



# COUNTY OF EL DORADO PLANNING COMMISSION

Building C Hearing Room  
2850 Fairlane Court, Placerville, CA 95667  
<http://www.edcgov.us/planning>  
Phone: (530) 621-5355 Fax: (530) 642-0508

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

Char Tim ..... Clerk of the Planning Commission

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## MINUTES

**Regular Meeting**  
**January 27, 2011 – 8:30 A.M.**

### 1. CALL TO ORDER

Meeting was called to order at 8:32 a.m. Present: Commissioners Rain, Pratt, Heflin, and Mathews; Paula Frantz-County Counsel\*; and Char Tim-Clerk of the Planning Commission.  
*[\*Arrived at 8:40 a.m. and was in attendance at the start of the public hearing portion.]*

### 2. ADOPTION OF AGENDA

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

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

### 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: January 13, 2011

### END OF CONSENT CALENDAR

**Motion: Commissioner Heflin moved, seconded by Commissioner Pratt, and carried (3-0), to approve the Consent Calendar.**

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

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

Pierre Rivas provided the following summary of events for current planning:

- Syers Appeal: The appeal period for the Planning Commission's decision on this item ends at 5:00pm on January 28, 2011.
- City of Placerville Request for Joint Workshop with State Office of Historic Preservation: The City of Placerville Planning Commission has requested local assistance training from the State Office of Historic Preservation regarding Historic Districts. They would like to have a joint public workshop with the El Dorado County Planning Commission in Spring 2011. The Commission expressed interest in attending.

Peter Maurer provided the following summary of events for long-range planning:

- Age-restricted Housing and Discounted TIM Fees: DOT made a presentation to the Board of Supervisors on January 25, 2011.
- General Plan Five-year Review: A Resolution of Intention will be presented to the Board of Supervisors on February 15, 2011.
- Ag District Overlay: A Resolution of Intention was presented to the Board of Supervisors on January 25, 2011.

6. **COMMISSIONERS' REPORTS**

Commissioner Heflin expressed frustration on the excessive abuse of the current Sign Ordinance and inquired if the Commission has the ability to discuss and recommend making it stronger through the use of fines. Peter Maurer explained that this Ordinance is not included in the current comprehensive update as it is a very controversial and complex issue. This ordinance will be deferred to a later time so it can be discussed separately and at length. He also explained that for Code Enforcement involvement, the current priorities are those that deal with life safety and health issues.

**9:00 A.M.**

7. **PUBLIC FORUM/PUBLIC COMMENT**

Sue Taylor discussed the Scenic Corridor and the need to have clear and simple rules.

8. **REZONE/PARCEL MAP**

**Z06-0020/P05-0004/Harrington Business Park** submitted by PATRICIA HARRINGTON and MICHAEL QUIGLEY (Agent: Gene E. Thorne & Associates, Inc.) to: 1. Rezone Assessor's Parcel Number 329-280-15 and portions of Assessor's Parcel Number 329-280-16 north of State Route 49/Pleasant Valley Road from Estate Residential/Commercial-Design Community (RE-10/C-DC) to Industrial-Design Community (I-DC); 2. Industrial and commercial tentative parcel map to create seven commercial parcels and 36 industrial parcels, for a total of 43 parcels

ranging in size from 0.34 to 10.65 acres; and 3. Design Waiver request for reduction of standard sidewalk width in accordance with DISM Standard Plan 101A (Commercial and Industrial Roadways) from 8 feet to 6 feet. The property, identified by Assessor's Parcel Numbers 329-280-15 and 329-280-16, consisting of 76.59 acres, is located along the north and south side of State Route 49/Pleasant Valley Road, approximately 0.25 mile west of the intersection with Missouri Flat Road, in the El Dorado-Diamond Springs area, Supervisorial District III. [*Project Planner: Mel Pabalinas*] (Mitigated negative declaration prepared)\*

Mel Pabalinas presented the item to the Commission with a recommendation of approval to the Board of Supervisors.

Gene Thorne/applicant's agent was in general agreement of the Staff Report with the exception of Conditions #22 (Encroachment Permit), #44 (Parcel Map Improvement Agreement & Security), and #72 (Survey Monuments). In response to Commissioner Mathew's comment that the Army Corps letter had an expired deadline date, Mr. Thorne stated that the date had been extended and that due to the length of the project, many of the various agency letters are from as far back as 2003.

