

**EL DORADO COUNTY  
PLANNING AND BUILDING DEPARTMENT  
ZONING ADMINISTRATOR  
STAFF REPORT**



<b>Agenda of:</b>	April 21, 2021
<b>Item No.:</b>	4.a
<b>Staff:</b>	Matthew Aselage

**TENTATIVE PARCEL MAP**

**FILE NUMBER:** P19-0010/Hoekstra

**APPLICANT/OWNER:** Eric and Trudy Hoekstra

**ENGINEER:** Lebeck Engineering

**REQUEST:** Tentative Parcel Map dividing a 160.25-acre property into four parcels ranging in size from 40.01-acres to 40.10-acres.

**LOCATION:** On the south side of Coulter Lane, approximately 2,435-feet south of the intersection with South Shingle Road, in the Latrobe area, Supervisorial District 2 (Exhibit A)

**APN:** 087-030-036 (Exhibit B)

**ACREAGE:** 160.25-Acres

**GENERAL PLAN:** Rural Residential (RR) (Exhibit C)

**ZONING:** Limited Agricultural – 40 acre minimum (LA-40) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** A Mitigated Negative Declaration determination based on an Initial Study prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines (Exhibit G).

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

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff in accordance with the CEQA Guidelines;

2. Adopt the Mitigation Monitoring Reporting Program in accordance with the California Environmental Quality Act Guidelines Section 15074(d), incorporated as Conditions of Approval; and
3. Approve Tentative Parcel Map P19-0010, based on the Findings and subject to the Conditions of Approval as presented.

## **EXECUTIVE SUMMARY**

Approval of this Parcel Map would allow the subdivision of a 160.25-acre parcel into four parcels of approximately 40.09-acres (Parcel 1), 40.01-acres (Parcel 2), 40.10-acres (Parcel 3), and 40.06-acres (Parcel 4) (Exhibit E). The existing parcel is zoned Limited Agricultural - 40 (LA-40) consistent with the General Plan land use designation of Rural Residential (RR). The resultant parcels meet the required development standards in the LA-40 zone including minimum lot size and lot width. No residential development is proposed as part of this parcel map, but would result in the creation of lots for sale, leasing or financing which could be developed for residential uses. Staff has determined that the project is consistent with the General Plan Rural Residential Land Use Designation and the LA-40 zone, as well as other applicable County General Plan policies and Zoning Ordinance requirements, as discussed in the Findings.

## **OTHER PROJECT CONSIDERATIONS**

### **Previous Application for a Tentative Subdivision Map and Rezone**

Previous applications for a Tentative Subdivision Map and Rezone (TM18-1534/Z18-0012) were originally sought for the subject property in 2018. The rezone request proposed to change the current zoning from LA-40 to LA-20 and the tentative subdivision map proposed splitting the 160.25-acre parcel into eight 20-acre parcels. However this proposal conflicted with the General Plan in that these lands are located in a rural region historically used for commercial grazing of livestock. The Agricultural Commission unanimously recommended denial of the original proposal during the June 12, 2019 meeting (Exhibit G). The applicant subsequently withdrew the project. The current application (P19-0010) proposes the split of the 160.25-acre parcel into four approximately 40-acre parcels to comply with General Plan Policy 8.1.2.2. The Agricultural Commissioner/Sealer, Charlene Carveth, issued a memo dated April 22, 2020 which states that the current project as proposed meets General Plan Policies 8.1.2.2 and 8.1.4.1, and satisfies the concerns of the Agricultural Commission's June 12, 2019 meeting. Therefore, further review by the Agricultural Commission is not required (Exhibit G).

### **CEQA Initial Study Public Review**

On February 25, 2021, the County published the Initial Study prepared for the Hoekstra Parcel Map for a 20-day public review period. This 20-day public review period ended on March 16, 2021. No public comments were received regarding the prepared Initial Study. Additional discussion is provided below.

## **BACKGROUND/EXISTING CONDITIONS/SITE CHARACTERISTICS**

The current project parcel consists of approximately 160.25-acres located in a less populated area to the southwest of the town of Latrobe. The site ranges in elevation from approximately 490-feet above mean sea level to approximately 610-feet. Proposed Parcel One has a currently occupied single family residence with a well and septic system. These developments will remain on the property. The parcel is accessed by Coulter Lane which currently terminates into the gravel driveway leading to the single family home on site. Each of the additional proposed parcels is currently undeveloped. The neighboring properties are similarly zoned and designated as Limited Agricultural – 40 acres and Rural Lands – 40 acres (Exhibit D). Although several of the surrounding parcels have been developed for single family residences, most of the surrounding properties are vacant.

