of Transportation, County Surveyor and the El Dorado Irrigation District noting there are adequate available utilities such as water, power, and septic facilities. As conditioned and mitigated, the project provides adequate access and site design that ensure compatibility with surrounding land uses, and is consistent with the General Plan policies identified above.

- 2.3 The Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.3.3.4 requires a 50 foot setback from ponds and wetlands and the project is proposing to build the access road within 25 feet of a seasonal wetland. The Interim Interpretive Guidelines allows an alternative setback when the applicant demonstrates that the alternative setback would still provide sufficient protection of the biological resources and avoids or minimizes impacts as required by the General Plan. A biological report has been submitted by the applicant and as analyzed in the initial study, impacts have been reduced to a less than significant level by incorporation of mitigation measures. As conditioned and mitigated this project can be found to be consistent with Policy 7.3.3.4.

3.0 Zoning Findings

- 3.1 The project, as proposed and conditioned, is consistent with the El Dorado County Zoning Ordinance Development Standards with an approved rezone to RE-5 and RE-10. The 9 lots conform to the proposed zoning and the development standards in Section 17.28.210 and 17.70.110 (RE-5) and 17.70.110 (RE-10) for minimum lot width of 100 feet, minimum parcel size of 5 and 10 acres respectively, building setback requirements of 30 feet in the front yards, 30 feet for the side yards and 30 feet for the rear yards as well having the space to comply with the parking requirements of two spaces not in tandem per dwelling unit pursuant to Section 17.18.060.

4.0 Administrative Findings

4.1 Tentative Subdivision Map

- 4.1.1 *The proposed tentative subdivision map, including design and improvements, is consistent with the General Plan policies and land use map. As proposed, and modified by the conditions of approval, the map conforms to the MDR/LDR-IBC/RR-IBC General Plan land use designations and applicable General Plan policies including land use compatibility, lot size, fire safe access and emergency water supply, and mitigation for indigenous oak tree canopy and wetland impacts.*
- 4.1.2 *The site is physically suitable for the type and density of development proposed. The site contains sufficient developable areas to accommodate the proposed residential use and proposed density of approximately 5-10 acres per unit.*
- 4.1.3 *The design of the subdivision and proposed improvements as conditioned will not cause significant environmental damage or injure fish and wildlife habitat. Potential environmental impacts for the subdivision have been minimized by the lot designs and alignment of the access road. No indigenous oak tree canopy is proposed to be removed, the wetlands will be mitigated for minimal impacts, and the potential for erosion during grading activities will be minimized by adherence to Best Management Practices required during the grading permit.*

- 4.1.4 *The subdivision shall have adequate access to accommodate the proposed density. The project has been conditioned to comply with El Dorado County Department of Transportation and El Dorado County Fire Protection District requirements to assure adequate access.*
- 4.1.5 *The subdivision shall not create serious public health and safety problems or unacceptable fire risk to future occupants to adjoining properties. The El Dorado County Fire Protection District reviewed the proposed tentative subdivision map and conditioned the map for adherence to fire safe standards which will ensure that the project does not create serious public health and safety problems or unacceptable fire risk to current and future occupants of adjoining properties.*

5.0 Design Waiver Findings

5.1.0 Design Waiver Approval Findings

Permit a design waiver to deviate from the requirements of the El Dorado County Design Improvement Standards Manual (DISM). Design waivers have been requested to allow the creation of parcels with a length in excess of three times the width. The findings for approval for the design waiver are based on the following findings:

- 5.1.1 *It can be found that special conditions for circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver because extension of the roadway would cause significant additional grading to occur if the roadways were extended merely to achieve additional road frontage. The lots as shown have a minimum frontage of 150 feet. Each lot is fully accessible, has a building site, and septic area.*
- 5.1.2 *It can be found that strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property because strict adherence to County design guidelines for on and offsite road improvements would potentially create unnecessary significant environmental impacts that would restrict development of the project.*
- 5.1.3 *It can be found that the adjustment or waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public because El Dorado County Fire Protection District, El Dorado County Department of Transportation, and Planning Services have reviewed the subdivision request and design waiver request, and as conditioned, have recommended approval of the layout and design of the proposed lots and emergency access of the proposed parcels with implementation of the required *Wildland Fire Safe Plan*, and their recommended conditions of approval.*
- 5.1.4 *It can be found that this waiver would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division because the project has been mitigated and conditioned to meet all applicable County Codes.*

- 5.2 Permit a design waiver to deviate from the requirements of the El Dorado County Design Improvement Standards Manual (DISM). Design waivers have been requested to allow the reduction in the required 10 foot shoulder to 2 feet as required in Section III(A)(12) of the Design Improvements Standards Manual. The findings for approval for the design waiver are based on the following findings:**
- 5.2.1 *There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.* The project design for the onsite roadway includes one stream crossings, avoidance of oak tree canopy, and adjacent wetlands. Both DOT and the responsible Fire District are supportive of the design waiver request.
- 5.2.2 *Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.* Strict application of the design and improvement requirements has the potential to require increased impact to the stream crossings, additional grading, and potential oak tree canopy removal. The onsite road will be developed to the full fire safe required width of 20 feet.
- 5.2.3 *The adjustment or waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.* The waiver will not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public as the Fire District has determined that the reduced shoulder width will still provide adequate emergency vehicle access, connection to adjoining residences, and on site circulation.
- 5.2.4 *The waivers would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.* The requested design waiver will not hinder the County's implementation of the Subdivision Map Act as outlined in Article II of Chapter 16 of County Code or any of the other applicable ordinances discussed within the staff report.

