

**COUNTY OF LAKE**  
**SUBDIVISION MAP EXTENSION; SDX 24-01**  
**VALLEY OAKS SUBDIVISION (SD 06-01)**  
**CONDITIONS OF APPROVAL**

**Attachment 2**

**EXPIRES BY: XX, 2026**

Pursuant to the approval by the Board of Supervisors on XX, 2024 a Subdivision Map Extension (SDX 24-01) of the Valley Oaks Subdivision (SD 06-01) is hereby granted to **Valley Oaks Land and Development Inc.**, on property located at **18196 and 18426 South State Highway 29, Middletown**, being **Assessor's Parcel Numbers 014-260-36 and 014-260-51**.

No new Conditions of Approval for the Subdivision Map Extension are required; however, this approval is subject to the terms and conditions of the original subdivision (SD 06-01) listed below:

**General**

1. The Vesting Tentative Map (Tentative Map) approved are described as:
  - Valley Oaks Subdivision, Sheet No. 1, Revision #4, Dated 11-30-17, prepared by Ruzicka Associates
  - Valley Oaks Subdivision, Sheet No. 4, Revision #4, Dated 11-30-17, prepared by Ruzicka Associates
  - Valley Oaks Subdivision, Sheet No. 5, Revision #4, Dated 11-30-17, prepared by Ruzicka Associates
  - Valley Oaks Subdivision, Sheet No. 6, Revision #4, Dated 11-30-17, prepared by Ruzicka Associates
  - Valley Oaks Subdivision. Sheet No. 7, Revision #4, Dated 11-30-17, prepared by Ruzicka Associates
  - Valley Oaks Subdivision, Sheet No. 8, Revision #4, Dated 11-30-17, prepared by Ruzicka Associates
  - Valley Oaks Subdivision, Sheet No. 9, Revision #4, Dated 11-30-17, prepared by Ruzicka Associates
  - Valley Oaks Subdivision, Sheet No. 10, Revision #4, Dated 11-30-17, prepared by Ruzicka Associates.
2. The Community Development Director (Director) shall be the final arbitrator of all inconsistencies between the above reference sheets.
3. The Final Valley Oaks Environmental Impact Report and all appendices and referenced documents prepared by PMC and dated October, 2014 mitigation measures are incorporated into this document by reference and shall be complied with in the design, construction and maintenance of the Valley Oaks project.
4. The Lake County General Plan dated September 2008 is incorporated into this document by reference and shall be complied with in the design, construction and maintenance of the Valley Oaks project.
5. The Middletown Area Plan dated August 17, 2010 is incorporated into this document by reference and shall be complied with in the design, construction and maintenance of the Valley Oaks project.

6. The Ordinance Code of the County of Lake is incorporated into this document by reference and shall be complied with in the design, construction and maintenance of the Valley Oaks project, except as modified by the alternative development standards described below.

7. All mitigation measures included within the Mitigation Monitoring and Reporting Program (MMRP) are incorporated into this document by reference and shall be complied with in the design, construction and maintenance of the Valley Oaks project.

8. This approval does not abridge or supersede the regulatory powers or permit requirements of any federal, state, local agency, special district or department which may retain a regulatory or advisory function as specified by statute or ordinance. The applicant shall obtain permits as required from each agency.

9. Minor modifications not resulting in increased environmental impacts may be approved in writing by the Director.

10. This conditional approval of the Tentative Map shall expire in 60 days if all of the conditions under "Within Sixty Days of Project Approval" are not provided; This conditional approval of the Tentative map shall expire two years from the date of approval if an applicant for the improvements plan has not been filed; This conditional approval of the Tentative Map shall expire if construction has not started within two years of the improvements plan approval; unless it has been vested or extended pursuant to the provisions of the "PDR" and/or "PDC" zoning district, or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.

#### **Within Sixty Days of Project Approval**

1. The applicant shall submit to the Planning Commission Secretary a signed copy of the conditions of approval for the Valley Oaks Tentative Map (SD 06-01) application's conditions of approval.