Eileen Crawford/DOT, with the assistance of County Counsel Paula Frantz, read into the record new language for Condition #22. She also recommended that the second to last sentence in Condition #44 be deleted.

Pierre Rivas was able to obtain new wording from Rich Briner/Surveyor's Office for Condition #72 and read that language into the record.

Deanne Johnson stated she owns two parcels near this project but had not received a meeting notice and had not known about this project, but indicated that she had met with Mr. Pabalinas prior to the hearing. She said that the other nearby owners, the Klings, were out of the country and was unaware if they knew about this project. She made the following comments: road usage and privacy would be severely impacted; unaware of this proposed development when they purchased property; questioned the bulldozing of beautiful property and the removal of Heritage Oaks; and would like this property to be rezoned to residential.

Sue Taylor felt that many of her previous comments were not addressed and she had concerns over the density of parcels, setbacks, and how the project will severely change the community. She requested that the Commission put in their recommendation to the Board of Supervisors the items identified in the Diamond Springs-El Dorado CAC letter.

Frank Bauman, developer of another project in that area, which is located on the other side, is in support of this project and explained that the 3.2 acres, which is covered with trees, has been agreed upon to be left as Open Space to provide a buffer between the two developments and the residences. He explained that he has been in discussion with Mr. Kling for the past 5 ½ years, so he is aware of the development projects.

Kathleen Newell is in opposition of the project as it will affect the rural integrity and bring an urban atmosphere to the area.

Dr. Richard Boylan is in opposition of the project and made the following comments:

- Radical change of nature, feel, and make-up of the community;
- Mitigation measures are not adequate in protecting Heritage Oaks and wetlands, therefore, an EIR is needed;
- Project will destroy the rural and historic feel of Diamond Springs;
- Currently, an effort is in progress to identify this area as a Historic District Corridor and the approval of this project would derail this;
- Project abuts residential neighborhoods and 5 foot setbacks are not adequate; and
- Does not fit the character of the area.

Jamie Butler stated that General Plan policies require 50 foot setbacks from wetlands and that grading must follow the natural contour of the land. She was upset that the Board of Supervisors, Planning Commission and Planning Services were not following the public's desire to keep the County's rural and historic character. She identified Measures B and Y, AB 32 and workshops with SACOG and EDAC which clearly show what the public wants.

Mr. Thorne made the following rebuttal:

- Commercial part of the project is on the south side and it is already zoned as such;
- Property being rezoned to Industrial is located on the north side of Hwy 49 and has had that General Plan land use designation since the 1960s;
- Open Space parcel will be a buffer to nearby residences;
- Current drainage problems were due to buildings being placed in drainage areas and project is being required to ensure area does not overflow;
- Widening of Hwy 49 will occur with or without this project;
- Design Control overlay will require review of all projects and this step is just creating the lots;
- All sites are buildable;
- Mitigation measures are making this project as compatible as possible; and
- Each lot will have its own tree removal plan.

County Counsel Frantz commented that the rezone request is to match the current General Plan land use designation.

Commissioner Mathews said that the area was designated and designed for this type of project and currently there is no historic overlay. He felt that when the buildings are built, they need to reflect the County feel.

Mr. Rivas stated that due to the Design Control, projects would go to the Diamond Springs-El Dorado CAC for review, except if it was along Hwy 50, then the review would be conducted by the Commission.

Commissioner Heflin said that he did not hear evidence to refute staff's recommendation for approval.

Commissioner Pratt made the following comments: wetlands setback is addressed in the conditions; CalTrans has targeted Hwy 49 for multi-lanes for a long time; and views this request as a consistency rezone.

Chair Rain expressed an interest in having historic guideline conditions and discussion ensued between the Commissioners on this issue. County Counsel Frantz explained that it would take a legislative act to place a historic overlay on an area.

Commissioner Mathews felt that since a legislative act would be required, then conditions regarding historic guidelines would not be needed. He also was comfortable with the project since it had a Design Control overlay that would need the Diamond Springs-El Dorado CAC review, instead of just a staff level review.

No further discussion was presented.

