



# 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

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

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## MINUTES

**Regular Meeting  
May 23, 2013 – 8:30 A.M.**

### 1. CALL TO ORDER

Meeting was called to order at 8:34 a.m. Present: Commissioners Stewart, Pratt, and Mathews; David Livingston-County Counsel; and Char Tim-Clerk of the Planning Commission.

### 2. ADOPTION OF AGENDA

**Motion: Commissioner Mathews moved, seconded by Commissioner Stewart, and carried (3-0), to adopt the agenda as presented.**

**AYES: Stewart, Mathews, Pratt**

**NOES: None**

**ABSENT: Heflin, Shinault**

### 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: May 9, 2013

Staff Recommendation: Approve meeting minutes as presented

**ACTION: Item was approved on the Consent Calendar [3-0]**

**Findings of Consistency with General Plan:**

b. **GOV13-0002/Park West County Animal Shelter Facility** submitted by EL DORADO COUNTY for a Finding of Consistency with the El Dorado County General Plan for the acquisition of a 4.27-acre portion of 6.67 acres of real property for a proposed animal shelter facility pursuant to Government Code 65402. The property, identified by Assessor's Parcel Number 329-341-04, consisting of (4.27-acre portion of) 6.67 acres, is located on the west side of Capital Avenue and Enterprise Drive within the Park West Business Center, in the Diamond Springs area, Supervisorial District 3. [*Project Planner: Pierre Rivas*]

Staff Recommendation: Find request is consistent with the General Plan

Item was pulled from the Consent Calendar at the request of the public.

Pierre Rivas presented the item to the Commission with a recommendation for approval and explained Government Code 65402.

Chair Pratt confirmed that today's discussion was not on the project but on the General Plan consistency.

Thomas Metzger, representing the mini-storage business and Demtech, distributed a handout and made the following comments:

- A dog kennel is already located in the area; and
- Not trying to stop the project, but wants all efforts put in to control the odor.

Joan Amo, resident, distributed 2 handouts and made the following comments:

- Park West is a business park that is sprinkled with Industrial;
- Insulted by statements made in the Staff Report;
- Their houses are well-maintained and are not compatible with an animal shelter;
- Adjacent area is not just residential, but a sub-division;
- This is the third time they've been hit by the County; and
- Read into the record a letter that she distributed to the Commission.

Richard Crouch, resident for 30 years, voiced frustration with the project and made the following comments:

- Park West was zoned a business park and doesn't know when it was switched to Industrial;
- Project site is less than one mile from his backyard and is concerned on the crematorium and wants an environmental review; and
- Alternate location is Union Mine.

Brent Collins, El Dorado County Senior Project Manager, responded that the County had purchased property at the "Y" and it was problematic for an animal shelter.

Mr. Rivas addressed Mr. Crouch's comments on an environmental review by stating that the County would be preparing a CEQA document of the impacts of the project if the Commission found this project to be consistent with the General Plan. He also stressed that today's action were not on the project itself and that today's public comments would be forwarded to the Board of Supervisors for their consideration and action.

Barbara Lee, Animal Shelter Coalition of El Dorado County, made the following comments:

- Supports the project;
- Neighbors have very good questions, but this isn't the proper place for them; and
- There are plans to engage the public in discussion on the project and make the facility a good neighbor.

County Counsel David Livingston stated that the question before the Commission is if this acquisition is consistent with the General Plan. He said that the analysis goes beyond the land use and the Commission also needs to determine if this would further other General Plan policies.

Chair Pratt closed public comment.

In response to Commissioner Stewart's inquiry on the process of the project, Mr. Rivas explained that the County is exempt from submitting a Special Use Permit as it would be applying to itself. The County is required to conform to the General Plan, CEQA, zoning, etc.

Peter Maurer provided historical background on the history of the business park.

Discussion ensued between staff and the Commission on General Plan Policy 2.2.5.21.

Mr. Rivas explained that the project would go to the Board of Supervisors in the public hearing process prior to the County acquiring the property and the CEQA process needs to be completed before that occurs.