## **PROJECT DESCRIPTION**

This project is a Tentative Parcel Map that would create a total of four residential parcels of approximately 40.09-acres (Parcel One), 40.01-acres (Parcel Two), 40.10-acres (Parcel Three), and 40.06-acres (Parcel Four) from an existing 160.25-acre parcel (Exhibit E). Fire and vehicular access to each of the proposed parcels would be from Coulter Lane (a private road) via South Shingle Road (a county-maintained road).

Coulter Lane will be improved both on-site and off-site. Off-site improvements include the widening of Coulter Lane from the existing 12-foot wide gravel road to a 20-foot wide roadway subject to El Dorado County Design and Improvement Standards Manual (DISM) Standard Plan 101 C (Exhibit E). The extent of the off-site road improvements would originate approximately 2,430 linear feet from the project property line due north to South Shingle Road. The widening of Coulter Lane will require the extension of four culverts for crossing over three riparian channels. On-site improvements include an approximately 661-foot extension of Coulter Lane which will terminate at a cul-de-sac. The on-site extension of Coulter Lane will require one culvert over a riparian channel. Driveways for proposed parcels two, three, and four will extend from the cul-de-sac to the currently unknown sited locations of each future residence. Additionally, the driveways leading to proposed parcels two and three will require one culvert total and an additional culvert will be required for the driveway leading to proposed Parcel four for crossing over a riparian channels. Grading activities as a function of on-site and off-site roadway improvements will result in 1,962-cubic-yards of soil being imported onto the site in addition to 78-cubic-yards of soil cut from the site.

The proposed parcels will be served by individual on-site private wells and septic sanitation systems. Water supply will be provided prior to new buildings or structures being placed on one or more of the resultant parcels. Future residential siting will determine the final location of all required improvements. The current proposal does not identify specific building envelopes; however, each resultant parcel complies with the minimum lot area required for development.

## ANALYSIS

**General Plan Consistency:** The project is consistent with all applicable General Plan policies including Policy 2.2.1.2. (Rural Residential Land Use Designation), Policy 2.2.5.2 (General Plan Consistency), Policy 2.2.5.21 (Compatibility with Adjoining Land Uses), Policy 5.1.2.1 (Adequacy of Public Services and Utilities), Policy 5.2.1.2 (Adequate Quantity and Quality of Water for all Uses, Including Fire Protection), Policy 5.2.3.4 (Groundwater Systems), Policy 5.3.2.3 (Rural Sewage Disposal/Alternative Wastewater Systems), Policy 5.7.2.1 (Fire Protection in Rural Regions and Rural Centers), Policy 6.2.3.2 (Adequate Access for Emergencies), Policy 8.1.2.2 (Protection of Range Lands for Grazing of Domestic Livestock), Policy 8.1.4.1 (County Agricultural Commission Review), Policy TC-Xa (Indefinite Transportation and Circulation Policies), Policy TC-Xb (Available Roadway Capacity), Policy TC-Xc (Developer Traffic Impact Fees), Policy TC-Xd (Level of Service), Policy TC-Xe (Impact of Increased Project Trips), Policy TC-Xf (Conditions for Worsened Circulation Impacts), Policy TC-Xg (Developer's Responsibility for Transportation Improvements), Policy TC-Xh (Traffic Impact Fees), Policy TC-Xi (U.S. Highway 50 Capacity). Further details are discussed in the Findings section below.

**Zoning Ordinance Consistency:** Staff has determined that the proposed project, as conditioned, is consistent with all applicable standards and requirements of Title 130 of the County Ordinance Code (Zoning Ordinance). The project parcel is zoned Limited Agriculture (LA-40) and has been analyzed in accordance with all applicable development standards for this zone district. The parcel map does not identify the building envelopes for each resultant parcel; however, each resultant parcel complies with the minimum lot area required for development. Any future development will be required to comply with the applicable zoning development standards as shown in Table One below. The setbacks on the map are consistent with the LA-40 zoning designation. The setbacks shown on the map do not create new setbacks and future development would be required to comply with standard LA-40 zoning setbacks (see Table One). The proposed parcels meet the required minimum lot size, lot widths as illustrated in the table below and also described in the Findings.