**Motion: Commissioner Heflin moved, seconded by Commissioner Pratt, and carried (4-0), to recommend the Board of Supervisors take the following action: 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 as presented; 3. Approve Rezone Z06-0020 based on the Findings as presented; 4. Approve tentative Parcel Map application P05-0004 based on the Findings and subject to the Conditions of Approval as modified: (a) Amend Conditions #22, #44, and #72 as identified; and 5. Approve Design Waiver request for reduction of standard sidewalk width in accordance with Standard Plan 101A (Commercial and Industrial Roadways) from 8 feet to 6 feet.**

**AYES: Mathews, Pratt, Heflin, Rain**

**NOES: None**

**ABSENT: Tolhurst**

### Findings

#### **1.0 CEQA FINDINGS**

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. 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 County finds that through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 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.

- 1.4 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 their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

## **2.0 GENERAL PLAN FINDINGS**

- 2.1 As proposed, the project is consistent with the Industrial (I) and Commercial (C) land use designations of the subject site, as defined by General Plan Policy 2.2.1.2, because potential commercial and industrial uses for the proposed parcels would be consistent with the purpose of the Commercial and Industrial land use designations described above.
- 2.2 The proposal is consistent with all applicable policies of the General Plan including 2.1.1.7 (adequate roadways, utilities, and other public services), 2.2.1.2 (land use density), 2.2.5.3 (zone change criteria), 2.2.5.21 (compatibility with the surrounding neighborhood), 5.2.1.4 (adequate public water supply), 5.3.1.1 (wastewater capacity), 5.4.1.1 (storm water drainage systems), 5.7.1.1 (availability of emergency water), 6.2.3.2 (adequate emergency access), 6.5.1.2 (noise), 7.1.2.1 (slope disturbance), 7.3.3.4 (wetland buffer), 7.4.4.4 (oak tree canopy retention), and 10.1.9.3 (promotion of job generating job uses). The project provides adequate access and site design that ensure compatibility with the surrounding permitted land uses, and is consistent with the General Plan policies identified above.

## **3.0 ZONING FINDINGS**

- 3.1 The project, as proposed and conditioned, is consistent with the El Dorado County Zoning Ordinance Development Standards because the proposed parcels meet the development standards of the I and C zone districts pursuant to section 17.34.040 and 17.32.040, respectively, for minimum parcel areas and lot widths. Compliance with setbacks, building coverage, building height, and parking development standards will be reviewed at time of design review application submittal for each prospective parcel and related use.

## **4.0 ADMINISTRATIVE FINDINGS**

### **4.1 Tentative Parcel Map**

- 4.1.1 *The proposed tentative map, including design and improvements, is consistent with the General Plan and Specific Plan, where applicable.*

As proposed, the tentative map conforms to the I and C General Plan land use designations and applicable General Plan policies concerning adequate roadways, utilities, and other public services, land use density, 19 specific zone change criteria,

compatibility with the surrounding neighborhood, adequate public water supply, wastewater capacity, storm water drainage systems, availability of emergency water, adequate emergency access, noise, slope disturbance, wetland buffers, oak tree canopy retention, and promotion of job generating job uses.

- 4.1.2 *The tentative map conforms to the applicable standards and requirements of the County's zoning regulations and Minor Land Division Ordinance.*

The proposed parcel sizes of 0.34 to 9.72 acres conform to the minimum parcel size for the Industrial zone district while proposed parcel sizes of 0.92 to 10.65 acres conform to the minimum parcel size for the Commercial zone district. Additionally, the project conforms to the applicable provisions of the Minor Land Division Ordinance.

- 4.1.3 *The site is physically suitable for the proposed type and density of development.*

The creation of 43 commercial and industrial parcels at the 76.59 acre site is compatible with the surrounding planned and existing commercial, industrial, and residential land use densities with the implementation of the mitigation measures identified in Attachment 1 above. Further, the business park layout has been designed in a manner which avoids impacts to specific wetlands and significant grading on slopes in excess of 30 percent.

- 4.1.4 *The proposed subdivision is not likely to cause substantial environmental damage.*

An Initial Study (Exhibit O) to assess project-related environmental impacts was prepared. Based on the Initial Study, the County finds that the project could have a significant effect on air quality, noise, and transportation/traffic. However, the project has been modified to incorporate the mitigation measures identified in the Initial Study which will reduce the impacts to a level considered to be less than significant. Therefore, a Mitigated Negative Declaration has been prepared.

#### 4.2 **Design Waiver**

The following design waiver request is subject to specific findings in accordance with Section 16.08.020.A.2a-d of the El Dorado County Subdivision Ordinance. The request is followed by a response justifying the waiver.

