



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

Dave Pratt, Chair, District 2
Walter Mathews, First Vice-Chair, District 4
Tom Heflin, Second Vice-Chair, District 3
Rich Stewart, District 1
Brian Shinault, District 5

Char Tim Clerk of the Planning Commission

MINUTES

**Regular Meeting
October 10, 2013 – 8:30 A.M.**

1. CALL TO ORDER

Meeting was called to order at 8:33 a.m. Present: Commissioners Stewart, Pratt, Heflin, Mathews, and Shinault; David Livingston-County Counsel; and Debbie Ercolini-Planning Services.

2. ADOPTION OF AGENDA AND ADDENDUM

Chair Pratt recommended changing the sequence of items on the agenda and addendum as follows: Item 9b, Item 8, Item 9, and Item 10.

Motion: Commissioner Heflin moved, seconded by Commissioner Stewart, and carried (5-0), to adopt the agenda and addendum and hear agenda items in the new order as provided.

AYES: Mathews, Shinault, Stewart, Heflin, Pratt

NOES: None

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: September 26, 2013

Motion: Commissioner Mathews moved, seconded by Commissioner Shinault, and carried (5-0), to approve the September 26, 2013 meeting minutes as presented.

AYES: Stewart, Heflin, Shinault, Mathews, Pratt

NOES: None

END OF CONSENT CALENDAR

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

Roger Trout/Development Services reported that the Board of Supervisors is requesting an ordinance amending the current ordinance to expand public notification. Mr. Trout also stated the Board of Supervisors approved on September 30, 2013 the Silva Valley Interchange Award and approved staff's recommendation on the Green Valley Road project.

David Livingston/County Counsel reported Long Range Planning staff will do a revision to Community Region Lines through the County with the primary focus to be Pollock Pines Community Region. Mr. Livingston also reported the Board of Supervisors is interested in a General Plan Amendment policy for an early application process of projects to go to the Board of Supervisors to determine if the project can continue forward.

Eileen Crawford/Transportation announced that October 11, 2013 is her last day with the County. David Spiegelberg will be taking her place. She will be working for Caltrans again.

6. COMMISSIONERS' REPORTS

Commissioner Shinault referenced the October 15, 2013 deadline in Tahoe. There has been snow on top of the mountain and it is cold.

Commissioner Mathews stated the company he works for turned 50 and juice sales are crazy.

Commissioner Stewart stated the Arco project has been appealed to the Board of Supervisors. A section of Francisco Drive has been paved.

Commissioner Heflin stated Apple Hill is in full swing. Federal shutdown has affected shuttle service which is affecting traffic. The motor homes are still for sale at the mill.

Chair Pratt stated chip n seal was to start on Slug Gulch Road but Grizzly Flat Road is still being worked on. He is requesting a speed limit sign on Slug Gulch and Perry Creek Road. Weather has been odd and it is busy at the winery.

9:00 A.M. – TIME ALLOCATION

7. PUBLIC FORUM/PUBLIC COMMENT

8. SPECIAL USE PERMIT/PARCEL MAP (Public Hearing)

S12-0008/P11-0005/Angles submitted by MICHAEL ANGLES to request the following: (1) Tentative Parcel Map to create four single-family residential parcels comprising of 10.00, 10.01,

10.02, and 20.54 acres; (2) Design Waivers to allow the following: (a) A reduction of the surface widths of the roads to be reduced from 28 feet to 18 feet; and (b) Allow a dead-end road to exceed 2,650 feet and to serve more than 24 existing or potential parcels; and (3) Special Use Permit request to allow a gate to be installed between the Bela Vista Drive cul-de-sac and a proposed graveled road connector road to Mira Bella Drive. The property, identified by Assessor's Parcel Number 042-011-46, consisting of 50.57 acres, is located on the north side of Emerald Forest Drive, approximately 4,000 feet north of the intersection of Rainbow Trail and Sly Park Road, in the Pollock Pines area, Supervisorial District 2. [*Project Planner: Tom Dougherty*] (Negative Declaration prepared)*

Tom Dougherty/Planning Services presented the item to the Commission with a power point presentation and referenced the Staff Memo dated October 10, 2013. Mr. Dougherty referred the Commission to the letter from Mr. DeVille dated October 7, 2013 as the primary letter for the Commission to focus on.

Mike Angles/Applicant stated his solution gives a bypass in case of a fire.

Frederick Rundgren (?)/stepfather of resident Brian McLamb that is currently over sea. He does not feel roads are adequate enough for large vehicles and is concerned about future development and the road being used by too many people.