There was no further discussion.

**Motion: Commissioner Mathews moved, seconded by Commissioner Stewart, and carried (3-0), to find that the acquisition of real property by the County and proposed animal shelter facility is consistent with applicable policies of the adopted 2004 El Dorado County General Plan in accordance with Government Code Section 65402 and to forward to the Board of Supervisors public comments voicing concern on the details of this project on this particular parcel.**

**AYES: Stewart, Mathews, Pratt**

**NOES: None**

**ABSENT: Heflin, Shinault**

**END OF CONSENT CALENDAR**

**Motion: Commissioner Pratt moved, seconded by Commissioner Mathews, and carried (3-0), to pull item 4.b at the request of the public and hear it as the first item of the public hearing portion at 9:00am, and approve the remaining Consent Calendar.**

**AYES: Stewart, Mathews, Pratt**

**NOES: None**

**ABSENT: Heflin, Shinault**

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

Peter Maurer/Development Services spoke on the following items:

- A Request for Proposals is being prepared for natural-based policies (i.e., RMP, OWMP).
- Interviews for the Assistant Director of Long Range Planning for the Community Development Agency have been completed and a candidate should be selected soon.
- A resolution for the Rare Plant issues is still on-going.
- Discussion with the Board of Supervisors on the Sign Ordinance is anticipated to occur in the near future.

**6. COMMISSIONERS' REPORTS – None**

**9:00 A.M. – TIME ALLOCATION**

**7. PUBLIC FORUM/PUBLIC COMMENT – None**

Prior to the beginning of the Public Hearing portion of the meeting, Chair Pratt announced that they did not have a full Commission, although they did have a quorum to make decisions. He stated that Commissioners Heflin and Shinault would not be present for today's hearing. Historically, the Commission, as a courtesy, has allowed applicants before the Commission to request their item be continued to be heard by a full Commission. That request must be made before the item is started. Once the hearing is started, the applicant may not request a continuance on the grounds of not having a full Commission. At this time, the earliest that there may be a full Commission would be at the June 13, 2013, hearing.

**8. TENTATIVE MAP (Public Hearing)**

**TM10-1500/West Valley Village Unit 3C** submitted by WEST VALLEY, LLC to request: 1. Tentative Subdivision Map to subdivide four parcels creating eight custom graded residential lots ranging from 0.86 acre to 1.46 acres in size; and 2. Design Waiver of El Dorado County Design and Improvement Standards Manual (DISM) maximum driveway grade standard of 16 percent modified to 20 percent. The property, identified by Assessor's Parcel Numbers 118-440-30, 118-440-31, 118-440-32, and 118-440-33, consisting of 8.63 acres, is located approximately 1,700

feet southwest of Royal Oaks Drive and Blackstone Parkway in the West Valley Village (Blackstone) portion of Valley View Specific Plan, in the El Dorado Hills area, Supervisorial District 2. [Project Planner: Mel Pabalinas] (Statutory Exemption pursuant to Section 15182 of the CEQA Guidelines [Certified Environmental Impact Report for Valley View Specific Plan])\*\*

Mel Pabalinas presented the item to the Commission with a recommendation for approval.

Mike McDougall, MJM Properties, stated that it was a well-written Staff Report.

Chair Pratt closed public comment.

There was no further discussion.

**Motion: Commissioner Stewart moved, seconded by Commissioner Mathews, and carried (3-0), to take the following actions: 1. Certify the project to be Statutorily Exempt pursuant to Section 15182 of the CEQA Guidelines; 2. Approve Tentative Map TM10-1500 based on the Findings and subject to Conditions of Approval as presented; and 3. Approve Design Waiver of El Dorado County Design and Improvement Standards Manual (DISM) driveway grade standard modified from 16 percent to a maximum of 20 percent based on the Findings as presented.**

**AYES: Mathews, Stewart, Pratt**

**NOES: None**

**ABSENT: Heflin, Shinault**

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:

### **FINDINGS FOR APPROVAL**

#### **1.0 CEQA FINDINGS**

1.1 The project is a residential subdivision, as contemplated in the adopted Valley View Specific Plan, subject to the certified Environmental Impact Report (EIR) and mitigation measures in the Mitigation Monitoring Reporting Program. Therefore, the project is exempt from the requirements of CEQA pursuant to Section 15182. No further environmental analysis is necessary.