2. The applicant shall submit to the Planning Commission Secretary a signed copy of the conditions of approval for the Valley Oaks project for the General Plan Amendment (GPO 06-01; the Rezone (RZ 06-01 and the General Plan of Development (GPO 06-01) application's conditions of approval. (Attachment A)

3. The applicant shall sign the General Plan of Development's (GPO 06-01) Indemnification Agreement and return it to the Planning Commission Secretary. (Attachment 8)

#### **Prior to Improvement Plan Submittal**

1. The Tentative Map sheets, revision #4, dated 11-30-17 shall be revised as follows:

a. Remove all references to "specific plan of development" on all sheets.

b. Parcel J shall be modified to include all the property zoned "O" Open Space in Parcels A, B, and C and Valley Oak Village 5.

- c. The property zoned "O" Open Space in Silver Sage Road shall be a separate parcel.
- d. The parcel labeled "EVA" between lots 14 and 15 shall be eliminated and lots moved southwest to conform to the zoning map.
- e. Lot 303 shall be eliminated and included in Parcel H.
- f. The phasing, which shows the sequence in which development is to occur, shown on Sheet 4 shall be revised as follows:
  - i. Phase 1 shall be described as lots 1 through 73 and 303, parcels D, E, F, G, and H, the parcel between lots 303 and 304 which shall be labeled "Parcel K", Woodbine Drive, Foxtail Drive, Red Tail Drive from parcel F to the property line between parcel K and lot 304, Crossland Drive from Red Tail Drive to Arabian Lane, Oak Knoll Drive from Red Tail Drive to Valley Oaks Blvd., Arabian Lane from Oak Knoll Drive to Highway 29, Valley Oaks Blvd. from Oak Knoll Drive to Highway 29, and an unnamed road from Valley Oaks Blvd. in the vicinity of Parcel A and Valley Oaks Village V to Arabian Lane then proceeding to Valley Oaks Blvd. Red Tail Drive at parcel K shall include a forty foot in diameter cul-de-sac to allow for the turning around of emergency vehicles and fire truck. This cul-de-sac may be removed upon completion of phase 2. The discharge of Lower Coyote Creek into Coyote Creek shall be designed to prevent erosion of Coyote Creek and to prevent flood waters from Coyote Creek up to the 100 year storm event from flooding the Lower Coyote Creek watershed.
  - ii. Phase 2 shall be described as lots 74 through 116, 304 through 319, Foxfire Drive, Mistletoe Drive, and Red Tail Drive from Phase 1 to Foxfire Drive. Red Tail Drive at lot 320 shall include a forty foot in diameter cul-de-sac to allow for the turning around of emergency vehicles and fire truck. This cul-de-sac may be removed upon completion of phase 3. The stormwater management system for the runoff from Hidden Valley Lake Subdivision shall be completed and approved by the County prior to the filling of any portion of Coyote Creek.
  - iii. Phase 3 shall be described as lots 117 through 170, 320 through 334, parcel I, the portion of the median in Silver Sage Drive that is zoned "O" open space which shall be labeled "Parcel M", Chaparral Drive, Silver Sage Drive, Red Tail Drive from phase 2 to Arabian Lane, and Arabian Lane from Phase 1 to Red Tail Drive.
  - iv. Phase 4 shall be lots 210 through 250 and Crossland Drive from Arabian Lane to Oak Knoll Drive ending at the rear lot line of lots 201 and 246.
  - v. Phase 5 shall be lots 171 through 200, 251 through 271, 335 through 352, Crossland Drive from phase 4 to Red Tail Drive, Bramblewood Drive from Arabian Lane to Red Tail Drive, Red Tail Drive from Arabian Lane to Bramblewood Drive, and the common area between lots 344 and 345 which shall be labeled "Parcel L".
  - vi. Phase 6 shall be lots 272 through 302, 353 through 380, parcel J, Red Tail Drive from phase 5, Red Tail Court, and Valley Oaks Blvd. from Oak Knoll Drive to Red Tail Court.
  - vii. Phase 7 shall be parcel C.