**Table One  
 Development Standards from Table  
 130.23.030(Industrial/R&D Zones Development Standards)**

Development Attribute	LA-40 district	Proposed Lot One	Proposed Lot Two	Proposed Lot Three	Proposed Lot Four
Minimum Lot Size in Acres	40-acres	40.09-acres	40.01-acres	40.10-acres	40.06-acres
Minimum Lot Width (in feet)	N/A	N/A	N/A	N/A	N/A
Setbacks (in feet)	50	There are no structures proposed as part of this project. However, all future structures will be subject to the LA-40 District zoning and development standards.			
Front	50				
Secondary	50				
Front	50				
Side	50				
Rear	50				

**AGENCY COMMENTS:**

The project was distributed to all applicable local, County and state agencies for review and comment. Comments were received from the El Dorado Hills Fire Department (EDHFD), County Department of Transportation (DOT), the County Surveyor, County Air Quality Management District (AQMD), the County Environmental Management Department (EMD), and the County Agricultural Commission. The El Dorado Hills Fire Department, DOT, and the County Agricultural Commission provided standard conditions of approval as well as project specific conditions of approval. The County Surveyor, AQMD, and EMD provided standard comments and conditions of approval. These agencies provided comments and, as applicable, have been applied as conditions of approval for the project.

**Department of Transportation**

DOT issued two project specific conditions along with several standard conditions. Project specific condition one requires road design to be constructed as shown on the tentative map and up to 20 feet wide, if required by the local fire district. Project specific condition two requires the dedication of a 50-foot wide road and public utility easement for the on-site access roadways.

**El Dorado Hills Fire Department**

The EDHFD issued four standard project conditions including required emergency water supply, natural hazard disclosure, defensible space, and roads/driveways. The EDHFD is requiring a minimum width of two-ten (10) foot traffic lanes, not including shoulder and striping, to provide access to all three parcels served by Coulter Lane.

## **County Agricultural Commission**

As discussed above, a previously submitted project that had requested a rezone from LA-40 to LA-20 and an eight lot tentative subdivision map was reviewed by the Agricultural Commission on June 12, 2019 with a recommendation for denial of the project as the site plan did not conform to General Plan Policy 8.1.2.2 (Historic Grazing Lands). The Agricultural Commission issued an updated notice dated April 22, 2020 which states that the current proposal meets General Plan Policy 8.1.2.2 and satisfies the concerns of the Agricultural Commission. As such, the Agricultural Commission did not require additional review (Exhibit H).

## **ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study (Exhibit I). There is no substantial evidence that the proposed project would have a significant effect on the environment and a Mitigated Negative Declaration has been prepared. Pre-construction breeding bird surveys and riparian habitat and wetland protection mitigation measures have been placed as conditions for this project. The implementation of these mitigation measures will result in minimal removal of flora and no expected removal of fauna on site. Minimal removal of oak resources in addition to non-protected annual grass species will occur as part of this project. Future residential development will be required to comply with these mitigation measures.

The applicant shall submit to Planning Services a \$50.00 recording fee prior to filing of the Notice of Determination by the County. Please submit a check for the total amount to Planning Services and make the check payable to El Dorado County. No permits shall be issued until said fees are paid.

## **SUPPORT INFORMATION**

### **Attachments to Staff Report:**

Findings

Conditions of Approval

Exhibit A.....Location Map

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

Exhibit C.....General Plan Land Use Designation Map

Exhibit D.....Zoning Map

Exhibit E.....Tentative Parcel Map

Exhibit F.....Preliminary Grading and Drainage Plan

Exhibit G.....June 12, 2019 Agricultural Commission Comments

Exhibit H.....April 22, 2020 Agricultural Commission Memo

Exhibit I.....Proposed Mitigated Negative Declaration and Initial Study

## **FINDINGS**

### **Tentative Parcel Map P19-0010/Hoekstra Zoning Administrator/April 21, 2021**

#### **1.0 CEQA FINDINGS**

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgement of the County and has been completed in compliance with the California Environmental Quality Act (CEQA) and is adequate for this proposal.
- 1.2 The Initial Study identified no significant impacts to the environment as a result of this project.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Building Department, Planning Services Division, at 2850 Fairlane Court, Placerville, CA, 95667.

#### **2.0 GENERAL PLAN FINDINGS**

##### **2.1 The project is consistent with General Plan Policy 2.2.1.2.**

General Plan Policy 2.2.1.2 identifies that the purpose of the Rural Residential (RR) land use designation establishes areas for residential and agricultural development which typically have limited infrastructure and public services while primarily remaining in the current natural state. Lands designated as Rural Residential are used as a transition between Low Density Residential (LDR) zones and Natural Resource (NR) zones.

