

**EL DORADO COUNTY DEVELOPMENT SERVICES  
ZONING ADMINISTRATOR  
STAFF REPORT**



**Agenda of:** December 6, 2017  
**Item No.:** 5.a.  
**Staff:** Evan Mattes

**TENTATIVE PARCEL MAP TIME EXTENSION**

**FILE NO.:** P07-0030-E/Clarksville Professional Business Park

**APPLICANT:** Jack and Betty Peerman

**REQUEST:** Request for six one-year time extensions to the approved Clarksville Professional Business Park Tentative Parcel Map P07-0030 creating 10 commercial lots, resulting in a new expiration date of October 28, 2023.

**LOCATION:** West side of Joerger Cutoff Road, approximately 0.25 miles west of the intersection with the Highway 50 interchange, in the El Dorado Hills area, Supervisorial District 1. (Exhibit A)

**APN:** 121-280-03 (Exhibit B)

**ACREAGE:** 9.53 acres

**GENERAL PLAN:** Commercial (C) (Exhibit C)

**ZONING:** Community Commercial-Planned Development (CC-PD) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Previously adopted Mitigated Negative Declaration

**RECOMMENDATION:** Staff recommends the Zoning Administrator take the following actions:

1. Determine that pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15164, there is no substantial evidence requiring the preparation of a Subsequent Mitigated Negative Declaration or an Addendum to the existing Mitigated Negative Declaration, adopted by the Board of Supervisors on October 28, 2008; and

2. Approve P07-0030-E extending the expiration of the approved tentative parcel map for six years to October 28, 2023, based on the Findings and subject to the original Conditions of Approval as presented.

## **BACKGROUND**

The tentative parcel map (P07-0030-E) was approved by the Board of Supervisors on October 28, 2008, along with a Rezone (Z07-0028) and a Planned Development (PD07-0027). The approved parcel map consisted of 10 commercial lots ranging in size from 0.37 acres to 2.26 acres (Exhibit F).

Since approval, the applicant has not filed or recorded a parcel map. The tentative parcel map had an original expiration date of October 28, 2017, as a result of recent state legislation including Subdivision Map Act (SMA) Sections 66452.21 (Assembly AB 333), 66452.23 (Assembly Bill AB 208) and 66452.24 (Assembly Bill AB 116) (Exhibit G). The applicant filed this time extension request on August 17, 2017.

## **ANALYSIS**

Section 120.074.030 of the El Dorado County Subdivision Ordinance regulates the time extension of approved tentative parcel maps. The ordinance limits the extension to a maximum of six one-year discretionary time extensions. Citing the original buyers defaulting on the sale of the property and difficulty in finding new buyers willing to work with the existing entitlements, the applicant has not commenced any activity in satisfying the Conditions of Approval. The applicant is requesting the entire six one-year time extensions. Staff has reviewed the request and recommends the Planning Commission grant the requested six one-year time extensions, subject to the original Conditions of Approval and environmental mitigation measures. Given that there are no changes to the previously approved Tentative Map, the map maintains consistency with the applicable policies of the General Plan and provisions of the Zoning and Subdivision Ordinances. If approved, the map expiration would be extended to October 28, 2023.

## **ENVIRONMENTAL REVIEW**

The Clarksville Business Park tentative parcel map is a commercial project that was analyzed in an adopted Mitigated Negative Declaration. The proposed time extension would allow the continued commercial development of the project consistent with the approved tentative parcel map. The time extension does not make any changes to the original tentative map approval, does not involve new significant environmental effects, and does not increase the severity of previously identified significant effects. No new information that was not known and could not have been known at the time the Mitigated Negative Declaration was certified has since become available. Therefore, this tentative map time extension application is consistent with and is hereby exempt in accordance with CEQA Guideline Section 15162. No further environmental analysis is necessary.

The project is required filing of a Notice of Determination. A \$50.00 filing fee submitted to Planning Services.

