

COUNTY OF LAKE

RECOMMENDED MITIGATION MEASURES AND
TENTATIVE SUBDIVISION MAP CONDITIONS; SD 06-06

Riviera Estates Subdivision

Pursuant to the approval of the Lake County Board of Supervisors on July 7, 2009, there is hereby granted to **Ray Williams**, P. O. Box 1530, Kelseyville, CA 95451 approval to allow a subdivision to create 13 lots and one remainder lot, on property located at **8999 Miwok Way, Kelseyville**, being Assessor's Parcel Numbers **009-003-31**, subject to the following conditions:

A. Traffic and Circulation

1. Prior to recording the final map, the interior roads (Miwok Court and extension of Miwok Way) shall be designed and constructed in accordance with the Lake County Minor Road Standard (ADT <400) and terminate at each and with a 45-foot radius cul-de-sac. A four-foot wide paved shoulder shall be provided along Miwok Court and the extension of Miwok Way.
2. The CC&R's shall prohibit parking in the cul-de-sacs to allow adequate turnaround area for emergency vehicles.
3. Prior to recording the final map, a minimum 1.5-inch asphalt full width overlay shall be constructed along the existing portion of Miwok Way to Fairway Drive.
4. Prior to recording the final map, on- and off-site signs, striping and pavement markings shall be provided by the developer as required by the Department of Public Works.
5. Improvement plans and a cost estimate for all roadway improvements prepared by a Registered Civil Engineer shall be submitted to the Department of Public Works. Improvements shall be installed as shown on the approved improvement plans. The subdivider shall submit a signed Inspection Agreement and a deposit of 2% of the engineers cost estimates to the Department of Public Works prior to plan review.
6. An encroachment permit shall be obtained from the Department of Public Works for any work within the County right-of-way.
7. Prior to recording the final map, the developer shall submit a provision for ongoing maintenance of the new roadway, subject to approval of the Department of Public Works. This may include CC&R's, a County Service Area, Permanent Road Division, or other means acceptable to the Department of Public Works which provides for ongoing road maintenance by adjoining property owners.
8. The final map or CC&R's shall include a note that future driveways will need to be constructed consistent with State and County standards.
9. Prior to recording the final map, signs identifying Miwok Court as a dead-end road shall be placed at the intersection before the access limitation and no more than 100 feet before the roadway, subject to review and approval by the Lake County Department of Public Works and CALFIRE.
10. Prior to recording the final map, new road signs shall be installed that are reflectorized, visible 100 feet from both directions of travel and consistent with Public Resources Code and, subject to review and approval by CALFIRE and the Lake County Department of Public Works.
11. The final map or CC&R's shall include a note that future driveways will need to be constructed consistent with State and County standards.
12. The security gate shall be at least two feet wider than the width of the traffic lanes serving the gate to allow emergency vehicle access.

13. Prior to recording the final map, CALFIRE and the Kelseyville Fire Protection District shall review and approve the emergency access.
14. The panhandle access to the remainder parcel from the new road shall be omitted on the final map.
15. A one-foot non-access strip shall be delineated on the final map on the east line of Lot 12 where it abuts the stub of Takelma Way.
16. The final map shall identify the stub connecting the existing Miwok Way that adjoins this parcel's east boundary and the new Miwok Court as Miwok Way.
17. The right-of-way for the new road shall be irrevocably offered for dedication on the final map for roadway and public utility purposes, consistent with Lake County Code.
18. Prior to recording the final map, a dedicated area for a common postal facility shall be provided, subject to the approval of the Department of Public Works and the Kelseyville Postmaster. Alternative standards may be approved in writing by the Kelseyville Postmaster and subject to review and approval by the Department of Public Works.
19. Should any archaeological materials be discovered in the development of this property, all activity shall be halted in the vicinity of the find(s), and a qualified archaeologist retained to evaluate the find(s) and recommend mitigation measures, if necessary.