Conditions of Approval

1. This tentative subdivision map is based upon and limited to compliance with the project description, the Staff Report hearing exhibits marked Exhibits A-0 (to include new Revised Exhibits B and D submitted under Staff Memo dated August 10, 2009) 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:

Rezone from Exclusive Agricultural (AE) to Estate Residential Five-Acre (RE-5) and Estate Residential Ten-Acre (RE-10) for APNs 078-200-70 and -71;

Tentative Subdivision Map for APN 078-200-71 to subdivide the property into 9 single-family residential parcels ranging in size from 5 to 11.5 acres. All lots will be served by public water and individual septic systems. The following table is a breakdown of the interior of the subdivision and the approved lots:

Blackhawk Estates TM Lot Area Summary

Lot Number	Gross Area (Total lot area in acres)
1	5.92
2	5.00
3	10.003
4	11.09
5	10.73
6	10.81
7	10.68
8	5.04
9	5.1

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

Conditions from the Mitigated Negative Declaration

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

2. [MM Bio 1] A 25-foot setback from the edge of SW-1 and a 50-foot setback from the edge SW-2 shall be recorded on the final map as shown on the Biological Resource Study for Blackhawk Estates prepared by Sierra Ecosystem Associates on January 21, 2008. No development shall occur within the setback area. The identification shall be made on the final map, Site Plan Review, grading and building plans where applicable.

Monitoring: Prior to filing of final map, Site Plan Review (SPR), grading and/or building plan approval, Development Services shall verify that the identification has been made on the final map, Site Plan Review, grading and building plans where applicable. The setback lines shall be shown on any submitted development plans submitted for the grading permit and Development Services shall verify this prior to issuance of any grading permit

3. [MM Bio 7] A Streambed Alteration Agreement shall be obtained from CDFG, if applicable, pursuant to Section 1602 of the California Fish and Game Code, for each stream crossing and any other activities affecting the bed, bank, or associated riparian vegetation of any stream on the site. Appropriate mitigation measures would be developed in coordination with CDFG in the context of the 1602 agreement process. Authorization prior to placement of any fill is required from the Corps of Engineers if any impacts are proposed to jurisdictional riparian habitat. This authorization may require mitigation as deemed necessary by the Corps of Engineers.

Monitoring: The applicant shall provide a copy of the 1602 permit to Planning Services prior to issuance of the grading permit.

4. [MM Bio 7] A bottomless arch culvert shall be installed in place of a standard culvert where the access road crosses the ephemeral drainage upstream of SW-1. Flow dissipation structures shall be placed at the outfall of the culvert to moderate additional sheet flow collected in the drainage as a result of increased hardscaping from the project.

Monitoring: The features shall be shown on improvement plans submitted to the DOT. Improvements plan shall be approved by the DOT prior to finaling of the map.

Planning Services Site Specific and Standard Conditions

5. The map shall remain in effect for three years from the date of approval. If the map has not been recorded within this timeframe, an extension may be requested prior to expiration of the map. Appropriate fees shall be paid to process the time extension.
6. Prior to filing of the Final Map, in accordance with the executed agreement for project processing, all Development Services fees shall be paid.
7. The applicant shall submit to Development Services the Department of Fish and Game filing fee and noticing fee prior to filing of the Notice of Determination by the County. No permits shall be issued or final map filed until said fees are paid.
8. Prior to issuance of a grading permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services if deemed necessary prior to issuance of a grading permit for verification of compliance with applicable conditions of approval.
9. A water meter award letter from El Dorado Irrigation District or similar assurance from the water purveyor, guaranteeing water service upon demand to each of the parcels created, shall be submitted to Planning Services at the time of filing the Final Map.
10. Pursuant to Section 16.12.090, the project is responsible for parkland dedication which shall be satisfied by park in lieu fees. The applicant shall submit a request for Park-in-

Lieu fee appraisal to Planning Services, with a check for \$150.00 made out to the El Dorado County Assessor; upon completion of appraisal, the applicant must pay the park fee, pursuant to Section 16.12.090 of the El Dorado County Subdivisions Ordinance, to the General Services Facilities Department, and shall submit the receipt to El Dorado County Development Services with the Final Map application.

11. 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).
12. 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. If archaeological sites or artifacts are discovered, the subdivider shall retain an archaeologist to evaluate the resource.

If the resource is determined to be important, as defined in Appendix K of the CEQA Guidelines, mitigation measures, as agreed to by the subdivider, archaeologist, and Development Services 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 Development Services Director.

13. 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.

14. The developer shall enter into an agreement with the School Districts to pay the sum of \$8,288.⁰⁰ per residential unit constructed within the boundaries of the subdivision. The agreement shall provide for an annual adjustment in the fee by the increase in the Engineering News Record Construction Cost Index. This annual adjustment is based

upon a base amount of \$8,288.⁰⁰ as of January 1, 1997. The increase shall be calculated by the Districts as of January 1 of each year and implemented on July 1 of each year. The applicant should contact the County Office of Education prior to the issuance of any building permits to verify the applicable fee at the time of building permit issuance. The fee shall be payable by the owner of record at the time the building permit is issued and the agreement or a notice of restriction shall be recorded on the property to alert subsequent owners of this obligation.

15. Any future El Dorado County native oak tree canopy removed as identified on the improvement plans or for residential development shall be mitigated as specified in the Oak Woodland Management Plan, adopted by the Board of Supervisors on May 6, 2008.

El Dorado County Department of Transportation

16. **Road Design Standards:** The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM), as shown in Table 1. The improvements shall be completed to the satisfaction of the Department of Transportation (DOT) or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map: (the requirements outlined in Table 1 are minimums)

ROAD NAME	DESIGN STANDARD PLAN	ROAD WIDTH*/ SHOULDERS WIDTH	RIGHT OF WAY	EXCEPTIONS/ NOTES
Blackhawk Lane (<i>onsite</i>)	Std Plan 101C	20 ft / 2 ft	50ft	All weather surface capable of sustaining 75,000 lbs. No curb, gutter, or sidewalk is required.

* Road widths are measured from edge of pavement to edge of pavement if no curb (traveled way).