g. The Director may revise the phasing plan provided that it is not significant and that all access and utility service requirements are met.

h. For the area within the PDC zoning district, the applicant shall provide a proposed phasing plan and show that phasing plan on the Tentative Map.

i. Sheets 5 thru 9 of the Tentative Map, Valley Oaks Subdivision, revision #4, dated 11-30-2017 shall be revised to show a 20-foot-wide conservation easement from the top of bank of Upper Coyote Creek and Lower Coyote Creek.

j. Sheets 5 thru 9 of the Tentative Map, Valley Oaks Subdivision, revision #4, dated 11-30-2017 shall be revised to show a 100-foot-wide zone from wetlands, the flood hazard area as identified on the Final Map, and the top of bank for Upper Coyote Creek and Lower Coyote Creek where the use of pesticides and fertilizers is prohibited.

k. An additional street cross section similar with the "street with median" cross section with parking on both sides of the street, between the bike path and the curb shall be added to sheet 1 of the Tentative Map, Valley Oaks Subdivision, revision #4, dated 11-30-2017.

l. On sheet 5 of the Tentative Map, Valley Oaks Subdivision, revision #4, dated 11-30-2017, Valley Oaks Blvd., Arabian Lane, and Oak Meadow Drive within the Planned Development Commercial shall be revised to the street with median and parking on both sides. Stub-outs should be provided for the clear access to and placement of fire hydrants. Such stub-outs can be used for pedestrian access and possible crosswalks.

m. The internal driveways located in Valley Oaks Village I and V, as depicted on sheet 5 of the Tentative Map, Valley Oaks Subdivision, revision #4, dated 11-30-2017, shall be constructed as part of phase 1. The intersections of the internal driveways at Valley Oaks Blvd. and Arabian Lane shall include a break in the median on Valley Oaks Blvd. and Arabian Lane to allow for vehicles to access all lanes of those roads.

n. Pursuant to Chapter 30, the Grading Ordinance, the watercourse corridor for Upper Coyote Creek and Lower Coyote Creek is defined as 50 feet landward of the top of bank and shall be shown on the Tentative Map. No winter grading shall be permitted within the watercourse.

o. The drainage improvements in Parcel F at Oak Meadows Road at Hartmann Road include a portion of the Valley Oaks III parcel. Include a drainage easement for that area.

p. Location of electrical lines, telephone lines, and cable lines shall be shown on the Tentative Map. These may be combined into one if clearly identified.

q. Location of proposed propane lines shall be shown on the Tentative Map.

r. All existing easements shall be shown on the Tentative Map.

s. An easement shall be shown for the sewer and water line running southwest of the cul-de-sac on Red Tail Drive to the property to the east.

t. A minimum of thirty-five percent (35%) of the entire project area shall be in open space.