- 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 Community Development Agency Planning Services) at 2850 Fairlane Court, Placerville, CA, 95667.

## **2.0 ADMINISTRATIVE FINDINGS**

### **2.1 El Dorado County General Plan**

The El Dorado County General Plan designates the subject site as Adopted Plan (AP), a description in reference to areas where Specific Plans have been designated and adopted within and by the County. The Valley View Specific Plan and the respective land use maps are accepted and incorporated by reference and are hereby adopted as the General Plan Land Use map for the project area. The residential subdivision conforms to the applicable policies of the Valley View Specific Plan and standards under the ER-2 zone district, and subject to the applicable mitigation measures in Environmental Impact Report. Therefore, the project is consistent with the General Plan.

### **2.2 Valley View Specific Plan and Zoning**

The project has been verified for conformance with the specific policies and requirements of the Valley View Specific Plan. The residential subdivision meets the required density, anticipated residential product type, and applicable ER-2 development and design standards. Therefore, the project has been found to be consistent with the Valley View Specific Plan and the standards under Estate Residential (ER-2) Zone District.

### **2.3 Subdivision Ordinance**

- 2.3.1 The proposed map is consistent with applicable general and specific plans;

The proposed project has been verified for conformance with applicable General Plan and Valley View Specific Policies including provisions relating to density, site and layout design, zone development standards, and amenities. The development shall be subject to conformance with the approved Conditions of Approval and Mitigation Measures. Therefore, the project has been found to be consistent with the applicable El Dorado County General Plan and Valley View Specific Plan.

- 2.3.2 The design or improvement of the proposed division is consistent with applicable general and specific plans;

The design and improvement of the subdivision has been designed in conformance with the residential land use requirements in the Valley View Specific Plan. Subsequent required improvement plans, grading plans, and other permit application shall be further reviewed in accordance with the applicable County standards and recommended conditions of approval/mitigation measures for this project. Therefore, the project is consistent with the applicable El Dorado County General Plan and Valley View Specific Plan design and improvements.

2.3.3 The site is physically suitable for the type of development;

The site is physically suitable to accommodate the proposed type of design, development, and improvements. The site contains sensitive resources (ie. oak trees) which would be avoided. Development of the site would be conducted in accordance with the applicable design and improvement standards subject to permit review and approval by the affected agencies.

2.3.4 The site is physically suitable for the proposed density of development;

The site is physically suitable to accommodate the proposed residential density. The additional four lots is within the allowable density in the West Valley Village. Development of the site would be conducted in accordance with the applicable design and improvement standards subject to permit review and approval by the affected agencies.

2.3.5 The design of the division or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;

Development of the subdivision would be subject to the applicable provisions of the Valley View Specific Plan, and the required mitigation measures originally established in the certified Environmental Impact Report (EIR) for the Specific Plan. Site improvements associated with the project are not anticipated to have any significant environmental impacts and shall be further verified by the affected agency prior to issuance of construction permits. Therefore, the project would have less than significant environmental impact, subject to the conditions of approval and mitigation measures imposed on the project.

2.3.6 The design of the division or the type of improvements would not cause serious public health hazards;

The proposed development has been designed and conditioned to ensure no public hazard would occur. In accordance with the VVSP, the design and improvements would involve pad preparation, utility services and amenities, and adequate vehicular accesses. Development of the project would be subject to improvement plans and permits verifying construction of utilities for water, sewer, power, drainage, and roads in accordance with the El Dorado County Design and Improvement Manual, County Grading Ordinance, VVSP, and the adopted EIR.