Tom DeVille/Resident-Referenced his letter dated October 7, 2013 and commented on Staff Report Exhibits A-G and is concerned road will be open for public access. Would like to see manually operated locked gate and that the setback requirements removed. Break glass option is fine.

Marvin Bukema/Resident-concerned with the fire danger and this would offer a secondary access. Stated if glass box is broken the owners would be responsible to replace it. He recommended approval of the map, roads to stay graveled and a locked gate.

Mike Pott/Fire Marshall with El Dorado County Fire District referenced Mr. DeVille's concerns regarding a locked gate. No guarantee fire district would get there in time to unlock the gate they would be more focused on the fire. Opening of the gate would fall onto law enforcement. He stated this could be used for an emergency other than a fire.

Ty Russell/Resident-Commented that he does not want an open road.

Commissioner Heflin concerned that the break glass container could be broken by anyone at any time and the gate would be open.

Chair Pratt commented not entirely comfortable with a locked gate and asked staff if roads will remain graveled. Tom Dougherty stated that is correct. Mr. Pratt commented roads may be used less if remain graveled.

Commissioner Mathews commented on road width and County standards.

Commissioner Stewart suggested the use of combination locks instead of a break glass option.

Commissioner Shinault commented as long as there is access in and out, all of his questions have been answered.

Peter Maurer read into the record new language for Condition 45, additional Findings 5.4 and the revised Design Waiver Denial Findings 7.0.

Chair Pratt closed public comment.

Significant discussion ensued between Staff and Planning Commission.

There was no further discussion.

Motion: Commissioner Mathews moved, seconded by Commissioner Stewart, and carried (5-0), to take the following actions: 1. Adopt the Negative Declaration based on the Initial Study prepared by staff; 2. Conditionally approve S12-0008, based on the Findings and subject to the Conditions of Approval as amended; 3. Conditionally approve Tentative Parcel Map P11-0005 based on the Findings and subject to the Conditions of Approval as amended: (a) Include modifications as identified in Staff Memo dated October 10, 2013; (b) Amend Condition 45 as identified; (c) Add new Finding 5.4 as identified; and (d) Modify Findings 7.0 as read into the record; 4. Approve the Design Waiver to allow a reduction of the surface widths of all on-site and off-site roads from 28 feet to 18 feet (This would include Mira Bella Drive, Emerald Forest Drive, and Bela Vista Drive.) based on the Findings as presented; and 5. Deny the Design Waiver to allow a dead-end road to exceed 2,650 feet and to serve more than 24 existing or potential parcels based on the Findings as presented.

AYES: Heflin, Shinault, Stewart, Mathews, Pratt

NOES: None

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

Findings

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

1.0 CEQA FINDINGS

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

- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

- 2.1 As proposed, the project is consistent with the Low-Density Residential (LDR) land use designation of the subject site as defined within General Plan Policy 2.2.1.2 because the LDR land use designation allows a maximum density of one dwelling unit per five acres and parcel sizes that range from 5.00 to 10.00 acres and the project allows four parcels comprising 10.00, 10.01, 10.02, and 20.54 acres from a 50.57-acre parcel.
- 2.2 The Planning Commission finds the project is consistent with the following General Plan policies:
 - 2.2.1 2.2.5.21 (compatibility with surroundings) because the project provides ten-acre-plus sized parcels, larger than the majority of the surrounding LDR designated lots;
 - 2.2.2 5.1.2.1 (adequate utilities and public services), 5.2.1.2 (water for emergency), 5.2.1.4 (available domestic water), 5.7.1.1 (adequate emergency water and related facilities), because the Environmental Health Division and El Dorado County Fire Protection District have required conditions of approval to assure adequate water supply and pressure, and the applicant has demonstrated there is the ability to provide adequate water and septic facilities to support the project;
 - 2.2.3 6.2.3.2 (adequate emergency vehicle ingress/egress) because the project must adhere to the approved Wildland Fire Safe Plan, and conditions have been added as recommended by the El Dorado County Fire Protection District to assure adequate emergency vehicle ingress/egress;

As conditioned, 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.

3.0 ZONING FINDINGS

- 3.1 The parcels will be consistent with the RE-10 zone district which permits the four parcels comprising 10.00, 10.01, 10.02 and 20.54 acres from a 50.57-acre parcel under Section 17.70.110.A.
- 3.2 As proposed, the project meets the applicable development standards contained within Section 17.70.110 of the Zoning Ordinance including minimum parcel width (150 feet).