## SUPPORT INFORMATION

### Attachments to Staff Report:

Findings

Conditions of Approval

Exhibit A.....Location Map

Exhibit B.....Assessor's Parcel Map

Exhibit C.....Land Use Map

Exhibit D.....Zoning Map

Exhibit E.....Aerial Map

Exhibit F.....Approved Tentative Parcel Map

Exhibit G.....Tentative Map Timeline and Expiration

## **FINDINGS**

### **Tentative Parcel Map Time Extension TM07-0030-E/Clarksville Professional Business Park Zoning Administrator/December 6, 2017**

#### **1.0 CEQA FINDINGS**

- 1.1 Pursuant to CEQA Section 15162(b), it has been determined that no subsequent negative declaration is required because there is no substantial evidence that the conditions described in Section 15162(a) have occurred, including: (1) substantial changes to the project which would require major revisions to the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) substantial changes occurred with respect to the circumstances under which the project has been undertaken which would require major revisions of the previous negative declaration due to the involvement of new significant environmental effects; or (3) a substantial increase in the severity of previously identified significant effects; or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of the previous negative declaration was adopted, shows the project will (a) have one or more significant effects not discussed in the previous negative declaration.

The proposed project is an extension to a previously approved Tentative Parcel Map for which a negative declaration was certified by the Board of Supervisors October 28, 2008. The proposed project was reviewed against the environmental analysis presented in the negative declaration. It was determined that the project does not involve any substantial changes in circumstances that result in a new significant impact or significant impacts that are substantially more severe than those previously disclosed in the negative declaration. In addition, there is no new information of substantial importance showing that the project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than effects shown in the negative declaration. Further, there is not new information of substantial importance showing (i) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative or (ii) that mitigation measures or alternatives considerably different from those analyzed in the negative declaration would substantially reduce one or more significant effects, but the proponents decline to adopt the mitigation measures or alternatives.

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

## **2.0 TENTATIVE PARCEL MAP TIME EXTENSION FINDINGS**

### **2.1 The request for extension of the approved tentative parcel map complies with County Subdivision Ordinance Section 120.74.030.A.**

Section 120.74.030.A allows the subdivider to request up to six one-year extensions from the expiration date of an approved or conditionally approved tentative map, as allowed by Government Code Sections 66452.6(e) and 66463.5, by timely written application to the Development Services Division of the Community Development Agency. The subdivider may request more than one time extension at a time, up to the maximum allowed by this subsection or a development agreement applicable to the map for which the extension request is filed, but in no event shall the total time extension requested exceed six years. Each application shall be filed before the approved or conditionally approved tentative map expires and shall state the reasons for requesting the extension.

**Rationale:** The applicant is requesting six one-year time extensions and appropriate processing fees were submitted on August 17, 2017, prior to the expiration date of the tentative parcel map of October 28, 2017. The six one-year time extension request complies with Section 120.74.030.B.

The applicant states that the delay in filing and recording the final map is a result of the original buyers defaulting on the sale of the property and difficulty in finding new buyers. Once new buyers are found the applicant will commence the improvement plan stage, take action on the Conditions of Approval and prepare the final map for recording. The six one-year extensions should allow the applicant the time needed to record the parcel map.

### **2.2 The request for extension of the approved tentative parcel map complies with County Subdivision Ordinance Section 120.74.030.B.**

Section 120.74.030.B. requires that the Development Services Division review the request and submit the application for the extension, together with a report, to the approving authority for approval, conditional approval, or denial. In approving, conditionally approving, or denying the request for extension, the approving authority shall make findings supporting its decision.

**Rationale:** The Planning Department has reviewed the time extension request for Tentative Parcel Map P07-0030-E/Clarksville Professional Business Park Parcel Map, along with all submitted materials, and has submitted this staff report with recommendations for approval based on the Findings provided in compliance with Section 120.74.030.B.

## CONDITIONS OF APPROVAL

### Tentative Parcel Map Time Extension P07-0030-E/Clarksville Professional Business Park Zoning Administrator/December 6, 2017

(The following are the original Conditions of Approval for Clarksville Professional Business Park Tentative Parcel Map, as approved by the Board of Supervisors on October 28, 2008)

#### Conditions of Approval

##### **Project Description:**

1. This Rezone, Parcel Map and Planned Development is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits E-I, approved September 25, 2008, and conditions of approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

The project would allow for a Rezone, Parcel Map, and Planned Development.

**Rezone:** The Rezone would amend the parcel zoning from One-Acre Residential (R1A) to Commercial- Planned Development (C-PD).

**Parcel Map:** The Parcel Map would create ten parcels ranging in size from 0.37-acres to 2.26-acres. The parcels would conform to the table listed below.

**Planned Development:** The Planned Development would allow the construction of ten commercial buildings allowing a range of medical and office uses. The project would allow for 29,628 square feet of the building space to be used as medical offices. The project would allow for 69,294 square feet of the building space to be used as offices. The parking lot would contain 277 parking spaces.