2. The applicant shall provide for Lake County Transit service access to the project. The applicant shall provide the Community Development Department a copy of all correspondence with Lake County Transit regarding this matter. The Tentative Map shall be revised to show bus stop locations if requested by Lake County Transit.
3. The status of the prescriptive easement or the right to direct stormwater in Coyote Creek and the drainage facility from Hidden Valley Lakes in the vicinity of the proposed Silver Sage Drive shall be clarified as to the owner and what rights they have to continue to discharge stormwater through that area.
4. The owner of the prescriptive easement or the right to direct stormwater shall agree to the vacation of that easement and shall be given a new easement to discharge stormwater through Upper Coyote Creek and Lower Coyote Creek.
5. The applicant shall prepare recommended standards to mitigate the impacts of potential soil liquefaction. The recommendation of said study shall be incorporated into the Improvements Plan, the Specific Plan of Development, and the Declaration of Conditions, Covenants, and Restrictions.
6. A Creek Management Plan shall be prepared for Lower Coyote Creek and Upper Coyote Creek to protect and maintain riparian resources and habitat. The recommendation of said plan shall be incorporated into the Improvements Plan and the Conditions, Covenants, and Restrictions documents.
7. The northern most portion of Coyote Creek where Valley Oak trees identified for preservation shall be protected. The design of Upper Coyote Creek in that vicinity shall not reduce the elevation of the streambed in this vicinity in order to protect the trees. Detailed cross sections shall be provided to show how this area will remain hydrated and how high velocity floodwaters will not be directed to the trees. If necessary, parcel Din that vicinity will be widened to meet the required floodwater storage while reducing the depth of the cut.
8. The traffic impact study prepared by Whitlock & Weinberger Transportation, Inc. shall be updated to reflect the new traffic corridors, i.e. the elimination of the intersection of Oak Meadow Drive and Hartmann Road. The recommendation of said study shall be incorporated into the Improvements Plan and the Specific Plan of Development.
9. Silver Sage Drive shall be redesigned so that no construction occurs within the dripline of the Valley Oak trees that are to be protected. In order to protect the trees, the area within the root zone of the trees shall be cut no more than six (6) inches.
10. The applicant shall provide a detail of the two gated entrances to the residential area, including security measures and procedures and compliance with Cal Fire requirements.
11. The applicant shall identify one or more storage parking lot(s) for recreational vehicles including travel trailers, campers, and boats shall be provided at a ratio of one parking space per five (5) residential dwelling units. Residential dwelling units include all single-family lots and multi-family units. These lots shall be screened by landscaping and fenced for aesthetic and security purposes. These lots shall be identified to provide storage space adequate, at a minimum, for each phase of development. The lots shall be designed to provide for the treatment of the first inch of stormwater runoff prior to discharge into Upper Coyote Creek or Lower Coyote Creek. The storage area shall be improved to prevent erosion and to be well drained.

The storage lots shall be elevated above the Base Flood Elevation (BFE). Security lights shall be shielded such that no direct light falls outside the property perimeter, or into the public right-of-way.

12. The applicant shall provide the following information related to stormwater Management:

- a. Provide documentation including a narrative in layman's terms addressing the impact of the proposed stormwater management system on property upstream and downstream of the project. This shall include, but is not limited to, changes in the storm hydrograph, flooding, and alteration of stream beds.
- b. Provide a design for stormwater treatment that treats the first inch of runoff prior to discharge into Upper and Lower Coyote Creek that is compatible with all underground utilities and minimizes risk to the public.
- c. Provide documentation of encroachment permits or agreements for work conducted outside the property owned by Valley Oaks.
- d. Provide an agreement from the appropriate party vacating the legal rights to discharge into Coyote Creek and securing an easement to discharge into the Valley Oaks stormwater system constructed and maintained as part of this project.
- e. Provide documentation of the legal right to discharge stormwater from Upper Coyote Creek to Putah Creek from the State of California.
- f. The design of stormwater facilities adjacent to valley oaks that are to be preserve which do not lower the groundwater or reduce the moisture content of the soils within the dripline of the trees.
- g. Agreement from all utilities as to the horizontal and vertical location of utilities within the road right of ways and adjacent utility easements.
- h. The drainage improvements in Parcel F at Oak Meadows Road at Hartmann Road include a portion of the Valley Oaks III parcel. Include a drainage easement for that area.

13. The applicant shall provide the following information regarding flooding:

- a. An updated flood inundation zone map based on the Federal Emergency Management Agency (FEMA) Letter of Map Revision (LOMR) procedures.
- b. A narrative discussing the study's assumptions, areas to be filled, Upper and Lower Coyote Creek design, the existing base food elevation and floodplain map, pre and post development base flood elevation and floodplain map, and impacts of changes in base flood elevation, are~I extent of flooding, duration of flooding on-site and offsite, the impact of climate change, the need for compensatory storage, the impact on Putah Creek between Highway 29 and the Hidden Valley Lake levee and flooding in Hidden Valley Lakes as a result of piping the stormwater discharge. The study shall clearly describe all assumptions including antecedent conditions, amount of fill, and provide graphic depictions of the area flooded.

c. Based on the change in areas that may be flooded, identify mitigation measures for the property owners which will be impacted.

d. Identify mitigation measures to reduce the risk of climate change related flooding to the residents and businesses within the Valley Oaks project.