2.3.7 The design of the division or the improvements is suitable to allow for compliance of the requirements of section 4291 of the Public Resources Code;

The development is subject to the applicable VVSP standards involving site design and maintenance of open areas susceptible to brush fires. Further, the subdivision is subject to

specific project conditions from the El Dorado Hills Fire Department regulating location of on-site hydrant, construction of non-combustible fencing material, and preparation, submittal, and implementation of a Wildfire Management Plan. Therefore the proposed subdivision conforms to the requirements of Section 4291 of the Public Resource Code;

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

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

## 2.4 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.

### **Design Waiver of El Dorado County Design and Improvement Standards Manual (DISM) maximum driveway grade standard of 16 percent modified to 20 percent**

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

The construction of the proposed 20% grade driveways would minimize overall site grading, unnecessary cuts, and use of retaining walls, preserving the integrity of the existing slopes and the hillside.

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

Strict application of the standard 16 percent gradient would result to unnecessary additional cuts and excavation and landform disturbance that could destabilize existing subdivision grading and affect adjacent properties.

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



Construction of the paved driveways would be limited to specific residential lots. The driveways would be constructed to applicable standards in the County DISM and El Dorado Hills Fire Department, which allows for driveways up to 20% grade. Construction of the driveways would be subject to permit reviews by the affected regulatory agency to ensure implementation of construction standards. Therefore, this waiver will not be detrimental to health, safety and welfare of the public.

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

The design waiver would modify the driveway gradient standard for specific residential lots in the proposed subdivision. This modified driveway gradient does not meet the DISM but complies with the requirements of the El Dorado Hills Department. The DOT has reviewed and supports this waiver. Construction of the driveways would be subject to permit reviews by the affected regulatory agency to ensure implementation of the applicable driveway construction standards. The subdivision meets the applicable County standards, VVSP requirements, and General Plan policies and therefore, this waiver will not have any nullifying effects on other provisions of the County codes and ordinances.

### **Conditions of Approval**

#### **PROJECT DESCRIPTION**

1. The Tentative Subdivision Map is based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits H through J 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:
  - A. Tentative Subdivision Map to subdivide four (4) parcels comprising 8.63 acres creating eight (8) residential lots ranging from 0.83 acre to 1.42 acres in size;
  - B. Design Waiver of El Dorado County Design and Improvement Standards Manual (DISM) maximum driveway grade standard of 16 percent modified to 20 percent.

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

## PLANNING SERVICES

2. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the 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.

3. Prior to approval of Final Map, the applicant shall remit payment of any outstanding fees as detailed and required in the *Agreement for Payment of Processing Fees* authorized and executed for this project.
4. If blasting activities are to occur in conjunction with subdivision improvements, the subdivider shall ensure that such blasting activities are conducted in compliance with state and local regulations. A permit shall be required from the El Dorado County Sheriff's Department prior to blasting.
5. If burning activities are to occur during the construction of the subdivision improvements, the subdivider shall obtain the necessary burning permits from the California Department of Forestry and air pollution permits from the County prior to said burning activities.
6. Prior to filing a Final Map, if the subject property is subject to liens for assessment or bonds, pursuant to the provisions of Government Code Section 66493, the owner or subdivider shall either: (a) Pay the assessment or bond in full, or (b) File security with the Clerk of the Board of Supervisors, or (c) File with the Clerk of the Board of Supervisors the necessary certificate indicating provisions have been made for segregation of bond assessment responsibility pursuant to Government Code Section 66493 (d).
7. 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.

8. 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.

9. This project is proposing mass pad grading. Chapter 15.14 of the County of El Dorado Grading, Erosion and Sedimentation Ordinance (Amended Ordinance No. 4719, 3/13/07) states that a final mass pad grading project application shall be transmitted for comment to the supervisor of the district where the project is located, prior to the issuance of grading permit. If the final grading plan substantially differs from the preliminary grading plan reviewed during the tentative map stage, the district supervisor will be allowed 15 calendar days to respond, before the grading permit is issued.
10. A meter award letter or similar commitment to provide water and sewer service to each lot by the El Dorado Irrigation District shall be submitted to the Planning Services prior to filing of the Final Map.