B. Fire Hazards

1. Prior to recording the final map, fire hydrants shall be installed consistent with the requirements of the Subdivision Ordinance, Public Resources Code Section 1275.15 and 1275.20, the Kelseyville Fire Protection District and CALFIRE. All requirements of the Kelseyville Fire Protection District and CALFIRE shall be incorporated into the project. Any additional recommendations of the District and/or CALFIRE shall be complied with, subject to review and approval of the Community Development Department.
2. Prior to recording the final map, the developer shall provide a means of access to the security gate adjacent to Wintun Way for emergency vehicles with a knox box or some other means acceptable to the Kelseyville Fire Protection District.
3. Prior to recordation of the final map, fuel breaks or green belts that are a minimum width of 75 feet shall be established around the exterior boundary of Lots 4, 5, 7, 8, 9, 10 and 11. Fuel reduction and modification shall take place within the designated width of 75 feet to create a defensible firebreak. The CC&R's shall include provisions for the maintenance of the fuel breaks. The fuel breaks or green belts shall be dedicated or recorded as easements, subject to review and approval by the Community Development Department.
4. The CC&R's shall include provisions consistent with the Kelseyville Fire Protection District's Hazard Abatement Ordinance.
5. The CC&R's shall include provisions consistent with Public Resources Code Section 4291 (maintenance of a firebreak around structures, in which all flammable or combustible growth must be cleared).
6. The CC&R's shall include provisions that all new buildings will have a permanently posted address placed at the driveway entrance and visible from both directions of travel. Lettering size will be a minimum 3 inch letter height, 3/8 inch stroke, reflectorized, contrasting with the background color of the sign, consistent with the Public Resources Code.

C. Geology, Soils and Hydrology

1. Prior to issuance of permits for earthwork related to this project, financial assurance shall be submitted to the Community Development Department to be used in the event that the permit holder is unable to complete the earthwork. In projecting the costs of financial assurances, it shall be assumed, without prejudice or insinuation, that the project could be

abandoned by the permit holder and, consequently, the County may need to contract with a third party commercial company for rehabilitation of the site. Rehabilitation shall include the combined process of land treatment that minimizes water degradation, air pollution, damage to wildlife habitat, flooding, erosion, and other adverse effects from earthwork, so that the land would not be a danger to public health or safety. The amount of the financial assurances shall be based on the estimated costs of rehabilitation. Cost estimates shall be prepared by a California-registered professional engineer and/or other similarly licensed and qualified professional retained by the permit holder and approved by the Community Development Department. The estimated amount of the financial assurances shall be based on an analysis of physical activities necessary to implement rehabilitation, the unit costs for each of these activities, the number of units of each of these activities, and the actual administrative costs. The analysis shall include cost estimates for labor, equipment, materials, mobilization of equipment, administration, and reasonable profit by a commercial operator. Additionally, a contingency factor of ten (10) percent shall be added to the cost of financial assurances. The permit holder may provide security in the form of a surety bond, trust fund, irrevocable letter of credit from an accredited financial institution, or other method acceptable to the County. These financial assurances shall remain in effect until all earthwork is completed to the satisfaction of the Community Development and Public Works Departments, and the final map is recorded.

2. All recommendations of the Geotechnical Study prepared for this project by RGH Consultants, Inc. dated November 3, 2006 shall be incorporated into the improvement plans and development of this site.
3. Project development shall maintain, as much as possible, the natural topography of the site.
4. The final map or CC&R's shall include a note that during lot and home development, all recommendations of the Geotechnical Study prepared for this project by RGH Consultants, Inc. dated November 3, 2006, and any subsequent geotechnical studies, shall be incorporated into the improvement plans.
5. The CC&R's shall include provisions that erosion control measures be installed at the time of lot development so that all soils, rocks and boulders are retained on the site, subject to review and approval by the Lake County Department of Public Works and Community Development Department. These provisions must address all potential development.
6. Prior to start of road construction, engineered drainage plans and calculations shall be submitted to and approved by the Department of Public Works for all proposed improvements. Off-site drainage improvements may be required based on the approved drainage plan. All recommendations of the Geotechnical Study prepared for this project by RGH consultants, Inc. dated November 3, 2006 shall be incorporated into the improvement plans.
7. All necessary drainage easements shall be irrevocably offered for dedication.
8. Project design should incorporate Best Management Practices (BMP's) as described in the California Stormwater Quality Association Stormwater Best Management Handbooks, including the Construction Handbook and the New Development and Redevelopment Handbooks. Handbooks are available for purchase or download at <http://www.cabmphandbooks.com>.
9. Prior to recording the final map, a method of financing and performing the long-term maintenance of the post-construction BMP's must be established through CC&R's or other appropriate methods, subject to review and approval by the Department of Public Works and the Community Development Department.
10. A NPDES General Construction Permit shall be obtained from the California Regional Water Quality Control Board, if required. If the project is subject to the General Construction Permit, a copy of the Storm Water Pollution Prevention Plan (SWPPP) should be provided to the Community Development Department prior to start of road construction.