14. The northern most portion of Coyote Creek where Valley Oak trees identified for preservation shall be protected. The design of Upper Coyote Creek in that vicinity shall not reduce the elevation of the streambed in this vicinity in order to protect the trees. Detailed cross sections shall be provided to show how this area will remain hydrated and how high velocity floodwaters will not be directed to the trees.

### **Prior to Completion of the Improvements Plan Document**

#### **1. Utilities**

a. Any utilities located within the FW or FF combining districts shall be flood proofed.

b. All water supply and sanitary sewage systems shall be designed to minimize or eliminate:

i. Infiltration of flood waters into the system, and

ii. Discharge from the systems into flood waters.

#### **2. Circulation and Roads**

a. All roads shall be designed so that the travel lanes are elevated above the base flood elevation as determined in the Conditional Letter of Map Revision (CLOMR).

b. The Improvements plan shall require encroachment permits from the Lake County Department of Public Works or California Department of Transportation when any road or driveway intersects county or state roadways, or for any work within the County or State right-of-way.

c. No driveway shall be allowed to encroach closer than twenty (20) feet to the end or beginning of the radius on any street corner unless approved by the Lake County Department of Public Works.

d. The width of a driveway providing access to a parking lot from the public street or between separate parking areas on a site is to be a minimum of twelve (12) feet for one-way access, twenty (20) feet for multiple-family residential and commercial two-way access.

e. No driveway entering onto a right-of-way shall exceed a width of thirty (30) feet.

f. Bridges built to span a watercourse shall be constructed to avoid altering the stream channel wherever possible. As much native riparian vegetation as possible shall be retained. All bridge plans shall be designed by a registered civil engineer. The bridge shall be constructed in compliance with requirements, when necessary, of the California Department of Fish and Game, the United States Army Corps of Engineers, Lake County

Hydrology Design Standards, the Lake County Floodplain Management Ordinance and any other agency with jurisdiction over the project.

### 3. Grading

- a. The improvements plan shall provide specific standards to protect the Upper Coyote Creek and Lower Coyote Creek against erosion and construction site runoff.
- b. The location of where excavated materials are to be stored shall be identified as part of the Improvements Plan and approved by the Community Development Director.
- c. All slopes shall be monitored and maintained to assure the success of the erosion control measures and/or revegetation.
- d. Temporary or permanent irrigation shall be provided and maintained where necessary to assure the successful establishment of vegetation.
- e. The faces of cut and fill slopes shall be prepared and maintained to control against erosion. This control may consist of effective planting. The protection for the slopes shall be installed as soon as practicable and prior to final inspection.
- f. Any area proposed for cut or fill shall be cleared. Clearing shall consist of removal and disposal of all trees, roots, brush or other vegetation, as well as the removal of any down timber, and debris.
- g. Cuts and fills shall be limited to the minimum amount necessary to provide stable embankments and conform to the following requirements:
  - i. Grading project design and implementation shall maximize the retention of natural landforms and features. Contours, elevations and shapes of finished surfaces shall be blended with adjacent natural terrain to the maximum extent feasible.
  - ii. Subsurface drainage. Cut and fill slopes shall be provided with subsurface drainage as necessary for stability.
  - iii. All slopes shall be monitored and maintained by the permittee to assure the success of the erosion control measures and/or revegetation. Temporary or permanent irrigation shall be provided where necessary to assure the successful establishment of vegetation.
  - iv. The faces of cut and fill slopes shall be prepared and maintained to control against erosion. This control may consist of effective planting. The protection for the slopes shall be installed as soon as practicable and prior to final inspection.
  - v. Any area proposed for cut or fill shall be cleared. For the purposes of this Section, clearing shall consist of removal and disposal of all trees, roots, brush or other vegetation, as well as the removal of any down timber, and debris.
  - vi. All topsoil should be stockpiled separate from other spoils so as to preserve the resource for revegetation and contained using approved BMPs to prevent sediment-laden storm water from leaving the site.