** Non-exclusive road and public utility easements included

17. **Encroachment Permit:** The applicant shall construct and or verify the roadway encroachment from Blackhawk Lane onto Mt. Aukum Road is consistent with the provisions of County Design Std Plan **103D**. If necessary, the applicant shall obtain an encroachment permit from DOT. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
18. **Off-site Access Improvements:** The applicant shall construct and /or verify that the off-site portion of Blackhawk Lane, from the project boundary to Mt. Aukum Road, meets the requirements of the California Fire Code, Appendix D. The applicant shall provide an exhibit to the DOT, Planning, and the Fire Agency that shows Blackhawk Lane complies with Fire Safe Regulations. The improvements shall be completed to the

satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.

19. **Turnaround:** All proposed turnarounds shall be built to the provisions of County Standard Plan 114 or approved equivalent. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.

DOT Standard Conditions

20. **Easements:** All applicable existing and proposed easements shall be shown on the project plans or final map.
21. **Road & Public Utility Easements:** The applicant shall provide a 50 foot wide non-exclusive road and public utility easement for the on-site access roadway Blackhawk Lane on the final recorded map.
22. **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Department of Transportation prior to the filing of the map. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
23. **Maintenance Entity:** The proposed project must form an entity for the maintenance of any private roads, parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping, signs, and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the map.
24. **Water Quality Stamp:** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.
25. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.
26. **DISM Consistency:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
27. **Road Improvement Agreement & Security:** The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway,

- frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map.
28. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
 29. **Grading Permit / Plan:** If more than 50 cubic yards of earth movement are required for improvements, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado “*Design and Improvement Standards Manual*”, the “*Grading, Erosion and Sediment Control Ordinance*”, the “*Drainage Manual*”, the “*Off-Street Parking and Loading Ordinance*”, and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of DOT prior to occupancy clearance.
 30. **Grading Plan Review:** Grading and improvement 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. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
 31. **RCD Coordination:** 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.
 32. **Soils Report:** At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and

proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.

33. **Drainage Study / SWMP Compliance:** The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.

The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:

- The site can be adequately drained;
- The development of the site will not cause problems to nearby properties, particularly downstream sites;
- The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
- The ultimate drainage outfall of the project.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. The improvements shall be completed to the approval of the Department of Transportation, prior to the filing of the final map or the applicant shall obtain an approved improvement agreement with security.

34. **Drainage, Cross-Lot:** Cross lot drainage shall be avoided. When cross lot drainage does occur, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer. 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. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the final map.
35. **Drainage Easements:** The site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and / or on the final map.
36. **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with

the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.

37. **Off-site Improvements (Security):** Prior to the filing of a final map, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required offsite improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in the amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.
38. **Off-site Improvements (Acquisition):** As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the applicant's expense and within 120 days of filing the Final Map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map, the applicant shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20% contingency:
- a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
 - b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
 - c. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements.

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

39. **Off-site Access Easements:** The applicant shall provide proof of access to the project site from a State or County maintained road. Said proof shall be provided by and through a "Map Guarantee" which shall be submitted to the County Surveyor's Office with the first map check for the map.

40. **Electronic Documentation:** Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
41. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.

El Dorado County Fire Protection District

42. The location of fire hydrants and systems for fire flows are to meet the requirements of the El Dorado County 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 prior to filing of the Final Map.
43. Submit review fee of \$ 300.00 prior to filing of the Final Map.
44. Fire flow for this project is 1,000 gpm @ 20 psi for two hrs for homes less than 3,600 square and 1,500 gpm @ 20 psi for two hrs for homes greater than 3,600 square feet. Documentation from EID (FIL) to show that the system will meet fire flow shall be submitted prior to filing of the Final Map.
45. A fire safe management plan, acceptable to the El Dorado County Fire Protection District and the California Department of Forestry, shall be prepared and implemented. A letter of compliance with this condition shall be submitted by the fire district to Planning Services prior to filing the map.

County of El Dorado Office of the County Surveyor

46. 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 Surveyors Office.

El Dorado County Department of Environmental Management

47. A ten foot separation shall be shown on the final map between the existing septic system and the southern lot line of Lot 5.

9. TENTATIVE MAP/PLANNED DEVELOPMENT

TM95-1309-R-2/PD95-0015-R-2/Ridgeview West Units 4 and 5 (Treviso) submitted by RIDGEVIEW HOMES WEST, LLC (Agent: CTA Engineering and Surveying) to: (1) Amend Recorded Map for Ridgeview West Units 4 and 5; (2) Revise Ridgeview West Tentative Map consisting of the following: (A) Re-subdivision of Lots 4 and 5 of Unit 4 into four lots ranging

in size from 0.46 to 0.52 acre and re-designating as Unit 5; and (B) Re-subdivision of existing Lot A (Unit 5) creating Units 6 and 7 with each unit encompassing two lots ranging in size from 0.87 to 2.55 acres; (3) Revision to an approved Development Plan for Ridgeview West Units 5 and 6 including an installation of entry gate at the Via Treviso residential court and modification to the One-Acre Residential Zone District (R1A) development standards; and (4) Design Waiver request to reduce road width from 36 feet to 20 feet for the unnamed court near the end of Via Treviso. The property, identified by Assessor's Parcel Numbers 120-700-04, -05, and -07, consisting of 8.90 acres, is located near the terminus of Via Treviso Road, approximately 1,361 feet north of intersection with Crestline Circle, in the El Dorado Hills Area, Supervisorial District I. [*Project Planner: Mel Pabalinas*] (Previously adopted Negative Declaration in accordance with CEQA Section 15162)

Mel Pabalinas presented the item to the Commission with a recommendation for approval with denial of the entry gate and the Design Waiver. He informed the Commission that the standard wording "subject to the Conditions of Approval in Attachment 1, based on Findings in Attachment 2" had been unintentionally omitted from the recommendation. Mr. Pabalinas distributed a revised table for Condition #1.C., per the request of the applicant, and stated that it contained minor modifications. In addition, staff was requesting to change wording in the revised table from "left, right" to directional indicators for Lots 3 and 4.