<b>Building Number</b>	<b>Building Area (sq. ft.)</b>	<b>Parcel Number</b>	<b>Parcel Area (acreage)</b>
A	44,992	1	1.27
B	6,720	2	0.42
C	6,720	3	0.37
D	6,720	4	0.86
E	6,720	5	0.81
F	6,720	6	1.39
G	5,100	7	0.60
H	5,100	8	1.09
J	5,100	9	0.47
K	5,100	10	2.26

<b>Building Number</b>	<b>Building Area (sq. ft.)</b>	<b>Parcel Number</b>	<b>Parcel Area (acreage)</b>
<b>Total Buildings: 10</b>	<b>Total Building Area: 98,992 s.f.</b>	<b>Total Parcels: 10</b>	<b>Total Parcel Area: 9.52 acres</b>

One Design Waiver would allow the following: 1) to allow the sidewalk improvements to be limited to one side of Road 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 means to reduce potential significant environmental effects to a level of insignificance:

2. Prior to the issuance of a grading permit, the following Mitigation Measures shall be implemented to protect Valley Longhorn Beetle Habitat on-site:
  - a. Fence and flag all areas to be avoided. Provide a minimum setback of twenty (20) feet from the drip line of each elderberry plant, surrounded by a 100-foot buffer.
  - b. The contractors for the project shall be advised by the applicant on the need to avoid damaging the elderberry plants and the penalties for not complying with these regulations.
  - c. The applicant shall require the contractors to put up signs every 50 feet along the edge of the avoidance areas with the following information: “This area is habitat of the Valley Elderberry Longhorn Beetle, a threatened species and must not be disturbed. Violators are subject to prosecution, fines, and imprisonment.” The signs shall be clearly visible from a distance of 20 feet during duration of construction.
  - d. Applicant is to instruct construction crews about the status of the beetle and the need to protect its elderberry host plant.
  - e. Transplant elderberry plants that cannot be avoided. Planning Services shall inspect the project site for the location of elderberry plants which will be impacted due to construction.

- f. Plant additional elderberry plant seedlings or cuttings, adjacent to the native species; outside the proposed development areas.

MONITORING: The project biologist shall provide to Planning Services written verification that all protection measures including replanting and transplantation, have been satisfied prior to issuance of a grading permit. (MM BIO-1)

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

MONITORING: The applicant shall provide Planning Services with a letter from the project biologist verifying compliance prior to issuance of a grading permit. (MM BIO-2)

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

MONITORING: Planning Services shall verify the agreement has been obtained and necessary mitigation measures incorporated on the plans prior to issuance of a grading permit. (MM BIO-3)

5. Prior to issuance of a grading permit, the applicant shall obtain a Section 404 permit from the U.S. Army Corps of Engineers and a 401 Water Quality Certification from the Central Valley RWQCB. The project applicant shall incorporate all conditions attached to the permit and certification into the project.

MONITORING: Planning Services shall verify the required permit and certification has been obtained prior to issuance of a grading permit. (MM BIO-4)

6. Mitigation Measure BIO-5: The applicant shall pay the mitigation in-lieu fee for all oak canopy removed as part of road and infrastructure improvements. The mitigation fee shall be paid at a 2:1 ratio as required by the Oak Woodland Conservation Ordinance and shall be based on the fee established by the Board of Supervisors. The applicant shall provide to Planning Services a final arborist report and proof of payment of the mitigation in-lieu fee prior to issuance of a grading permit or removal of any oak trees.

MONITORING: Planning Services shall receive proof of payment of the mitigation in-lieu fee prior to issuance of a grading permit. (MM BIO-5)

**Conditions of Approval:**

**Planning Services**

7. **LAFCO Approval:** The applicant shall make applications and pay appropriate fees LAFCO for annexation into the EID Service District to receive public water and wastewater services. The applicant shall annex into EID prior to receiving services.
8. **Meter Award Letter:** The applicant shall submit to Planning Services a meter award or similar document from EID prior to filing the parcel map.
9. **Landscaping Plan:** The final landscape plan shall meet Zoning Code Chapter 17.18.090 and General Plan Policies 7.3.5.1, 7.3.5.2, and 7.4.4.4 and be approved by the Deputy Planning Director or designee prior to installation. The applicant shall install and maintain landscaping in accordance with the approved final landscaping plan in perpetuity.
11. **Lighting Plan:** All outdoor lighting shall conform to the Lighting Plan on file with Planning Services and §17.14.170 and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. External lights used to illuminate a sign or side of a building or wall shall be shielded in order to prevent light from shining off the surface to be illuminated.  
  