h. The toe or top of the cut shall be made no closer to the property boundary line than one-half (0.5) the height of the slope with a minimum of two (2) feet and a maximum of ten (10) feet. The setback may be increased if interceptor drains are required. Setback dimensions shall be horizontal distances measured perpendicular to the property boundary. The Community Development Director may approve alternative setbacks. The Director may require an investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of the Lake County code has been satisfied.

i. Trenches and pits shall be promptly backfilled and compacted to reduce the risk of erosion.

j. Unless otherwise recommended in an approved soils engineering or engineering geology report, cuts shall conform to the following:

i. The slope of the cut shall be no steeper than is safe for the intended use and shall be no steeper than two (2) units horizontal in one (1) unit vertical (fifty (50) percent) unless the permittee furnishes a soils engineering and/or geology report affirming the stability and safety of a steeper slope.

ii. The toe of the cut shall be made no closer to the property boundary line than one-half (0.5) the height of the slope with a minimum of two (2) feet and a maximum of ten (10) feet. The setback may be increased if interceptor drains are required. Setback dimensions shall be horizontal distances measured perpendicular to the property boundary. The Community Development Director may approve alternative setbacks.

iii. The Community Development Director may require an investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this Section has been satisfied.

iv. Trenches and pits shall be promptly backfilled and compacted to reduce the risk of erosion.

v. Excavated materials removed during grading operations shall be handled in accordance with the following methods:

1. Stockpile sufficient topsoil onsite if necessary to use on area to be revegetated.

2. Locate and protect stockpiled soil, using approved BMPs, so that it will not erode as a result of wind or rain.

3. Apply mulch or other protective coverings on stockpiled material that will be exposed through the winter season.

4. Dispose of material not intended to be used onsite in a manner and location approved by the Community Development Director and in compliance with the Asbestos Dust Mitigation Plan, if applicable.

k. The Geotechnical Investigation report shall be reviewed by PJC prior to starting the Improvements Plan, and if the conclusions and recommendations are modified, they shall be approved in writing by PJC.

l. Unless otherwise recommended in the approved soils engineering report, fills shall conform to the provisions of this Section. In the absence of an approved soils engineering report, these provisions may be waived by the Community Development Director for minor fills not intended to support structures.

m. The source for all fill materials shall be identified and submitted with the application. The Ultramafic, Serpentine Rock and Soils Map of Lake County shall be consulted to determine the potential for serpentine in fill materials. Use of serpentine material as fill shall require an Asbestos Dust Mitigation Plan. Import of serpentine fill shall require a Lake County Air Quality Management District-issued plan.

n. Fill slopes shall not be constructed on natural slopes steeper than one (1) unit vertical in two (2) units horizontal (fifty (50) percent). The ground surface shall be prepared to receive fill by removing vegetation, unsuitable fill, topsoil and other unsuitable materials, scarifying to provide a bond with the new fill and, where the slopes are steeper than one (1) unit vertical in five (5) units horizontal (twenty (20) percent) and the height is greater than five (5) feet, by benching into sound bedrock or other competent materials as determined by the soils engineer.

o. When fill is to be placed over a cut, the bench under the toe of a fill in a slope steeper than five (5) units horizontal in one (1) unit vertical (twenty (20) percent) shall be at least ten (10) feet wide, but the cut shall be made before placing the fill and acceptance by the soils engineer or engineering geologist or both as a suitable foundation for fill.