Dave Crosariol/CTA Engineering and Surveying, applicant's agent, expressed agreement with the Staff Report but disagreed with the recommendation of denial for the Design Waiver request. In addition, he noted the following typos in the Staff Report: Page 2 – Location section, remove "Road" after Via Treviso; Page 4 – Overview section, remove "Lane" after Via Treviso; Page 9 – Table 4 (Public Services and Utilities element), change "12" to "6" before Equivalent Dwelling Units; and Page 10 – Table 5 (Front Yard Setback – Lot 4), make new box to show "20".

Mr. Crosariol directed the Commission to a large wall map that showed the progression of the project, from the original request having a street to Folsom, to revisions made in 2007 designing a new road to address concerns of steepness (Via Treviso), to today's request which makes use of the significant infrastructures built in the area. He argued that since there would only be four lots, it would be appropriate to narrow the street at the court, make it private and have an entry gate. However, if Via Barlogio did not get constructed, he then agreed that the end of Via Treviso should be 36 feet.

Commissioner Pratt questioned Mr. Crosariol on if Via Barlogio would be constructed; the relationship with the Promontory Specific Plan in regards to road construction; and the access to Lot 2. Mr. Crosariol also provided detailed explanation of the changes that had occurred with the project in regards to the roads, particularly where Via Treviso was to be a private road, but due to changes in 2007, the County determined that it should be a County-maintained road. He stated that Via Barlogio will be a private road. In regards to the road width issue, Mr. Crosariol stressed that the requirement should not be 36 feet, but instead 20 feet due to only four lots and that it will be private.

Eileen Crawford/DOT read the definition on dead-end roads/cul-de-sacs per the Design Standards Manual and summarized that it requires the road to be 36 feet wide and that the manual does not distinguish between “private” and “public” roads in this regard.

Jim O’Camb/El Dorado Hills Fire Department stated that the minimum standard is 20 feet as long as it does not go over 2,640 feet long. Therefore, with Via Barlogio constructed, it could be 20 feet. However, he stated that without Via Barlogio and the cul-de-sac, it would need to be 36 feet.

Significant discussion ensued between Commissioner Pratt and Mr. Crosariol regarding the Design Waiver request and the “decision-tree process” (Condition #10) that is involved with this project.

Chair Mathews indicated that with the decision-tree laid out, he doesn’t have a problem with the cul-de-sac in regards to a narrow road, four lots, private, and a gate as long as there is a defined “if, then” statement.

Commissioner Tolhurst supported the Design Waiver request.

No further discussion was presented.

Motion: Commissioner Mathews moved, seconded by Commissioner Pratt, and unanimously carried (5-0), to take the following actions: 1. Certify that the previous Negative Declaration to be adequate for this project in accordance with CEQA Section 15162; 2. Approve amendment to Recorded Map for Ridgeview West Units 4 and 5 and revision to Ridgeview West Tentative Map under application Tentative Map TM95-1309-R-2 based on the findings proposed by staff, subject to the conditions of approval as modified; 3. Approve revision to Planned Development Application PD95-0015-R-2 for Ridgeview West Units 4 and 5 consisting of proposed modifications of specific R1A-PD development standards and approval of installation of entry gate at the end of Via Treviso based on the findings proposed by staff, subject to the conditions of approval as modified, to include: (a) Amending table in Condition #1.C with modifications submitted in revised table and additional wording modification for Lots 3 and 4 from “left, right” to directional indicators; and (b) Replacing Design Waiver findings for denial with findings for approval as listed in Attachment 3 of the Staff Report; 4. Amend Staff Report to include: (a) Modifications on identified typographical errors; (b) Amend Table 2 to reflect approval of Design Waiver by modifying column heading from “Right-of-Way” to “Easement” and replacing “36ft” with “20ft” under “Road Width” for “Unnamed Court...”; and (c) Amend Table 5 by modifying the following for Lot 4: Front Yard Seback-20, and Side Yard Seback-10; and 5. Approve Design Waiver Request for the reduction of road width from 36 feet to 20 feet for the unnamed court near the end of Via Treviso based on findings presented.

AYES: Rain, Heflin, Tolhurst, Pratt, Mathews
NOES: None

This action can be appealed to the Board of Supervisors within ten (10) working days.

Findings

1.0 CEQA FINDINGS

- 1.1 The revision to the approved Ridgeview West Subdivision and Development Plan does not require a subsequent Negative Declaration in accordance with 15162 of California Environmental Quality Act (CEQA). The project is a minor revision of the previously approved Ridgeview West Tentative Map and Planned Development, for which an Initial Study and Negative Declaration was adopted. The revised map would not pose new or additional impacts have been identified beyond the impacts evaluated in the previous Negative Declaration, thus no further environmental analysis is necessary. The project shall be subject to applicable mitigation measures and conditions of approval.
- 1.2 The documents and other materials, which constitute the record of proceedings upon which this decision is based, are in the custody of the Development Services Department-Planning Services 2850 Fairlane Court Placerville, CA 95667.

2.0 GENERAL PLAN

The project is a portion of an approved residential subdivision map in conformance with High Density Residential (HDR) land use designation and applicable policies of the General Plan.

3.0 ZONING ORDINANCE

The project conforms to the applicable development standards in the One-Acre Residential Zone District and provisions of the Planned Development.

3.1 PLANNED DEVELOPMENT

3.1.1 That the PD zone is consistent with the general plan;

The PD is consistent with the High Density Residential (HDR) land use designation. The proposed residential use and density is allowed within the HDR land use designation.