**Design Waiver request for reduction of standard sidewalk width under DISM Standard Plan 101A (Commercial and Industrial Roadways) from 8 feet to 6 feet.**

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

The project site is surrounded by existing industrial, commercial, and residential development lacking sufficient pedestrian sidewalk infrastructure. The project would be served by roadway improvement that include a sidewalk at a reduced width of six feet,

which has been determined to adequate in accommodating anticipated pedestrian traffic based on other commercial and industrial projects approved by the County.

- 4.2.2 *Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.*

In addition to economic hardship, strict application of standard sidewalk width would result in additional disturbance resulting from site grading and construction of the roadway infrastructure. Specifically, approval of the modified sidewalk width would result in lesser impacts to identified wetland features adjacent the anticipated roadway.

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

The modified sidewalk would sufficiently accommodate the anticipated foot traffic generated by the future development on the site and would be an upgrade to future development in the area by providing an opportunity for pedestrian connectivity and circulation. This adjustment would not be injurious to adjacent properties or the general public welfare.

- 4.2.4 *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

Construction of the modified sidewalk would not have the effect to nullify any law or ordinance as the proposed sidewalk would adequately accommodate pedestrian traffic generated by the development and provide opportunity for general pedestrian circulation in the area.

### Conditions of Approval

#### **I. PROJECT DESCRIPTION**

1. This tentative parcel map is based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits E-M and P 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 consists of the following:

- A. Rezone of APN 329-280-15 and portions of APN 329-280-16 north of State Route 49/Pleasant Valley Road from Estate Residential/Commercial-Design Community (RE-10/C-DC) to Industrial-Design Community (I-DC);



- B. Industrial and commercial tentative parcel map to create seven commercial parcels, 36 industrial parcels for a total of 43 parcels ranging in size from 0.34 to 10.65 acres on the 76.59 acre site;
- C. Design Waiver request for reduction of standard sidewalk width in accordance with DISM Standard Plan 101A (Commercial and Industrial Roadways) from 8 feet to 6 feet.

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.

## **II. MITIGATED NEGATIVE DECLARATION CONDITIONS OF APPROVAL**

- 2. A Fugitive Dust Plan (FDP) application with appropriate fees shall be submitted to and approved by the El Dorado County Air Quality Management District (AQMD) with appropriate fees and approved by the AQMD prior to start of project construction. (MM AQ-1)

**Timing/Implementation:** Prior to issuance of grading and building permits

**Enforcement/Monitoring:** El Dorado County Air Quality Management District

- 3. Prior to issuance of a grading permit, the project applicant shall obtain a Section 404 permit from the U.S. Army Corps of Engineers and a water quality certification from the Central Valley RWQCB for all affected jurisdictional wetlands. The project applicant shall incorporate all conditions attached to the permit and certification into the project. (MM BIO-1)

**Timing/Implementation:** Prior to issuance of grading permit

**Enforcement/Monitoring:** El Dorado County Development Services Department-Planning Services and Department of Transportation

## **III. PROJECT CONDITIONS OF APPROVAL**

### **Planning Services**

- 4. 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.
5. 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).
  6. The applicant shall provide a meter award letter or similar document by the water purveyor to Planning Services prior to filing the parcel map.
  7. Prior to filing the parcel map, an appropriate maintenance program and/or endowment fund program shall be established and submitted to Planning Services for review and approval.
  8. Prior to filing the parcel map, Codes, Covenants, & Restrictions (CC & R's) shall be submitted and reviewed by Planning Services. The CC & R's shall include design review guidelines for the business park, maintenance of all drainage facilities, wetlands, and interior roads.
  9. The map shall be filed and constructed in phases consistent with the phasing plan included within the tentative parcel map, Exhibit E.
  10. In accordance to General Plan 7.3.3.4, a 50-foot development buffer (from the edge of hydric soils) from specific wetlands identified to be preserved shall be shown on the parcel map prior to filing the parcel map.
  11. This tentative parcel map shall expire within 36 months from date of approval unless a timely extension has been filed.
  12. All fees associated with the tentative parcel map shall be paid prior to filing the parcel map.
  13. The applicant shall submit to Planning Services a \$50.00 recording fee and a \$2,044.00 Department of Fish and Game 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.
  14. 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.