4.0 PARCEL MAP FINDINGS

- 4.1 The proposed tentative map, including design and improvements, is consistent with the General Plan because all necessary improvements have been considered by the reviewing agencies to determine that, this Tentative Parcel Map is consistent with the policies of the General Plan, as analyzed and described in the Staff Report and the General Plan Findings above.
- 4.2 The proposed Parcel Map conforms to the applicable standards and requirements of the County's zoning regulations and Minor Land Division Ordinance because as proposed, conditioned, the Tentative Parcel Map conforms to the development standards within the RE-10 zone district and the Minor Land Division Ordinance.
- 4.3 The site is physically suitable for the proposed type and density of development because the site is physically suitable for the proposed type and density of development. The project was designed in a manner which equally distributes the existing suitable emergency and potable water, emergency access, septic disposal areas, and natural feature features. The project avoids disturbances to slopes in excess of 30 percent, shows the ability for minimum impacts on the drainage swale areas, and is compatible within the surrounding land uses in the project vicinity. The proposed development meets the density and minimum parcel sizes allowed in the General Plan LDR land use designation and conforms to the minimum parcel size and development standards of the RE-10 zone district.
- 4.4 The proposed subdivision is not likely to cause substantial environmental damage. After agency and staff review of the project, conditions have been added which reduced the potential for the project to cause significant negative effects on the environment. There are existing supporting access roadways, electrical, and telephone facilities available to the site. The applicant has shown the four resultant parcels can be developed with typical residential infrastructure improvements in areas of less than 30 percent slopes with minimum potential impacts to existing woody vegetation.

5.0 SPECIAL USE PERMIT FINDINGS

- 5.1 The issuance of the permit is consistent with the General Plan.

As conditioned to have either no gate installation or an access controlled gate such as an electric gate with coded entrance that automatically opens for exiting purposes, the proposed use of a gated secondary emergency ingress/egress is consistent with the policies and requirements in the El Dorado County General Plan, as discussed in the General Plan and Special Use Permit sections of this Staff Report. The proposed use is consistent with all applicable policies as set forth in Finding 2.1.

- 5.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.

The use will not conflict with the adjacent uses as it is conditioned by the El Dorado County Fire Protection District for access requirements. The proposed use is not anticipated to create hazards that would be considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood based on the data and conclusions contained in the staff report.

- 5.3 The proposed use is specifically permitted by Special Use Permit.

With an approved Special Use Permit as permitted by County Code Section 17.22.500, the use of a gated entrance within a road easement is permitted as an exception to the requirements of Section 17.14.155.E. Section 17.28.430.J allows the project to be heard by the Zoning Administrator or the Planning Commission. The Development Services Division Director has determined that because of the potential controversial nature of the project request, the project is to be heard by the Planning Commission.

- 5.4 Provisions for emergency egress as contained in Condition 45 provides the same practical effect as that recommended by Planning staff and the El Dorado County Fire Protection District.

6.0 DESIGN WAIVER APPROVAL FINDINGS

- 6.1 Design Waiver approval to allow a reduction of the surface widths of all on-site and off-site roads from 28 feet to 18 feet. This would include Mira Bella Drive, Emerald Forest Drive, and Bela Vista Drive.

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

The reduction is justified because, while the project is located within the Camino-Pollock Pines Community Region, it is a rural project. Furthermore, the Board of Supervisors has a Notice of Intent initiating a General Plan Amendment to change this area to a Rural Center, or perhaps remove it from both the community Region or Rural Center designate it as part of the Rural Region. The standard would then be the 20-foot section as proposed (Standard Plan 101C). With less than 150 ADT, an 18-foot wide road surface with 1-foot shoulders each side would be required.

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

While constructing the urban standard road would not create a hardship, this design would be unnecessary due to the rural nature of the site and proposed development and would result in excess grading and tree removal.

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

Permitting an 18-foot access road to the parcels would not create a situation which would be injurious to adjacent properties or pose a hazard to the health, safety and welfare of the public. The project has been conditioned to include this roadway widening to meet DISM and California Fire Code requirements.

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

Approval of the waiver provides for reasonable access and circulation for this rural development and satisfies the requirements of the Fire Safe Standards and other applicable ordinances.