3.1.2 That the proposed development is so designed to provide a desirable environment within its own boundaries;

The residential subdivision is a portion of an approved residential development that includes open space areas, where oak woodland canopy is preserved.

3.1.3 That any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography;

The applicable modifications to the development standards of the R1A zone are justified by the clustered design of the lots in an effort to minimize the unnecessary impacts to the natural features on the site.

3.1.4 That the site is physically suited for the proposed uses;

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

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

Adequate public water and sewer services are available for the project. As conditioned, the required road improvements shall be constructed consistent with the General Plan and County Design and Improvement Standards Manual.

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

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

4.0 TENTATIVE MAP

4.1 The proposed revised tentative map, including design and improvements, is consistent with the General Plan policies and land use map; and

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

The residential subdivision is consistent with the High Density Residential (HDR) land use designation and applicable General Plan policies including allowable density, site and improvement design, and resource preservation.

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

The project site includes areas of varying topography and oak woodland. The residential project has been designed utilizing Planned Development concepts that would affect the developable areas of the site in a clustered design and preserve existing resources within open space areas.

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

As the residential subdivision is designed in accordance with the objectives of the Planned Development application and subject standard conditions of approval, development impacts to the natural resources on the site shall be minimized.

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

Adequate fire protection measures shall be implemented as part of Fire Safe Plan as enforced in conditions of approval for the project. The subdivision shall be constructed to accommodate necessary improvements for emergency purposes including secondary access roads, turnaround, and fire hydrants. The public water system servicing the project shall provide adequate fire flow for the project.

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

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

~~5.0 DESIGN WAIVER (FINDINGS FOR DENIAL)~~

~~Request: Reduction of road width from 36 feet to 20 feet for unnamed court the end of Via Treviso~~

~~5.1 There are no special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.~~

~~The proposed Design Waiver would not match the existing road improvement in the subdivision and not conform to applicable provisions of El Dorado County Design and Improvement Manual (DISM) involving Class I subdivision road standards in the Community Region of El Dorado Hills.~~

~~5.2 Strict application of County design and improvement requirements would not cause extraordinary and unnecessary hardship in developing the property;~~

~~Strict application of the standard would not cause hardship in developing the property as there is adequate land area to accommodate the required road and associated improvement. Construction of the improvement as required would maintain consistency with existing improvement and DISM standard.~~

~~**5.3 The adjustment or waiver(s) would be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.**~~

~~Approval of the Design Waiver would result in the possibility that the unnamed court area would have substandard 20 foot wide road, whether Via Barlogio is ultimately constructed as a secondary access road, which could pose a detriment to health, safety and welfare of the public. The required 36 foot wide road pavement would match the existing improvement on Via Treviso, meeting the requirements of DISM Standard Plan 101-B in the Community Region.~~

~~**5.4 This waiver(s) would have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.**~~

~~In accordance with Chapter 16 of El Dorado County Subdivision Code, the revised map is considered a Class I subdivision where improvements are required to full county standards. The proposed Design Waiver will not be consistent with the applicable County Design Manual involving subdivision road widths in dead-end roads in the Community Region area. As such, approval of the proposed would have a nullifying effect on the applicable provisions of the Subdivision Ordinance.~~

5.0 DESIGN WAIVER (FINDINGS FOR APPROVAL)

Request: Reduction of road width from 36 feet to 20 feet for unnamed court the end of Via Treviso

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

The Court will be privately owned and maintained. Construction of Via Barlogio will reduce the future dead end length to less than 500 feet. The reduced width will serve to improve the individual lot access.

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

The strict application of the design standard results in an unnecessarily wide roadway designed to serve only four lots. The strict application of the design standard results in extraordinary pavement costs and more difficult lot access that could result in unnecessary grading impacts.

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

The Design Waiver proposes improvements consistent with the Fire Standards when parking is not allowed (based on planned roadways) and, therefore, would not be injurious to adjacent properties or detrimental to the health, safety, convenience or welfare of the public. The proposed road section is adequate to serve four lots.

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

The proposed improvements meet existing County standards when considered in the context of the planned roads and, therefore, would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or other ordinance.

Conditions of Approval

PROJECT DESCRIPTION

1. This Amendment to the Recorded Map, Revision to the Planned Development and Tentative Subdivision Map are based upon and limited to compliance with the Project Description, the staff report exhibits marked Exhibits E-O 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.
 - A. Amendment to Recorded Map for Ridgeview West Units 4 and 5;
 - B. Revision to Ridgeview West Tentative Map consisting of the following:
 1. Re-subdivision of Lots 4 and 5 of Unit 4 into four lots ranging 0.46 acre to 0.52 acre in size and re-designating as Unit 5;
 2. Re-subdivision of existing Lot A (Unit 5) creating Units 6 and 7 with each unit comprising of two lots ranging from 0.87 acres to 2.55 acres in size; and
 - C. Revision to an approved Development Plan for Ridgeview West Unit 5 and 6 including modification of the following One-Acre Residential Zone District (R1A) development standards:

Minimum R1A Development Standard	Proposed Modified Standards for Units 5 and 6 Lots			
	Lot 1	Lot 2	Lot 3	Lot 4
Front Yard Setback	20 feet	20 feet	20 feet	20 feet

(30 feet)				
Side Yard Setback (15 feet)	10 feet both sides	10 feet both sides	20 feet (street sideNorth h); 3010 feet (interiorS outh)	10 feetVaries ² (interiorWest); 30 10 feet (East)
Parcel Size (1 acre)	0.52 ac and 0.87 ¹	0.47 ac	0.46 ac	0.49 ac

Note 1. Lot 1 of Unit 6 only

Note 2. Western property line yard setback for Lot 4 varies as it is controlled by the existing EID easement as shown on the map

The grading, development, use and maintenance of the property, the size, shape, arrangement and location of structures, parking areas, landscape areas, and 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 approved and shall be implemented as approved by the County.