**Air Quality Management District**

15. During construction, all activities shall apply standard Best Management Practices (BMPs) to control dust during construction. These practices shall be incorporated into the project and include:
  - a. Application of water on disturbed soils and unpaved roadways a minimum of three times per day
  - b. Using track-out prevention devices at construction site access points
  - c. Stabilizing construction area exit points
  - d. Covering haul vehicles
  - e. Restricting vehicle speeds on unpaved roads to 15 miles per hour
  - f. Replanting disturbed areas as soon as practical and other measures as deemed appropriate to the site, to control fugitive dust
16. Burning of vegetative wastes that result from "Land Development Clearing" must be permitted through the District Rule 300 Open Burning. Only vegetative waste materials are permitted to be disposed of using an open outdoor fire.
17. The applicant shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.

**California Department of Transportation (Caltrans)**

18. Prior to the construction of any road improvements within State right-of-way, an encroachment permit shall be obtained from Caltrans.
19. Prior to filing the parcel map, the applicant shall dedicate right-of-way to Caltrans along the project frontage that is within 60 feet from the State Route 49 centerline.

**Department of Transportation**

20. **Road Design Standards:** The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM), as shown in table below. 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 parcel map: (the requirements outlined in Table 1 are minimums)

<b>Harrington Business Park Road Improvement</b>					
<b>ROAD NAME</b>	<b>DESIGN STANDARD PLAN</b>	<b>ROAD WIDTH*</b>	<b>RIGHT OF WAY**</b>	<b>DESIGN SPEED</b>	<b>EXCEPTIONS/ NOTES</b>
Pleasant Valley Road	Std Plan 101A	56-ft	120-ft	45 mph	Include a two way LT turn lane, 8 foot wide shoulders, Type 2 curb and gutter, and 6 ft Sidewalk (with approved design waiver - DW)
Road 'A' and 'B'	Std Plan 101A	40 feet	60-ft	25 mph	8 foot wide shoulders, Type 2 curb and gutter, and 6 ft Sidewalk (with approved DW)
Road 'C'	Std Plan 101A	40 feet	80-ft	25 mph	8 foot wide shoulders, Type 2 curb and gutter, and 6 ft Sidewalk (with approved DW)
Road 'D'	Std Plan 101A	40 feet	60-ft	25 mph	8 foot wide shoulders, Type 2 curb and gutter, and 6 ft Sidewalk (with approved DW)

\* Road widths are measured from curb face to curb face or edge of pavement to edge of pavement if no curb (traveled way). Curb face for rolled curb and gutter is 6" from the back of the curb.

\*\* Non-exclusive road and public utility easements included

21. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment(s) from Road 'A' onto Commerce Way to the provisions of County Design Std 103C. 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.
  
22. **Encroachment Permit:** The applicant shall obtain an encroachment permit from Caltrans and shall construct the roadway encroachments from Road 'A', Road 'C', and Road 'D' onto Pleasant Valley Road/State Hwy 49 to Caltrans requirements. The improvements shall be completed to the satisfaction of the Caltrans, or the applicant shall

- obtain a Caltrans approved improvement agreement with security satisfactory to Caltrans, prior to the filing of the parcel map.
23. **Road & Public Utility Easements (Roads A, B, and C):** The applicant shall irrevocably offer to dedicate non-exclusive road and public utility easement for Roads 'A', 'B', and 'C' as described in the table above with the filing of the parcel map. The offer will be rejected by the County. Slope easements shall be included as necessary.
  24. **Road & Public Utility Easements (Road D):** The applicant shall irrevocably offer to dedicate a non-exclusive road and public utility easement, in fee, for Road 'D' as described in the table above with the filing of the parcel map. The offer will be accepted by the County. Slope easements shall be included as necessary.
  25. **Road & Public Utility Easements (Pleasant Valley Rd/State Hwy 49):** The applicant shall offer to dedicate a 120-ft non-exclusive road and public utility easement (60-feet on either side of the centerline), in fee, for Pleasant Valley Rd/State Hwy 49 from Patterson Drive to 900-feet northeast from existing centerline of Patterson Drive. Where the project only has frontage on the northerly side of State Highway 49/Pleasant Valley Road, the applicant shall offer to dedicate a 60-ft non-exclusive road and public utility easement, in fee, as measured from existing centerline. The offer will be accepted by the County. Slope easements shall be included as necessary.
  26. **Road & Public Utility Easements (Pleasant Valley Rd/State Hwy 49):** The applicant shall offer to dedicate a 120-ft non-exclusive road and public utility easement (60-feet on either side of the centerline) for Pleasant Valley Rd/State Hwy 49, in fee, starting from 900-feet northeast of existing centerline of Patterson Drive to the easterly project boundary. Where the project only has frontage on the northerly side of State Highway 49/Pleasant Valley Road, the applicant shall offer to dedicate a 60-ft non-exclusive road and public utility easement as measured from existing centerline. The offer will be rejected by the County. Slope easements shall be included as necessary.
  27. **Road & Public Utility Easements (Patterson Drive):** The applicant shall offer to dedicate a 40-foot non-exclusive road and public utility easement, in fee, as measured from the existing centerline of Patterson Drive. The offer will be accepted by the County. Slope easements shall be included as necessary.
  28. **Left-Turn Pocket Improvements (Commerce Way/Missouri Flat Road):** In accordance to the approved Traffic Impact Study prepared by Fehr & Peers, the applicant shall extend the eastbound left-turn pocket at Missouri Flat Road to Commerce Way. The signing and striping for this encroachment shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement. 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.