Rationale: The proposed Tentative Parcel Map is consistent with this policy. The site is within a rural, historically agricultural area near the Latrobe town site. The site will remain compliant with the 40-acre minimum lot area standard to mitigate impacts regarding the property's future ability to host agricultural grazing activities. As such, the majority of the site will remain in the current natural state. The proposed project is compatible with the land use designation.

##### **2.2 The project is consistent with General Plan Policy 2.2.5.2.**

This policy requires that all applications for discretionary projects or permits shall be reviewed to determine consistency with the policies of the General Plan.

Rationale: Staff has prepared this section on General Plan findings to document the project's consistency with the policies of the General Plan.

**2.3 The project is consistent with General Plan Policy 2.2.5.21.**

General Plan Policy 2.2.5.21 requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses.

Rationale: The project site currently has a single-family residence existing on proposed Parcel 1. The adjoining properties to the north, west, east and south are similarly zoned and designated as LA-40 and RL-40. Each of the resultant parcels proposed will be approximately 40 acres and are configured similarly to the adjoining parcels to the north. Therefore, the project has been located and designed to be compatible with adjoining land uses.

**2.4 The project is consistent with General Plan Policy 5.1.2.1**

General Plan Policy 5.1.2.1 requires a determination of the adequacy of the public services and utilities to be impacted by that development.

Rationale: The project proposes to use public electric utilities with the exception of public water and sanitation- which will be provided via a well and septic system per parcel. The public utilities proposed for this site are adequate to meet the increased demand of the new parcels.

**2.5 The project is consistent with General Plan Policy 5.2.1.2.**

General Plan Policy 5.2.1.2 requires that adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development.

Rationale: The project was reviewed by the EDHFD for adequate public services capacity. The site will need installation of a water storage tank per each proposed parcel to meet the demands for domestic use and fire protection including both a residential fire sprinkler system and wildland fire suppression. The size of water storage tanks will be determined within a Wildfire Safe Plan required prior to final map recordation. The project, as conditioned, is consistent with this policy.

**2.6 The project is consistent with General Plan Policy 5.2.3.4.**

General Plan Policy 5.2.3.4 requires that all applications for divisions of land... which rely on groundwater for domestic use, or any other type of use, shall demonstrate that groundwater is adequate as part of the review and approval process.

Rationale: A Well Production Report dated September 11, 2019 was submitted and reviewed by EMD. The well on proposed parcel 1 produces 1.5 gallons of water per minute which meets the minimum well production requirements. A sampling of six wells within 1/8<sup>th</sup> of a mile from the project gave an

average depth of 622 feet with an average pump rate of 19 gallons of water per minute. The project as proposed and conditioned is consistent with this policy.

**2.7 The project is consistent with General Plan Policy 5.3.2.3.**

General Plan Policy 5.3.2.3 requires the development of efficient and environmentally safe individual sewage disposal systems in rural areas.

Rationale: A Septic Capability Study dated October 12, 2017 was submitted and reviewed by the county EMD. The soil evaluation shows that adequate soil depth exists on each proposed parcel, effluent dispersal areas have been identified, and the soil percolation rate meets Local Agency Management Plan (LAMP) and Onsite Wastewater Treatment System (OWTS) Guide requirements for parcel subdivision.

**2.8 The project is consistent with General Plan Policy 5.7.2.1.**

General Plan Policy 5.7.2.1 requires the applicant to demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection would be provided concurrent with development.

Rationale: The EDHFD currently provides fire protection service to the project site. The department has imposed conditions of approval to ensure adequate water supply, storage, conveyance and site access for fire protection remains adequate for each of the proposed parcels.

**2.9 The project is consistent with General Plan Policy 6.2.3.2.**

Policy 6.2.3.2 requires the applicant demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Rationale: EDHFD reviewed the application materials and requires improvements to the existing road, Coulter Lane. Conditions placed on this project by the EDHFD include minimum roadway widths and turning radii, addition of turn-arounds, and the required completion of a Wild Fire Safe Plan. Compliance with these requirements will assure adequate emergency access and evacuation routes. The project is in compliance with this policy.

**2.10 The project is consistent with General Plan Policy 8.1.2.2.**

Policy 8.1.2.2 requires the applicant maintain 40-acre minimum lot sizes for the protection of lands historically used for commercial grazing of livestock.