CONDITIONS OF APPROVAL

Planning Services

2. A water meter award letter from El Dorado Irrigation District or similar assurance form the water purveyor, guaranteeing water service upon demand to each of the parcels created, shall be submitted to Planning Services at the time of filing the Final Map.
3. In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission. Planning Services shall confirm the inclusion of this requirement prior to issuance of a grading permit.
4. Prior to filing of the Final Map, Planning Services shall verify that all Development Services Department fees have been paid in accordance with the executed Agreement for Payment of Processing Form for the project.
5. The map shall remain in effect for three years from the date of approval. If the map has not been recorded within this timeframe, an extension may be requested prior to expiration of the map. Appropriate fees shall be paid to process the time extension.

6. 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.

7. A Final Development Notebook shall be submitted to Planning Services for review prior to approval of Final Map.

Planned Development Conditions

8. In accordance with the Planned Development, the following development standards shall apply:

Minimum R1A Development Standard	Proposed Modified Standards for Units 5 and 6 Lots			
	Lot 1	Lot 2	Lot 3	Lot 4
Front Yard Setback (30 feet)	20 feet	20 feet	20 feet	20 feet
Side Yard Setback (15 feet)	10 feet both sides	10 feet both sides	20 feet (street side); 30 feet (interior)	10 feet (interior); 30 feet (opposite interior)
Parcel Size (1 acre)	0.52 ac and 0.87 ¹	0.47 ac	0.46 ac	0.49 ac

Note: 1. Lot 1 of Unit 6 only

The Planned Development Permit shall expire within three (3) years from the approval the Planning Commission. Minor changes in the adopted Planned Development Permit may be approved by Planning Services provided that the changes:

- a. Do not change the boundaries of the subject project property;
- b. Do not change any use as shown on the official development plan; and

- c. Do not change the intent of the official development plan

Major changes in the official development plan may be approved by the Planning Commission and shall be made in accordance with the requirements of Section 17.04 of the County Code. A major change in a development plan approved by the Planning Commission shall be filed with the Board of Supervisors pursuant to Section 17.04.005(B) (3) of the County Code.

Department of Transportation

Project Specific Conditions

- 9. Road Design Standards: The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM), as shown in Table 1. The improvements shall be completed to the satisfaction of the Department of Transportation (DOT) or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map: (the requirements outlined in Table 1 are minimums)

Table 1. Road Improvement for Ridgeview West Unit 4 and 5

Road Name	DISM Plan	Road Width¹	<u>Right-of-Way²</u> <u>Easement</u>	Exceptions/ Notes
Unnamed court as shown on February 2009 plans	Std Plan 101B (3"AC over 8"AB Min.)	36 <u>20</u> ft	50ft	Improvements to begin approx. Sta 19+37 as shown on February 2009 Plans. Type 1 rolled curb and gutter both sides, 4-ft sidewalk on one side. To be constructed prior to filing of Final Map for units 6 and/or 7. The turnaround as conditioned below shall be built at the time that Unit 7 is improved.
Interim Via Barlogio (onsite)	Std Plan 101B (3"AC over 8"AB Min.)	20ft	50ft	No sidewalk, curb and gutter. At time of development of Unit 7 or at time of connection to Tucker Way, whichever comes first, onsite Via Barlogio to be improved to match offsite Via Barlogio.
Via Barlogio (offsite)	Std Plan 101B (3"AC over 8"AB Min.)	30ft	50ft	No sidewalk, curb and gutter. To be graded to ultimate roadway prism.

Notes 1. Road widths are measured from edge of pavement to edge of pavement if no curb (traveled way).
2. ~~Non-exclusive road and public utility easements included~~

10. Road Improvements: At the time of development of Unit 7 or at time of connection of Via Barlogio to Tucker Way in the City of Folsom, the road improvements along Via Barlogio are to match the improvements on Tucker Way. Sidewalk, curb and gutter shall be included on the onsite portion in accordance to DISM Std Plan 101B. Sidewalk, curb, and gutter shall not be required for the offsite improvements. The improvements shall be completed to the satisfaction of the Department of Transportation (DOT) or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
11. Offer of Dedication: The applicant shall irrevocably offer to dedicate 50 feet of road and public utility easement along the entire onsite portion of the unnamed court as shown on the February 2009 plans, in fee, as determined by EDC DOT, prior to the filing of the final map. Slope easements shall be included as necessary. This offer will be accepted by the County.
12. Offer of Easement: The applicant shall grant 50-foot of road and public utility easement along the entire on site portion of Via Barlogio and the unnamed court beginning at approximately Sta. 19+37 as shown on the February 2009 plans prior to the filing of the final map. Slope easements shall be included as necessary.
13. Offer of Easement: The applicant shall designate a 25 foot wide ingress and egress easement for the on-site access driveway serving Parcel 2 in Unit 5, with the filing of the final map.
14. Encroachment Permit: The applicant shall obtain an encroachment permit from DOT for improvements onto Via Barlogio. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
15. Vehicular Access Restriction: A vehicular access restriction (VAR) shall be placed along the 25 foot ingress and egress easement along the entire on-site portion of Parcel 4 in Unit 5, with the recordation of the final map. This easement shall be restricted for access use serving Parcel 2 in Unit 5.
16. Turnaround: The applicant shall provide a turn around at the end of Via Barlogio to the provisions of County Standard Plan 114 or approved equivalent. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
17. Temporary Turnaround: The applicant shall provide a temporary turnaround at the end of Via Treviso. The improvements shall be substantially completed, to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.