Should final, installed lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of Planning Services prior to issuance of a building permit.
12. **Signage:** All signs must comply with signage exhibit attached as Exhibit I. Any signage subsequent to the approval of this permit shall conform to Chapter 17.32.140 (D) and Chapter 17.16 of the El Dorado County Zoning Ordinance and shall be provided to, and approved by Planning Services prior to issuance of a building permit.
13. **Joint Access Agreement:** A joint access and parking agreement shall be provided to ensure on-going access and maintenance of the parking to all property owners within the development and to the Clarksville Cemetery (APN 121-280-05). A copy of said agreement shall be provided to Planning Services for review and approval, and the approved agreement shall then be recorded and a copy shall be provided to Planning Services prior to filing of the parcel map.
14. **Cultural Resources:** In the event that previously unknown cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource

requires further study. The qualified archeologist shall make recommendations on the measures to be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds, in accordance with § 15064.5 of the CEQA Guidelines. Cultural resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites.

15. **Human Remains:** If human remains are encountered during earth-disturbing activities within the project area, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. If the remains are determined to be Native American in origin, both the Native American Heritage Commission (NAHC) and any identified descendants shall be notified by the coroner and recommendations for treatment solicited (CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94 and 5097.98).
16. **Payment of Fees:** All Development Services fees shall be paid prior to clearance by Development Services of the parcel map.

The applicant shall submit to Planning 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.

17. **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, as provided in Section 66474.9(b) of the California Government Code.

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

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

18. **Compliance with Conditions:** Prior to filing the parcel map or issuance of any building permit authorized by this permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. Planning Services shall verify compliance prior to filing the parcel map.

The applicant shall also schedule an inspection by Planning Services prior to issuance of a building permit for verification of compliance with applicable conditions of approval.

19. **Expiration:** 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.

### **El Dorado Hills Fire Department**

20. The dead end egress at the north end of the complex shall have a 12 foot wide gate for emergency access only. The applicant shall install a low priority KNOX pad lock installed for emergency access. The Department shall review and approve the gate and lock prior to issuance of any building permit for the project.
21. The 90 degree turn on Joerger Cutoff Road shall accommodate a 56 foot outside radius and a 40 foot inside radius. The Department shall verify compliance with this requirement prior to issuance of a grading permit.
22. The intersection of Joerger Cutoff Road and White Rock Road shall accommodate a 56 foot outside radius and a 40 foot inside radius. The Department shall verify compliance with this requirement prior to issuance of a grading permit.
23. Road 1 shall be named through El Dorado County and the development shall be addressed using that name. If the building address cannot be easily seen from the road, an address monument shall be installed at the entrance of the project. The Department shall review and approve all addressing prior to issuance of a building permit.
24. 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 300 feet. The exact location of each hydrant and all fire protection system devices shall be determined by the Department. The Department shall review and approve the hydrant locations prior to issuance of a building permit.
25. To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marking the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations. The Department shall verify compliance with this requirement prior to issuance of any building permits for the development.
26. In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to framing of any combustible members as specified by the El Dorado Hills Fire Department Standard 103.
27. This development shall be prohibited from installing any type of traffic calming devices that utilize a raised bump or a lower dip section of roadway. The Department shall verify compliance with this requirement prior to issuance of a grading permit.

28. All buildings shall be sprinklered in accordance with NFPA-13, 207 edition, and the Fire Department requirements. The Department shall verify compliance with this requirement prior to issuance of a building permit.
29. The applicant shall provide the Department with a CD that contains all the CAD files for this project.

**State of California Department of Transportation**

30. The applicant shall obtain an encroachment permit from CalTrans Office of Permits prior to any work within the State Right-of-Way.
31. Any signage visible from U.S. Highway 50 or located within 500 feet of the State Right-of-Way shall be reviewed and approved the CalTrans Outdoor Advertising Branch. The applicant shall obtain approval prior to issuance of a building permit.
32. All sound proofing or noise attenuation shall be the responsibility of the applicant not CalTrans.