Rationale: The project as proposed will maintain lots of at least 40 acres. Therefore, this proposal meets this policy and will remain capable of sustaining commercial grazing activities in the future. There are currently no grazing activities existing on site.

**2.11 The project is consistent with General Plan Policy 8.1.4.1.**

Policy 8.1.4.1 requires the County Agricultural Commission review all discretionary development applications involving land zoned for or designated agricultural, or lands adjacent to such lands, and shall make recommendations to the reviewing authority. Before granting approval, a determination shall be made by the approving authority that the proposed use:

- A. Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities; and
- B. Will not create an island effect wherein agricultural lands located between the project site and other non-agricultural lands will be negatively affected; and
- C. Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands.

Rationale: As verified by the Agricultural Commission, the project as proposed would keep the existing LA-40 zoning intact by requesting a 40-acre minimum parcel size and meets the requirements of Policy 8.1.2.2. Additionally, this project would not create an island effect as the proposed 40-acre parcels would be equal in size to the parcels to the north. Furthermore, the request for 40-acre parcels would maintain the buffering effect to the larger parcels to the south and still be capable of sustaining commercial grazing. Therefore, this project is in compliance with this policy.

**2.12 General Plan Policy TC-Xa does not apply to the project.**

(1) Traffic from residential development projects of five or more units or parcels of land shall not result in, or worsen, Level of Service (LOS) F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.

Rationale: The project would create four residential parcels; therefore this policy does not apply.

(2) The county shall not add any additional segments of U.S. Highway 50, or any other highways and roads, to the county's list of roads from the original Table TC-2 of the 2004 General Plan that are allowed to operate at LOS F without first getting the voter's approval.

Rationale: This is not applicable as the Project is not requesting any modifications to Table TC-2.

(3) and (4). Intentionally blank as noted in the General Plan.

(5) The county shall not create an Infrastructure Financing District unless allowed by a 2/3<sup>rd</sup>s majority vote of the people within that district.

Rationale: This is not applicable as the Project is not requesting the county create an Infrastructure Financing District.

(6). Intentionally blank as noted in the General Plan.

(7) Before giving approval of any kind to a residential development project of five or more units or parcels of land, the county shall make a finding that the project complies with the policies above. If this finding cannot be made, then the county shall not approve the project in order to protect the public's health and safety as provided by state law to assure that safe and adequate roads and highways are in place as such development occurs.

Rationale: The project would create four residential parcels; therefore this policy does not apply.

**2.13 General Plan Policy TC-Xb does not apply to the project.**

Policy TC-Xb ensures that potential development in the county does not exceed available roadway capacity.

Rationale: This policy is not applicable as this policy refers to the county preparing a Capital Improvement Program (CIP), preparing a Traffic Impact Mitigation (TIM)/Traffic Impact Fee (TIF) Fee Program, and monitoring traffic volumes.

**2.14 General Plan Policy TC-Xc does not apply to the project.**

Policy TC-Xc directs that developer paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development.

Rationale: This policy is not applicable as this policy directs how the county will pay for building the necessary road capacity.

**2.15 This project is consistent with General Plan Policy TC-Xd.**

LOS for County-maintained roads and state highways within the unincorporated areas of the County shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions except as specified in Table TC-2. The volume to capacity ratio of the roadway segments listed in Table TC-2 shall not exceed the ratio specified in that table. LOS will be as defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council) and calculated using the methodologies contained in that manual. Analysis periods shall be based on the professional judgement of the DOT which shall consider periods including, but not limited to, Weekday Average Daily Traffic (ADT), AM Peak Hour, and PM Peak hour traffic volumes.

Rationale: This project will not worsen LOS for any county-maintained road or state highway.

**2.16 This project is consistent with General Plan Policy TC-Xe.**

For the purposes of this Transportation and Circulation Element, “worsen” is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

- (1) 2 percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily, or
- (2) The addition of 100 or more daily trips, or
- (3) The addition of 10 or more trips during the a.m. peak hour or the p.m. peak hour.

Rationale: This project will generate fewer than 10 trips in the peak hour, and fewer than 100 daily trips. The thresholds in criteria A, B, and C of this policy are not met.

**2.17 General Plan Policy TC-Xf does not apply to the project.**

At the time of approval of a tentative map for a single family residential subdivision of five or more parcels that worsens (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the county road system, the county shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element based on existing traffic plus traffic generated from the development plus forecasted traffic growth at 10-years from project submittal; or (2) ensure the commencement of construction of the necessary road improvements are included in the county’s 10-year CIP.