18. Turnaround: The applicant shall provide a turn around at the end of the unnamed court as shown on the February 2009 plans to the provisions of County Standard Plan 114 or approved equivalent at the time Unit 7 is constructed. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
19. Off-site Easements: Applicant shall provide all necessary recorded easements for the drainage, slope and road improvements crossing the property line prior to approval of the improvement plans.
20. Driveway Cuts: 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. Attention should be given to the minimum required sight distance at all driveway encroachments. As an alternative, a Notice of Restriction shall be filed against all downhill lots with fill in excess of 6 feet which allows structural driveway access only.
21. Dead End Roads: A secondary access (offsite construction of Barlogio) shall be constructed as detailed in the table above, when one or both of the following conditions apply:
 - a. The dead end road exceeds more than 24 recorded parcels
 - b. The length of the dead end road exceeds 2,640 feet.

DOT STANDARD CONDITIONS

22. Easements: All applicable existing and proposed easements shall be shown on the project plans.
23. Signage: The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Department of Transportation prior to the filing of the final map. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
24. Sidewalks: 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 issuance of building permits. Pedestrian easements shall be provided where necessary. Final lane configurations, including the need for additional rights-of-way, shall be subject to review and approval of the Department of Transportation prior to improvement plan approval.

25. Curb Returns: All curb returns, at pedestrian crossing, will need to include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp.
26. Maintenance Entity: The proposed project must form an entity for the maintenance of any shared or common: private roads, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping, signs, and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the final map.
27. Water Quality Stamp: All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.
28. Construction Hours: Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.
29. DISM Consistency: The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
30. Road Improvement Agreement & Security: The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the final map.
31. Subdivision Improvement Agreement & Security: The developer shall enter into a Subdivision Improvement Agreement (SIA) with the Department of Transportation for all onsite roadway, drainage infrastructure, grading, etc. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the SIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the final map.
32. Import/Export Grading Permit: Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
33. Grading Permit / Plan: The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado "*Design and Improvement Standards Manual*", the "*Grading, Erosion and Sediment Control*

Ordinance”, the “*Drainage Manual*”, the “*Off-Street Parking and Loading Ordinance*”, and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of DOT prior to filing the final map.

34. Grading Plan Review: Grading and improvement 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. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
35. RCD Coordination: 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.
36. Soils Report: At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.

Drainage Study / SWMP Compliance: The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Memorandum of Understanding between the City of Folsom and the County of El Dorado, more specifically paragraph E.1 prior to approval of the improvement plans. The report shall be prepared by a Civil Engineer who is registered in the State of California.

37. Drainage, Cross-Lot: Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer.

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. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the final map.

38. Drainage Easements: Pursuant to Section 4.D of the DISM, the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and the final map.
39. NPDES Permit: At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to grading permit issuance, and by state law must be done prior to commencing construction.
40. Electronic Documentation: Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
41. TIM Fees: The applicant shall pay the traffic impact mitigation fees at issuance of building permit.

Air Quality Management District

42. The applicant shall submit and pay appropriate fees for an Asbestos Dust Mitigation Plan, in accordance with Rule 223.2. The District shall review and approve the plan prior to issuance of a grading permit.
43. The applicant shall adhere to all District rules during project construction including, but not limited to, Rule 300 (Open Burning), Rule 215 (Architectural Coatings), Rule 224 (Cutback and Emulsified Asphalt Paving Materials).

The AQMD's goal is to strive to achieve and maintain ambient air quality standards established by the U.S. Environmental Protection Agency and the California Air Resources Board and to minimize public exposure to toxic or hazardous air pollutants and air pollutants that create unpleasant odors. The following are measures used to reduce impacts on air quality from equipment exhaust emissions:

Heavy Equipment and Mobile Source Mitigation Measures

- Use low-emission on-site mobile construction equipment.
 - Maintain equipment in tune per manufacturer specifications.
 - Retard diesel engine injection timing by two to four degrees.
 - Use electricity from power poles rather than temporary gasoline or diesel generators.
 - Use reformulated low-emission diesel fuel.
 - Use catalytic converters on gasoline powered equipment.
 - Substitute electric and gasoline powered equipment for diesel powered equipment where feasible.
 - Do not leave inactive construction equipment idling for prolonged periods (i.e. more than two minutes).
 - Schedule construction activities and material hauls that affect traffic flow to off-peak hours.
 - Configure construction parking to minimize traffic interference.
 - Develop a construction traffic management plan that includes, but is not limited to: Providing temporary traffic control during all phases of construction activities to improve traffic flow; Rerouting construction trucks off congested streets; and provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
44. 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 construction applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors.

El Dorado Hills Community Services District (CSD)

45. All waste collection containers shall be stored within enclosures so the containers are not visible from the street. All units should have a minimum of one of each container designated for solid waste, mixed recyclables, and green waste.
46. All construction debris resulting from the development of the project shall be disposed of in manner consistent with the solid waste diversion plan practiced by the El Dorado Hills CSD and as mandated by AB 939, and in compliance with El Dorado County Construction and Demolition Debris Recycling Ordinance, Section 1, Chapter 8.43 of Title 8 of the El Dorado County Code. Construction debris shall be disposed by current waste collection franchise.

County Surveyor

47. All survey monuments shall be set prior to the filing of the Final Map or the developer shall have the surety of work to be done by bond or cash deposit. Verification of set monuments or amount of bond or deposit to be coordinated with the Surveyors Office.
48. 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.

El Dorado Hills Fire Department

49. Per Section 1273.9 of the Natural Resources Code (Fire Safe Regulations), dead end roads and the El Dorado County Design and Improvement Standard Manual, this development shall not exceed 24 existing and potential parcels without having a secondary means of egress. Compliance with this condition shall be further verified during review of the Final Map.
50. The temporary roadway section of Via Barlogio shall have a turnaround if it exceeds 150 feet in length. All dead end roadways exceeding 150 feet in length shall provide an approved turnaround or hammerhead for fire apparatus per section 5303.2.5 of the California Fire Code, 2007 edition. Compliance with this condition shall be further verified during review of the Improvement Plan.
51. This development shall be conditioned to develop, implement, and maintain an approved Wildfire Safe Plan in accordance with California Fire Safe Regulations. This document shall address the homes that back up to the open wildland areas that surround this project. A copy of the approved Wildfire Safe Plan shall be provided with the filing of the Final Map application.
52. 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. Compliance with this condition shall be further verified prior to filing of Final Map.
53. All roadways shall be prohibited from installing any type of traffic calming devices that utilize a raised bump or a lower dip section of roadway. Compliance with this condition shall be further verified during review of Improvement Plan.
54. This development shall install Mueller Dry Barrel Fire hydrants conforming to the El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 500 feet. The exact location of each hydrant and all fire protection system devices shall be determined by the Fire Department during review of the Improvement Plan.