## **DEPARTMENT OF TRANSPORTATION**

### *DOT Specific Project Conditions*

11. Road Improvements: The applicant shall construct the access roads (Lynwood Court and Loganberry Court) to Unit 3C in conformance with Condition of Approval #20 (cul-de-sacs) of West Valley Village Tentative Map TM99-1359. 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 final map.
12. Secondary Access: In Accordance to the DISM Section 3.A.9 and 3.A.12, a secondary access shall be provided. The applicant shall construct the following roads in accordance to the mitigation measures and Conditions of Approval #20, related to roadway and grading and drainage for TM99-1359:

- Candlewood Drive from Blackstone Parkway to Sageberry Lane
- Sageberry Lane

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 final map. If the applicant obtains an improvement agreement, no building permits shall be issued until the construction of all roadways listed above are completed.

13. Encroachment: The applicant shall construct the encroachments from Candlewood Drive onto Blackstone Parkway and from Sageberry Lane onto Royal Oaks to the provisions of DISM 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 final map.
14. Encroachment: The applicant shall construct the encroachments from Lynwood Court and Loganberry Court onto Candlewood Drive to the provisions of DISM 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 final map.
15. Driveway Cuts: Subdivision improvements shall include rough grading of driveways for all lots with street cuts or fills along the frontage of six feet or more difference in elevation, or as found necessary for reasonable access by the County Engineer. Construction of said driveways shall conform to the Design and Improvements Standards Manual and the Encroachment Ordinance. Attention should be given to the minimum required sight distance at all driveway encroachments. As an alternative, a Notice of Restriction shall be filed against all downhill lots with fill in excess of 6 feet which allows structural driveway access only.
16. 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.
17. Turnaround: The applicant shall provide a turn around on the access roadways to the provisions of County Standard Plan 114, or Exhibit C #4 of 5 in the Hillside Standards, or approved equivalent by local fire district. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.

*DOT Standard Conditions*

18. Easements: All applicable existing and proposed easements shall be shown on the project plans.

19. 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 final map. The signing and striping shall be designed and constructed per the latest version of the California Manual Uniform Traffic Control Devices (MUTCD).
20. 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.
21. 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 final map.
22. 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 County of El Dorado inspector prior to being used.
23. 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.
24. 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 final map.
25. Subdivision Improvement Agreement & Security: The developer shall enter into a Subdivision Improvement Agreement (SIA) with the Department of Transportation for all onsite roadway, drainage infrastructure, grading, etc. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the SIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the final map.
26. Import/Export Grading Permit: Any import, or export to be deposited or borrowed within the County of El Dorado, shall require an additional grading permit for that offsite grading.

27. Grading Permit / Plan: A 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 final map.
28. 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.
29. 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.
30. 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 County of El Dorado 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.
31. 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 the applicant shall demonstrate that there are no downstream impacts.
- The ultimate drainage outfall of the project.

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

32. Drainage (Cross-Lot): Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easements and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the final map.
33. 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.
34. 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.

35. Storm Water Drainage BMPs: Storm drainage from on-and off-site impervious surfaces (including roads) shall be collected and routed through specially designed water quality treatment facilities (BMPs) for removal of pollutants of concern (e.g. sediment, oil/grease, etc.), as approved by DOT. This project is located within the area covered by the County of El Dorado's municipal storm water quality permit, pursuant to the National Pollutant Discharge Eliminated System (NPDES) Phase II program. Project related storm water discharges are subject to all applicable requirements of said permit. BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) storm water runoff in accordance with "Attachment 4" of the County of El Dorado's NPDES Municipal Storm water Permit (State Water Resources Control Board NPDES General Permit No. CAS000004).

With the Improvement Plans, the applicant shall verify that the proposed BMPs are appropriate to treat the pollutants of concern from this project. A maintenance entity of these facilities shall be provided by the project applicant. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the final map.

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