For all other discretionary projects that worsen (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the county road system, the county shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain LOS standards detailed in this Transportation and Circulation Element; or (2) ensure the construction of the necessary road improvements are included in the county's 20-year CIP.

Rationale: The project would create four residential parcels and will not worsen traffic on the county road system. Therefore, this policy does not apply.

**2.18 General Plan Policy TC-Xg does not apply to the project.**

Each development project shall dedicate right-of-way, design and construct or fund any improvements necessary to mitigate the effects of traffic from the project. The county shall require an analysis of impacts of traffic from the development project, including impacts from truck traffic, and require dedication of needed right-of-way and construction of road facilities as a condition of the development. This policy shall remain in effect indefinitely unless amended by voters.

Rationale: This policy is not applicable as this project does not worsen traffic conditions.

**2.19 This project is consistent with General Plan Policy TC-Xh.**

All subdivisions shall be conditioned to pay the traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.

Rationale: This project will pay TIM fees at the time a building permit is issued.

**2.20 General Plan Policy TC-Xi does not apply to the project.**

General Plan Policy TC-Xi directs the county to coordinate and work with other agencies to plan for the widening of U.S. Highway 50.

Rationale: This policy is not applicable to the project as it is directed to the county to coordinate with other agencies.

**3.0 ZONING FINDINGS**

**3.1 The project is consistent with Section 130.21.030.**

Section 130.21.030 (Agricultural/LA-40 Zone Development Standards) prescribes site-specific development standards for new lots, allowed uses and associated structures within the LA-40 Zone District.

Rationale: The proposed parcels meet the required minimum lot size and lot width as required in Section 130.21.030.

#### **4.0 PARCEL MAP FINDINGS**

##### **4.1 The proposed tentative map, including design and improvements, is consistent with the General Plan.**

Rationale: The project proposes to create four parcels from a 160.25-acre parcel. The resulting lots would be approximately 40.09-acres, 40.01-acres, 40.10-acres, and 40.06-acres. The project parcel is in the Latrobe area and the parcel's General Plan Land Use Designation is Rural Residential (RR). The proposed Parcel Map has been found consistent with all applicable General Plan policies as set forth in Finding 2.2.

##### **4.2 The proposed Parcel Map conforms to the applicable standards and requirements of the County zoning regulations and Minor Land Division Ordinance.**

Rationale: The proposed parcels have been analyzed and conditioned in accordance with the Limited Agriculture - 40 Zone (LA-40) and will comply with all applicable development standards for new lots in that zone. As proposed and conditioned, the Parcel Map conforms to the Minor Land Division Ordinance.

##### **4.3 The site is physically suitable for the proposed type and density of development.**

Rationale: No additional development is proposed as part of the project. The existing residential development meets the type and density requirements of the Limited Agriculture - 40 Zone (LA - 40). The proposed parcels, including existing structures/improvements, meet the required minimum lot size, lot width, and building setback standards of the LA - 40 Zone District.

##### **4.4 The proposed subdivision is not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.**

Rationale: An Initial Study – Mitigated Negative Declaration (Exhibit I) has been prepared for this project. After reviewing the reports prepared for the proposed Tentative Parcel Map, and with incorporation of recommended conditions and mitigation measures, it has been determined that the Tentative Parcel Map will not result in substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat and is consistent with existing and planned development in the Latrobe area.

##### **4.5 The proposed subdivision is not likely to cause serious public health hazards.**

Rationale: The EMD reviewed the proposed subdivision for potential public health hazards. Each proposed parcel will meet the minimum 5-acre size requirement for parcels served by a well and a septic system. The project as well as potential future residential development is not expected to result

in substantial public health hazards. The project includes standard condition to mitigate any potential impacts associated with potential future residential development and occupancy including air quality, storm water management, and fire safety.

**4.6 The proposed subdivision design and improvements are suitable and in compliance with the requirements of Public Resources Code Section 4291.**

Rationale: The EDHFD reviewed this project and requires the applicant to submit a Wildfire Urban Interface (WUI) Fire Safe Plan to the EDHFD for review and approval prior to the recording of the final map. Approval of this WUI Fire Safe Plan will assure compliance with the requirements of Public Resource Code Section 4291.