55. To enhance nighttime visibility, each hydrant shall be painted with safety white enamel marked in the roadway with a blue reflective marker as specified by the Fire Department and Fire Safe Regulations. Compliance with this condition shall be further verified during review of the Improvement Plan.
56. The lots the back up to the wildland open space shall be required to use non-combustible type fencing. Compliance with this condition shall be further verified during review of the building permit.
57. Any parcel one-acre or greater in size shall conform to the Fire Safe Regulations including a minimum setback of 30-foot on all sides, unless a reduction is approved by the Fire Department. Compliance with this condition shall be further verified during review of building permit.
58. Where required, an access to the open space parcel shall be designated for use by fire apparatus for fire suppression purposes. Compliance with this condition shall be further verified during review of the Improvement Plan.
59. Any residences that do not meet the required minimum fire flow or the minimum driveway standard shall have fire sprinklers installed per NFPA 13D as approved by the El Dorado Hills Fire Department. Compliance with this condition shall be further verified during review of the building permit.
60. A driveway shall serve only one parcel (Lot 1 of Unit 5). Driveway exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Compliance with this condition shall be further verified during review of the building permit.
61. On-street parking shall not be allowed on roads less than 30 feet wide. The curbs shall be painted red and stenciled "Fire Lane No Parking" or signs shall be posted stating the same. Compliance with this condition shall be further verified during review of the Improvement Plan.

Original Conditions of Approval for Ridgeview West (Revision)

The following are original the Conditions of Approval approved under Ridgeview West Tentative Map TM95-1309-R/PD95-0015R that have been determined to be applicable for this proposed revision. The sequence of the original condition is shown in a parenthesis at the end of each condition.

62. 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. (Original Condition No.4)
63. 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. (Original Condition No.5)

64. Part 1:

The final map shall show not more than a total of 24 existing or potential parcels on Weststar Lane and Court E which may be addressed by ONE of the following alternatives:

- A. The developer may remove three lots from the subdivision, merging the land with other lots or open space.

(Staff comment: This would ensure that no more than 24 lots are served by a dead-end street.)

- B. Three lots may be designated as one parcel, "reserved for future development" and not allowed to develop until a certificate of compliance, parcel map or subdivision map is approved, when Weststar Lane becomes a through road. A Notice of Restriction like that described in Condition 37 shall be placed on the parcel.

(Staff comment: The three lots would effectively be a remainder parcel, and may not be developed until Weststar (now Via Barlogio) is a through road, which would then not have a 24 lot restriction.)

- C. If an access road connection, built to fire safe regulation standards along the alignment of the off-site sewer line location, connects Weststar Lane to B Court, then the restriction on the number of lots on Weststar Lane and E Court may be removed.

(Staff comment: The provision of a through road, although temporary, allows the redefinition of Weststar Lane to that of a through road, which does not have the 24 lot limit. This option is provided at the developer's request, and is subject to the developer acquiring permission from the adjacent property owner for road access.) (Original Condition No.10)

65. Prior to approval of the final map by the Board of Supervisors, the subdivider shall be required to form a County Service Area Zone of Benefit to fund drainage facilities' maintenance. (Original Condition No.14)

66. All grading plans shall be prepared and submitted to the Soil Conservation Service and the Department of Transportation. The Soil Conservation Service shall review and make appropriate recommendations to the County. Upon receipt of the review report by the Soil Conservation Service, the Department of Transportation shall consider imposition of appropriate conditions for reducing or 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. (Original Condition No.15)
67. The timing of construction and method of revegetation shall be coordinated by the El Dorado County Resource Conservation District. If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the Soil Conservation Service for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15. (Original Condition No.16)
 68. Improvement Plans shall incorporate protective measures toward existing oak trees per Volume IV, Design and Improvement Standards Manual, Oaktree and Wetlands Preservation Requirements and Specifications (BOS Resolution No. 199-91). (Original Condition No.18)
 69. 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. (Original Condition No.19)
 70. A State Responsibility Area Wildlife Safety Plan shall be prepared by a registered professional forester, consistent with applicable CDF regulations and subject to review and approval by the CDF and El Dorado Hills Fire Department. Letters of compliance from those agencies shall be submitted to the County prior to submittal of the final map. Initial requirements of the plan shall be implemented as a part of the subdivision improvements. Ongoing implementation of the plan shall be funded by the homeowners association or other entity established for common area maintenance. (Original Condition No.21)
 71. A letter of agreement from the cable television franchisee, pursuant to Section 16.16.010 (I) of the County Code, shall be submitted to the Planning Department prior to approval of the final map. (Original Condition No.28)
 72. If street lights are installed, a homeowners association or a Landscape and Lighting District shall be formed, or joined into, to fund operation and maintenance. All street lights installed shall be top-shielded to prevent excess glare and light. Light fixtures shall utilize low-sodium bulbs. (Original Condition No.33)
 73. Any CC&Rs for the project shall be subject to review and approval by the El Dorado Hills Community Services District, and the El Dorado County Counsel. (Original Condition No.34)

10. ADJOURNMENT

Meeting adjourned at 10:47 a.m.

APPROVED BY THE COMMISSION
Authenticated and Certified:

Walter Mathews, Chair