p. The toe of the fill slope shall be made no closer to the property boundary line than one-half (0.5) the height of the slope with a minimum of two (2) feet and a maximum of twenty (20) feet. Setback dimensions shall be horizontal distances measured perpendicular to the property boundary. Where a fill slope is to be located near the site boundary and the adjacent off-site property is developed, special precautions shall be incorporated in the work as the Community Development Director deems necessary to protect the adjoining property from damage as a result of such grading. These precautions may include but are not limited to:

i. Additional setbacks.

ii. Provisions for retaining or slough walls.

iii. Stabilization of the fill slope surface to minimize erosion.

iv. Provisions for the control and protection of surface waters.

q. The Director may approve alternative setbacks and may require an investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this Section has been satisfied.

r. Unsuitable materials shall not be permitted in fills. Unsuitable fill materials include: rocks or other irreducible materials exceeding twelve (12) inches in diameter, broken asphalt, vegetation and brush, soils high in organic material or other materials not capable of proper compaction, not conducive to stability or having the potential for environmental impact.

s. Except as permitted by the Director, no rock or similar irreducible material with a maximum dimension greater than twelve (12) inches shall be buried or placed in tills. However, the Community Development Director may permit placement of larger rocks when the soils engineer properly devises a method of placement, and continuously inspects its placement and approves the fill stability. The following conditions shall also apply:

i. Prior to issuance of a grading permit, potential rock disposal areas shall be delineated on the grading plan.

ii. Rock sizes greater than twelve (12) inches in maximum dimension shall be ten (10) feet or more below grade, measured vertically.

iii. Rocks shall be placed so as to assure filling ~f all voids with well-graded soil.

t. All fills shall be planted, mulched and maintained or otherwise protected from the effects of storm runoff and wind erosion.

u. All fills shall be compacted to a minimum of ninety (90) percent of maximum density. All fills shall be tested for relative compaction by a qualified geotechnical testing agency, unless waived by the Administrative Official.

v. Compaction Exceptions:

i. Compaction may be less than ninety (90) percent of maximum density within six (6) inches of the slope surface when surface material is placed and compacted by a method acceptable to the Administrative Official for the planting of slopes.

ii. Fills not intended to support structures or roads may not need to be compacted to these standards if the Administrative Official determines that such compaction is unnecessary for safety and the purpose of the grading project.

#### 4. Storm water

a. The improvements plan shall provide specific standards to protect the Upper Coyote Creek and Lower Coyote Creek against erosion and construction site runoff.

b. Any person engaged in activities or operations, or owning facilities or property which will or may result in pollutants entering storm water, the storm drain system, or waters of the State or of the United States shall implement BMPs to the extent they are technologically achievable and/or required by any applicable permit or regulatory requirement to prevent and reduce such pollutants. The owner or operator of a commercial or industrial establishment shall provide reasonable protection from accidental discharge of prohibited materials or other wastes into the County storm drain system or watercourses. Facilities to prevent accidental discharge of prohibited materials or other wastes shall be provided and maintained at the owner or operator's expense.

c. All structure shall be setback a minimum of 20 feet from the top of bank of Upper Coyote Creek and Lower Coyote Creek.

d. Within the 20 foot setback, the area shall be maintained in native vegetation to prevent erosion, treat runoff prior to going into the creeks, and to provide habitat for riparian species.

e. The use of pesticides and fertilizers is prohibited in locations within one hundred (100) feet of wetlands, the flood hazard area as identified on the Final Map, and the top of bank for Upper Coyote Creek and Lower Coyote Creek.

f. The use of permeable surface materials or wherever appropriate.

## 5. Air Quality

a. Lake County Air Quality Management District approved dust-suppression measures for grading activities and an asbestos dust hazard mitigation plans are required for projects located in Naturally Occurring Asbestos Areas.

b. The Improvements Plan shall include the placement of metal medallions at all stormwater drains stating the placement of chemicals in the storm drain is prohibited.

c. Construction activities associated with the site preparation shall include the use of palliatives, frequent watering or other methods to adequately reduce the generation of fugitive dust.

d. All roadway access and parking areas shall be adequately paved and maintained to reduce dust.

e. Graded surfaces shall be vegetated or otherwise receive treatment to reduce wind induced dusts.