**4.7 The proposed design of the subdivision and 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.**

Rationale: There will be no changes to the currently existing 50 foot road and public utilities easement along South Shingle Road. However, proposed off-site road improvements along South Shingle Road include the expansion of the improved roadway surface to the entrance of the subject property. The development activity as a result of the roadway expansion will occur entirely within the currently existing 50 foot road and public utilities easement.

## CONDITIONS OF APPROVAL

### Tentative Parcel Map P19-0010/Hoekstra Zoning Administrator/April 21, 2021

1. This Tentative Parcel Map is based upon and limited to compliance with the project description, Conditions of Approval set forth below, and the hearing exhibits marked:

Exhibit E      Tentative Parcel Map  
Exhibit F      Preliminary Grading and Drainage Plan

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 would constitute a violation of permit approval.

The project description is as follows:

The project consists of a Tentative Parcel Map to subdivide a 160.25-acre parcel, into four parcels of approximately 40.09 acres (Parcel 1), 40.01 acres (Parcel 2), 40.10 acres (Parcel 3), and 40.06 acres (Parcel 4). Fire and vehicular access to each proposed parcel would be provided via an encroachment from Coulter Lane. The proposed parcels will be served by public utilities, with the exception of on-site well water and septic sanitation. However, separate utility service will be required for each parcel to the satisfaction of each utility provider.

The development, use, and maintenance of the property, the size, shape, 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 Division**

2. **Permit Time Limits:** This Tentative Parcel Map shall expire 36-months from the date of approval unless a timely extension has been filed consistent with Section 120.74.020 (Expiration Period of Approved or Conditionally Approved Maps) of the Subdivision Ordinance.
3. **Archeological Resources:** 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 in 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, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American.

Upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archeological 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.

4. **Indemnity:** 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.

The developer and land owner 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 Parcel Map.

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

5. **Park Fees:** The subdivision shall be subject to parkland dedication in-lieu fees based on values supplied by the County Assessor and calculated in accordance with Section 120.12.090 of the County Code. The applicant shall provide proof of payment of parkland dedication in-lieu fees to Planning Services prior to filing the final map.

#### **Office of the County Surveyor**

6. All survey monuments shall be set prior to filing the Parcel Map.
7. A Parcel Map Guarantee, issued by a title company, shall be provided. Proof of access to a State or County Maintained Road as defined in 120.44.120(B)(2) must be demonstrated.

8. All roads serving this development shall be named by filing a completed Road Name Petition with the County Surveyors Office. Proof of any signage required by the Surveyor's Office must be provided to our office prior to filing the Parcel Map.
9. Situs addressing for the project shall be coordinated with the County Surveyors Office prior to filing the Final Map.
10. Prior to filing the Parcel Map, a letter shall be required from all agencies that have placed conditions on the map. The letter shall state that "all conditions placed on P19-0010 by (that agency) have been satisfied." The letter is to be sent to the County Surveyor and copied to the consultant and applicant.

### **Air Quality Management District**

11. **Fugitive Dust:** Future project construction will involve grading and excavation operations, which may result in a temporary negative impact on air quality with regard to the release of particulate matter (PM10) in the form of dust. A Fugitive Dust Mitigation Plan (FDP) Application with appropriate fees shall be submitted to an approved by the AQMD prior to the start of project construction if a Grading Permit is required from the Building Department. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223, Fugitive Dust – General Requirements, and Rule 223.1, Fugitive Dust – Construction, Bulk Material Handling, Blasting, Other Earthmoving Activities and Trackout Prevention.
12. **Paving:** Future construction and related paving shall adhere to AQMD Rule 224, Cutback and Emulsified Asphalt Paving Materials if applicable.
13. **Painting and/or Coating:** Future construction may involve the application of architectural coatings, which shall adhere to AQMD Rule 215, Architectural Coatings.
14. **Open Burning:** Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only dry vegetative waste materials originating from the property may be disposed of using an open outdoor fire. Burning shall adhere to AQMD Rule 300, Open Burning.
15. **Construction Emissions:** During Construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (CARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (Section 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at CARB's website here: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>. Questions on applicability should be directed to CARB at 1-866-634-3735. CARB is responsible for enforcing this condition.

16. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be registered with CARB. A copy of the current portable equipment registration shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, and daily hours of operation of each piece of equipment.
17. **Electric Vehicle Charging – One and Two Family Residential:** Consistent with the Residential Mandatory Measures identified in the 2016 Cal Green Building Code Section 4.106.4.1, all one and two-family residential dwellings and townhomes shall have, at a minimum, a listed raceway to accommodate a dedicated 208/240V branch circuit for future electric vehicle supply equipment (EVSE) for each dwelling unit. The raceway shall not be less than one (1) inch inside diameter, shall be securely fastened at the main panel, and terminate in close proximity to the proposed location of the charging end of the equipment. Raceways shall be installed from the electrical service panel to the designated parking areas at the time of initial construction. The service panel shall provide capacity to install a minimum 40A dedicated branch circuit.

#### **Environmental Management Department**

18. **Adequate Water Supply:** An adequate water supply will be required for future developments, with a minimum of five (5) gallons per minute through a combination of well production, water storage, or both per the current El Dorado County well ordinance. All new wells will be required to produce a minimum of one (1) gallon per minute on the proposed parcels.

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

19. **Emergency Water Supply:** Prior to new buildings or structures being placed on one or more of these parcels, the applicant shall demonstrate that they can meet the required emergency water supply provisions found in Chapter 5 of the California Fire Code, along with local ordinances and standards of the EDHFD.
20. **Roads and Driveways:** Roads and driveways, whether public or private, serving three or more parcels shall comply with California Code of Regulations (CCR) Title 14 Sections 1273.00 – 1273.09. The project road shall provide for safe access for emergency fire equipment and civilian evacuation concurrently, and must provide unobstructed traffic circulation during a wildfire emergency.
- a. The project is located on a dead-end road greater than 150-feet in length. The road shall be provided with an approved turnaround meeting the requirements of CCR Title 14 Section 1273.05 at the road terminus. Coulter Lane, both on-site and off-site, shall be widened to provide a minimum of two – ten (10) foot traffic lanes, not including shoulder and striping, to provide access to all four parcels served by the road.

- b. Where parcels are zoned five (5) acres or larger, approved turnarounds shall be provided along the road at a maximum of 1320-foot intervals.
  - c. Fire apparatus access roads from 20 to 29 feet in width shall be posted on both sides as a fire lane, with no parking on either side of the roadway, as required by Section 503.4.3 of the Fire Code for the EDHFD.
21. **Natural Hazard Disclosure:** The project is located in a Fire Hazard Severity Zone within a CAL FIRE Responsibility Area. The applicant shall provide a Wildfire Hazard Real Estate Disclosure to all future property owners regarding this risk.
22. **Defensible Space:** The project shall submit a WUI Fire Safe Plan to EDHFD for review and approval as required by California Fire Code Section 4903.1 [as amended by El Dorado Hills County Water District (EDHCWD) Ordinance 2019-1] prior to the recording of the final map by the County of El Dorado. The plan shall demonstrate that the project complies with the Vegetation Management and Defensible Space requirements of El Dorado County Ordinance No. 5101, California Public Resources Code Section 4291 and local fire safe requirements of EDHFD. Conformance with this condition shall be verified prior to recordation of the Parcel Map.

#### **Department of Transportation**

23. **Road Design Standards:** Construct the on-site roadway as shown on the approved tentative parcel map. If required by the local fire district, the width of the all-weather surface (aggregate base) is to be increased to 20 feet. Construct the off-site roadway to the same standard, however, in accordance with Volume II, Section 3.2.c.1 of the DISM, the cost of the off-site work is limited to the total cost of the on-site road construction. The exact location of this off-site work is to be determined in coordination with the Fire Marshall and the County Engineer.
24. **Road and Public Utility Easement:** The applicant shall irrevocably offer to dedicate a 50-foot wide road and public utility easement for the on-site access roadways shown on the final map. Slopes easements shall be included as necessary. The offers will be rejected by the County.
25. **Maintenance Entity:** The proposed project must form an entity for the maintenance of public and private roads 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 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.

26. **Consistency with County Codes and Standards:** 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 DOT and pay all applicable fees prior to filing of the final map. Additionally, the project improvement plans and grading plans shall conform to the County *Grading, Erosion, and Sediment Control Ordinance, Grading Design Manual, the Drainage Manual, Storm Water Ordinance* (Ord. No. 5022), *Off-Street Parking and Loading Ordinance, all applicable State of California Water Quality Orders, the State of California Handicapped Accessibility Standards, and the California Manual on Uniform Traffic Control Devices* (MUTCD).
27. **Regulatory Permits and Documents:** All regulatory permits or agreements between the project and any State or Federal Agency shall be provided to the DOT with the Project Improvement Plans. These project conditions of approval and all regulatory permits shall be incorporated into the Project Improvement Plans.