29. **Left-Turn Pocket (Commerce Way/Pleasant Valley Road):** The applicant shall construct a south-bound left turn pocket at the intersection of Commerce way and Pleasant Valley road. The signing and striping for this encroachment shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement. 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.

30. **Traffic Signal (Patterson Drive/Pleasant Valley Road:** The project is adjacent to the Pleasant Valley Road (SR49)/Patterson Drive Intersection Signalization Project (CIP #73320). The proposed CIP project proposes to signalize the existing 3 legs of the intersection along with associated improvements and has a scheduled completion date in 2013. Applicant shall coordinate with the DOT staff for information regarding design of intersection.

The signing and striping for the traffic signal/intersection improvements shall be designed and constructed per the latest version of the Manual of Uniform Traffic Control Devices (MUTCD) and the California Supplement. The improvements detailed below shall be completed to the satisfaction of the DOT and Caltrans, prior to filing of the parcel map

The subsequent condition shall be accomplished by the applicant if this project precedes the Pleasant Valley Road (SR49)/Patterson Drive Intersection Signalization Project CIP #73320:

The applicant shall construct the intersection improvements at proposed Road 'A'/Patterson Road and Pleasant Valley Road/State Highway 49 and construction of the traffic signal. In addition, the applicant shall provide a traffic signal appurtenances easement for the signal infrastructure located within the encroachment of Road 'A'. The final location of the easement and infrastructure design to be reviewed and approved by the DOT and Caltrans prior to its construction.

The following condition would be added to the project if it is constructed after the CIP project:

The applicant shall construct the required infrastructure for the 4<sup>th</sup> segment of the traffic signal. The CIP project will only construct 3 segments of the signal. In addition, the applicant shall provide a traffic signal appurtenances easement for the signal infrastructure located within the project site. The final location of the easement and infrastructure design to be reviewed and approved by the DOT and Caltrans prior to its construction.

31. **Vehicular Access Restriction:** Prior to filing of the parcel map, the applicant shall record a vehicular access restriction along the entire northern and southern frontage of

Pleasant Valley Road/State Highway 49 excluding the locations of the Caltrans approved access encroachments.

32. **General Vacation – Commerce Way:** An application for general vacation shall be filed for the unused segment of Commerce Way from the intersection of Road 'D' to Pleasant Valley Road/State Highway 49 with the filing of the parcel map.
33. **Off-site Easements:** Applicant shall provide all necessary recorded easements for any drainage, slope and road improvements crossing the property line prior to approval of the improvement plans.
34. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
35. **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 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 California Manual Uniform Traffic Control Devices (MUTCD).
36. **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.
37. **Curb Returns:** All curb returns, at pedestrian crossing, will need to include a pedestrian ramp with truncated domes per Caltrans Standard A88A and 4 feet of sidewalk/landing at the back of the ramp.
38. **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.
39. **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).
40. **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.
41. **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.
  42. **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 County Department of Transportation, and pay all applicable fees prior to filing of the parcel map.
  43. **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 within the County right of way. 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 parcel map.
  44. **Parcel Map Improvement Agreement & Security:** If the required improvements are not completed prior to filing of the parcel 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 Department of Transportation 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 parcel map. ~~The improvements shall be installed to the satisfaction of DOT prior to filing of the parcel map.~~ This condition shall appear as a note on the recorded parcel map.
  45. **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.
  46. **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 DOT 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 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 DOT or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.