7.0 DESIGN WAIVER DENIAL FINDINGS

7.1 The locked gate as approved by the Planning Commission does not result in a dead end road therefore the request for approval of a waiver of the dead end road standards is moot. Allow a variation of DISM Volume 2, Section 3(A)(12) to allow a dead end road to exceed 2,650 feet, to serve more than 24 existing or potential parcels, and to include a locked gate accessible only to Fire District personnel. The support for the denial of the design waiver is based on the following findings:

~~**7.1.1 There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.**~~

~~There are no special conditions or circumstances peculiar to the property proposed to be divided which would justify approval of the adjustment or waiver because the locked gate would deny the effective emergency ingress/egress of the existing and future residents. This is an area of high fire hazard with existing dead end roads that exceed design standards for length and number of parcels that are served by the road.~~

~~**7.1.2 Strict application of the design or improvement requirement of the Minor Land Division Ordinance or Design and Improvements Manual would cause extraordinary and unnecessary hardship in developing the property.**~~

~~Providing a secondary point of access is a basic requirement for this type of rural development and is not an unnecessary hardship. Cal Fire, the Transportation Division, and the Fire District have determined that the best available option to solve an existing unsafe dead end road situation is to create a secondary access that has either no gate installation or an access controlled gate such as an electric gate with coded entrance that automatically opens for exiting purposes. Because the applicant is proposing a locked gate, this finding cannot be made.~~

~~**7.1.3 The adjustment or waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.**~~

~~A locked gate would be detrimental to the health, safety, convenience, and welfare of the public by exacerbating access constraints for emergency services and safety of adjacent property owners in the event of an emergency. Emergency response times cannot be met unless either no gate installation or an access controlled gate such as an electric gate with coded entrance that automatically opens for exiting purposes.~~

~~7.1.4 The adjustment or waiver would not have the effect of nullifying the objectives of the Ordinance and Manual noted above or any other law or ordinance applicable to the division.~~

~~Waiving the requirement for the dead end road length would not be consistent with Design Improvement Standards Manual Volume 2, Section 3(A)(12) because the applicant is including a locked gate which creates a dead end, and neither Cal Fire, the Transportation Division, nor the Fire District can support the waiver as proposed.~~

Conditions of Approval

Project Description

1. This Tentative Parcel Map and Special Use Permit are based upon and limited to compliance with the project description, the following hearing exhibit and Conditions of Approval set forth below:

Exhibit F.....Tentative Parcel Map, dated January 2011
Exhibit G.....Gate Location Plan

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 would constitute a violation of permit approval.

The project approval shall include the following and applies to the parcel currently identified by Assessor's Parcel Number 042-011-46:

- a. Tentative Parcel Map creating four single-family residential parcels, comprising 10.00, 10.01, 10.02 and 20.54 acres from a 50.57-acre parcel as shown in Exhibit F. All four parcels shall be served by onsite septic wastewater systems and wells.
- b. Design Waiver approval to allow a reduction of the surface widths of all on-site and off-site roads from 28 feet to 18 feet. This would include Mira Bella Drive, Emerald Forest Drive, and Bela Vista Drive.
- c. Special Use Permit allowing an access controlled electric gate with coded entrance that automatically opens for exiting purposes, to be installed to El Dorado County Fire Protection District standards between the Bela Vista Drive cul-de-sac and the

graveled road connector road to Mira Bella Drive, at the location shown in Exhibit G.

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

Planning Services

2. **Map Time Limits:** The map shall remain in effect for three years from the date of approval. If the map has not been filed within this timeframe, an extension may be requested prior to expiration of the map. Appropriate fees shall be paid to process the time extension.
3. **CA Fish and Wildlife Fee:** The applicant shall submit to Planning Services a \$50.00 recording fee and a \$2,156.25 Department of Fish and Wildlife fee prior to filing of the Notice of Determination by the County. No permits shall be issued or Parcel Map filed until said fees are paid.
4. **Park In-Lieu Fee:** 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 shall pay the park fee to the Development Services Division.
5. **Archeological Resources:** The following shall be incorporated as a note on the grading/improvement plans:

In the event archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a "unique archaeological resource", contingency funding and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archaeological mitigation takes place.

If the find is determined to be a "unique archeological resource", the archaeologist shall determine the proper method(s) for handling the resource or item in accordance with Section 21083.2(b-k). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken or the site is determined a "nonunique archeological resource".

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit

6. **Human Remains:** The following shall be incorporated as a note on the grading/improvement plans:

In the event of the discovery of human remains, all work shall cease and the County coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit

7. **Hold Harmless Agreement:** 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.