D. Utilities, Service Systems and Water Supply

1. Prior to recording the final map, potable water shall be provided to each lot, consistent with State and County requirements.
2. If one well is to be used for a community or public water supply system, the well and related facilities shall be on their own fenced lot, separated from any other residential lots, to avoid liability issues.
3. If a community or public water supply system is established, the subdivision CC&R's shall include provisions for a water master and maintenance of the water system.
4. The final map and/or CC&R's shall contain a disclosure that the County will never take over the water system.
5. Water lines shall be contained within easements that shall be offered for dedication, but because the facilities will not be public, the offer will be rejected by the Board of Supervisors.
6. Five-foot wide public utility easements shall be provided along all side and rear lot lines.
7. All utilities shall be installed underground.

E. Air Quality and Noise

1. Prior to issuance of permits for earthwork related to this project, a fugitive dust control plan shall be filed with and approved by the Lake County Air Quality Management District.
2. The subdivider shall minimize vehicular and fugitive dust during road construction by use of water, paving or other acceptable dust palliatives. Graded areas shall be paved, revegetated or covered to reduce wind-induced dust.
3. Base rock shall be placed on all access roads as soon as possible during the initial grading phase to minimize dust from construction traffic.
4. Burning is discouraged during clearing for road construction. If burning is unavoidable, approval shall be obtained from the Lake County Air Quality Management District and the Kelseyville Fire Protection District prior to burning.
5. The subdivision CC&R's shall include provisions prohibiting backyard open burning.
6. All construction activities, including engine warm-up, shall be limited to weekdays and Saturday, between the hours of 7:00 a.m. and 7:00 p.m. to minimize noise impacts on residents in the vicinity. Back-up beepers shall be adjusted to the lowest allowable levels.
7. Equipment such as generators, air compressors and portable toilets equipped with self-closing doors shall be located to minimize noise impacts to surrounding residents. Should substantive noise complaints be received, the Planning Division may impose additional mitigation measures or require reduced hours of operation.
8. If substantive noise complaints are received, the permit holder shall submit a noise mitigation plan for the approval by the Community Development Department.

F. General

1. Prior to recording the final map, a conditional certificate of compliance shall be recorded for the remainder parcel. Per Subdivision Map Act Section 66434(e), the remainder does not need to be surveyed or shown on the final map.
2. This tentative map approval shall not become effective, operative, vested or final until the California Department of Fish and Game filing fee required or authorized by Section 711.4 of the Fish and Game Code is submitted by the property owner to the County

Clerk. Said fee shall be paid within 30 days of approval by the Board of Supervisors. Failure to pay said fee by the specified deadline shall result in this tentative map automatically becoming null and void.

3. Prior to recording the final map, the subdivider shall submit park in-lieu fees to the Lake County Public Services Department in an amount consistent with the Subdivision Ordinance.
4. Monuments shall be placed at all lot corners and all angle and right-of-way curve points, subject to the approval of the County Surveyor.
5. All easements of record shall be shown on the final map.
6. Prior to recordation of the final map, the proposed subdivision CC&R's shall be submitted to the Community Development Department for review and approval. The approved CC&R's shall be recorded concurrently with the final map.
7. The final map shall be in substantial conformance with the tentative map submitted to the Community Development Department on April 9, 2007 and shall include the amendments outlined in these conditions. The configuration of the subdivision map may include minor amendments, provided the modification does not result in any increased environmental impact. Any modification shall be subject to approval in writing by the Community Development Director and the Department of Public Works.
8. A subdivision map shall not be recorded if development has occurred on the property that would be inconsistent with the Zoning Ordinance or other applicable code after recording.
9. The subdivision map shall comply with all requirements of the Subdivision Ordinance and the Subdivision Map Act.
10. Prior to recording the final map, all current and supplemental taxes shall be paid.

G. Timing and Mitigation Monitoring

1. This map shall expire on July 7, 2011, unless an extension has been granted consistent with the subdivision ordinance and the Subdivision Map Act.
2. The permit holder shall permit the County of Lake or representative(s) or designee(s) to make periodic inspections at any reasonable time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

COMMUNITY DEVELOPMENT DEPARTMENT

Richard Coel, Director

Prepared by: EM

By: Danae Bowen
Danae Bowen, Office Assistant III

ACCEPTANCE

I have read and understand the foregoing conditions and agree to each and every term and condition thereof.

Date: 8-2-09

Ray Williams
Applicant or Authorized Agent