**El Dorado County Department of Transportation**

***Project Specific Conditions***

33. **Access Roads:** The applicant shall construct all roads in conformance with the El Dorado County Design and Improvements Standard Manual (DISM), as shown in Table 1. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map:

<b>Table 1</b>				
<b>ROAD NAME</b>	<b>DISM REFERENCE</b>	<b>ROAD WIDTH</b>	<b>ROAD RIGHT OF WAY</b>	<b>COMMENTS/NOTES</b>
Entrance Road 1 <i>(from White Rock Road to project site)</i>	Design Std Plan 101A	40 ft	60 ft	Paved 3" AC over 8" Class II AB, 8 ft wide sidewalk on one side (allowed by design waiver), Type 2 Vertical Curb and Gutter both sides
Joerger Cutoff Road <i>(secondary access road from White Rock Road to project site along</i>	Modified Design Std Plan 101A	20 ft	20 ft w/ additional slope easements as needed	Paved 3" AC over 8" Class II AB, no curb, gutter or sidewalks.

<i>US 50 frontage over PG&amp;E property)</i>				
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34. **Secondary Access:** The applicant shall provide a secondary access to this site. Both the primary and secondary off-site accesses shall meet the requirements of El Dorado County Modified Design Standard Plan 101A and Fire Code Standards (a 20 ft wide roadway capable of supporting 75,000 lbs of weight). These off-site 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 parcel map.
  
35. **Encroachment Permits / White Rock widening:** The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment from 'Road 1' onto White Rock Road to the provisions of County Standard Plan 103D, prior to the filing of the map. Asphalt dike curbing can be used instead of Type 2 Vertical curb in this encroachment area. The profile of this roadway encroachment onto White Rock Road shall be designed to maintain consistency with the DISM and with the future widening of White Rock Road to a six lane divided roadway (as required in the General Plan).
  
36. **Encroachment Permit / Joerger Cutoff Road:** The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment from Joerger Cutoff Road onto White Rock Road to the provisions of County Design Std 103D and to improve Joerger Cutoff Road for its entire length to 20 ft. 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 parcel map.
  
37. **Offer of Dedication:** The applicant shall irrevocably offer to dedicate any slope easement or right-of-way in fee needed along the property frontage adjoining US 50 that is required for the proposed Silva Valley Interchange, as determined by EDC DOT, prior to the filing of the map. This offer will be accepted by the County.
  
38. **Cut Slopes:** Per the El Dorado County Grading Design Manual Sec B.6, the top of cut slopes shall not be made nearer a permit area boundary line than one fifth the vertical height of cut with a minimum of two (2) feet and a maximum of ten (10) feet. The setback may need to be increased for required interceptor drains. 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 parcel map.
  
39. **Fill Slopes:** Per the El Dorado County Grading Design Manual Sec B.6, the toe of the fill slope shall not be made nearer to the permit area boundary line than one half the height of the slope with a minimum of two (2) feet and a maximum of twenty (20) feet.

Where a fill slope is to be located near the permit area boundary and the adjacent off-site property is developed, special precautions shall be incorporated in the work as the building official deems necessary to protect the adjoining property from damage as a result of such grading. 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 parcel map.

40. **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.

*Standard Conditions*

41. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
42. **Road & Public Utility Easements:** The applicant shall provide a 60 foot wide non-exclusive road and public utility easement for the on-site access roadways prior to the filing of the parcel map. Slope easements shall be included as necessary.
43. **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 parcel 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.
44. **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.
45. **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.
46. **Maintenance Entity:** The proposed project must form an entity for the maintenance of any shared or common: 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 parcel map.

47. **Common Fence/Wall Maintenance:** The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).
48. **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.
49. **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.
50. **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 parcel map.
51. **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.
52. **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.
53. **Grading Permit / Plan:** A commercial grading permit is required for the project. 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.
54. **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.

55. **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.
56. **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.
57. **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 parcel map or the applicant shall obtain an approved improvement agreement with security.

58. **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 parcel map.
59. **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 parcel map.
60. **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.
61. **Off-site Improvements (Security):** Prior to the filing of a parcel 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.
62. **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 or parcel 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.

63. **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 "Parcel Map Guarantee" which shall be submitted to the County Surveyor's Office with the first map check for the parcel map.
64. **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.
65. **TIM Fees:** The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.

#### **Air Quality Management District**

66. The applicant shall prepare and pay applicable fees for an Asbestos Dust Mitigation Plan. The District shall review and approve the plan prior to issuance of a grading permit.
67. The applicant shall comply with all District rules prior to issuance of a grading permit.

#### **El Dorado County Surveyor**

68. All survey monuments shall be set prior to filing and recording the parcel map.

69. Prior to filing the Parcel Map, a letter to the County Surveyor shall be required from all agencies that have conditions place on the map. The letter shall state that all conditions placed on the map by that agency have been met.