The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval by El Dorado County. County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

Transportation Division

8. **Offsite Improvements:** The applicant shall improve the extension of Bella Vista Drive to Mira Bella Drive and the connector between Mira Bella Drive to Golden Street, in accordance with the DISM Standard Plan 101C and the current Fire Code, with a 20-foot wide all weather surface roadway capable of supporting 40,000 pounds, (18-foot travel surface with 1-foot shoulders on each side). The connector road from Mira Bella Drive to Golden Street shall provide snow storage areas on the improvement plans. The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved Improvement Agreement with security, prior to the filing of the Parcel Map.
9. **Onsite Improvements:** The applicant shall improve Mira Bella Drive, and Emerald Forest Drive in accordance with the DISM Standard Plan 101C and the current Fire Code with a 20-foot wide all weather surface, roadway capable of supporting 40,000 pounds (18-foot travel surface with two 1-foot shoulders). The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved Improvement Agreement with security, prior to the filing of the Parcel Map.
10. **Turnaround:** The applicant shall provide a turn around at the end of both Emerald Forrest Drive and Mira Bella Drive to the provisions of County Standard Plan 114 or approved equivalent by local fire district. The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved Improvement Agreement with security, prior to the filing of the Parcel Map.
11. **Encroachment:** The applicant shall obtain an encroachment permit and construct the encroachment from Mira Bella Drive onto Golden Street and the extension of Bella Vista Drive to the provisions of County Design Std 103C. The structural section shall be at least 2.5" AC over 6" AB. The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved Improvement Agreement with security, prior to the filing of the Parcel Map.
12. **Secondary Emergency Access Gate:** Pursuant to ~~Article 2, Section 1273.11 of the SRA Fire Safe Regulations, all gates providing access from a road shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road.~~ All gates shall be designed and constructed with turnarounds acceptable to the Transportation Division and the Fire Department El Dorado County Fire Protection District. Additionally, gate entrances can be placed at the property line and shall be at least two feet wider than the width of the traffic lane(s) serving that gate. The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved Improvement Agreement with security, prior to the filing of the Parcel Map.
13. **Maintenance Entity:** All shared or common public or private roads, parking facilities, landscaping, signs, gates and drainage facilities associated with this Parcel Map shall participate in an entity for the purpose of maintenance. If there is an existing entity, the

owner shall join such entity. If the existing entity does not cover all of the above mentioned facilities, that entity shall either:

- a. Modify the existing entity to include all of the above mentioned facilities; or
- b. Create a new entity that includes all of the above mentioned facilities.

The Transportation Division shall review and approve the document modifying or forming the entity to ensure the provisions are adequate, prior to filing of the Parcel Map.

14. **Easements:** All applicable existing and proposed easements shall be shown on the Parcel Map.
15. **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" sign as required by the Transportation Division prior to the filing of the Parcel Map. The signing and striping shall be designed and constructed per the latest version of the California Manual Uniform Traffic Control Devices (MUTCD).
16. **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.
17. **DISM Consistency:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (as may be modified by these Conditions of Approval or by approved Design Waivers) from the Transportation Division, and pay all applicable fees prior to filing of the Parcel Map.
18. **Parcel Map Improvement Agreement & Security:** If the required improvements are not completed prior to filing of the map or if the Engineer's Estimate is \$100,000 or greater for the required improvements, the developer shall enter into a Parcel Map Improvement Agreement (PMIA) with the Transportation Division for onsite roadway, drainage infrastructure, grading, etc. The developer shall also provide a security to guarantee performance of the PMIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map. The improvements shall be installed to the satisfaction of the Transportation Division prior to filing of the parcel map.
19. **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.
20. **Grading Permit / Plan:** If more than 250 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 Transportation Division for design 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 fees shall be paid at the time of submittal of improvement plans. All applicable inspection fees shall be paid prior to issuance of a permit. The improvements and grading shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved Improvement Agreement with security, prior to the filing of the Parcel Map.

21. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Transportation Division. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Transportation Division 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.
22. **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 Transportation Division. The Transportation Division shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
23. **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 Transportation Division. 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.
24. **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 Transportation Division.

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

- a. The site can be adequately drained;
- b. The development of the site will not cause problems to nearby properties, particularly downstream sites;
- c. 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 the applicant shall demonstrate that there are no downstream impacts.
- d. 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. A Scoping Meeting for the required drainage study between County staff and the engineer shall occur prior to the first submittal of improvement plans. The engineer shall bring a watershed map and any other existing drainage system information to the Scoping Meeting.

25. **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 easement 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/private 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.
26. **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 / or on the final map.
27. **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.
28. **Storm Water Drainage BMPs:** Storm drainage from on-site and off-site impervious surfaces (including roads) shall be collected and routed through specially designed water