f. A dust control plan shall be submitted as part of the Improvements Plan.

g. Vegetation removal shall be minimized and disposal of onsite vegetation shall be achieved by chipping or green waste disposal.

h. Charging stations for electric vehicles shall be installed, including in all commercial areas.

i. Housing shall be developed with efficient heating systems and solar technology be incorporated to reduce energy demands of this development, whether it be solar power for residential units, clubhouse, or for pool heating.

j. Wood stoves or fireplaces are prohibited.

k. The construction and use of alternate, renewable energy sources are encouraged.

l. The applicant shall pay all associate Quimby fees for the subdivision to the County of Lake's Public Services Department and submit proof of payment to the Planning Commission Secretary in the Community Development Department.

## Prior to Construction

1. Upon completion of the improvements plan, a Conditional Letter of Map Revision shall be applied for from the Federal Emergency Management Agency for the property.
2. Upon issuance of the CL OMAR, the applicant shall apply for a rezoning to relocate the Floodway Combining District, the Floodway Fringe Combining District, and the Waterway Combining District from Coyote Creek within the project and to Lower Coyote Creek and Upper Coyote Creek. No permits, including grading or building permits shall be issued prior to the completion of this zoning map amendment.

### **During Construction**

1. In the event that archaeological/paleontological resources are discovered during ground disturbing activities, the grading and construction work within 100 feet of the find shall be suspended until the significance of the features can be determined by a qualified professional archaeologist/paleontologist as appropriate. The qualified professional archaeologist/paleontologist shall make recommendations for measures necessary to protect the find; or to undertake data recovery, excavation, analysis, and curation of archaeological/paleontological materials as appropriate.

Pursuant to CEQA Guidelines (Section 15064.5), if human remains are discovered during project construction, state laws relating to prohibitions on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (California Health and Safety Code Section 7050.5) shall be complied. If human remains of Native American origin are discovered during project construction, State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097) shall be complied. If any human remains are discovered or recognized in any location on the project site, there shall be no further excavation or disturbance of the site or any area reasonably suspected to overlie adjacent human remains until:

a. The Lake County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and 1. If the coroner determines that the remains are of Native American origin, a. The coroner shall contact the Native American Heritage Commission within 24 hours. b. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. c. The MLD shall have an opportunity to make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or

b. Pursuant to Section 5097 of the Public resources Code, if the Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. To protect these sites, the landowner shall do one or more of the following:

- i. Record the site with the commission or the appropriate Information Center.

- ii. Utilize an open-space or conservation zoning designation or easement.
- iii. Record a document with the county in which the property is located.

### After Construction

1. Upon completion of the elements of the improvements plan that relate to the CLOMR, a Letter of Map Revision shall be prepared and submitted to the Federal Emergency Management Agency for approval. No building permits will be issued prior to the receipt of the LOMR.

### Alternative Development Standards

Citation	Standards	Alternative Standards
1. Section 17 - 26.2 (b)	Collector Street: 50 feet	Collector Street: 47 feet as depicted on Sheet 5 of 10 Vesting Tentative Map, Valley Oaks Subdivision, Revision #4, dated 11-30-2017.
2. Section 17 - 26.2 (c)	Cul-de-sac & minor street: 50 feet	Cul-de-sac & minor street: 44 feet

This permit may be revoked if the use for which the permit was granted is concluded to be detrimental to the public health, safety, or welfare or as to be a nuisance. This permit shall be valid until it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.

Mireya G. Turner, Director  
COMMUNITY DEVELOPMENT DEPARTMENT

Prepared by: ms

By: \_\_\_\_\_  
Ruby Mitts, Office Administrator III

### ACCEPTANCE

I have read and understand the foregoing Subdivision Map Extension and agree to each and every term and condition thereof.

Date: \_\_\_\_\_

\_\_\_\_\_  
Applicant or Authorized Agent Signature

\_\_\_\_\_  
Printed Name of Authorized Agent