

**ELDORADO COUNTY DEVELOPMENT SERVICES
STAFF REPORT**



Agenda of: December 14, 2006

Item No.: 17.a.

Staff: Tim Chamberlain

TENTATIVE SUBDIVISION MAP

FILE NUMBER: TM06-1423 (Promontory Village Center, Lot H)

APPLICANT: MJM Properties, LLC

AGENT: David Burke/Larry Ito

REQUEST: The project consists of:

1. A tentative subdivision map creating 85 parcels including 69 small lot single family units, five roadway lots, five open space lots, three future development lots, two landscape lots, and one landscape/drainage lot. This map will divide the remainder of the Promontory land. The proposed 69 single family lots range in size from 3,232 square feet to 6,008 square feet, on a 9.60-acre site while the total area of the tentative map is 316.35 acres (Exhibit F).
2. The following design waivers have been requested:
 - a. Reduction of the Right-of-Way width on interior circulation roads labeled Road A, B, C, and D to 36 feet;
 - b. Reduction of the Right-of-Way width on interior road stubs from roads labeled Road A, B, C, D, and E to 24 feet.

LOCATION: The properties are adjacent to the City of Folsom/El Dorado County border, approximately 2.5 miles north of U.S. Highway 50, in the El Dorado Hills area (Exhibit A).

APN: 124-110-12 and -15

ACREAGE: 316.35 acres

GENERAL PLAN: Adopted Plan (AP) Promontory Specific Plan (Exhibit C)

ZONING: The Promontory Specific Plan (PR-SP) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Categorically exempt pursuant to Section 15182 of the CEQA Guidelines

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND

The Board of Supervisors originally approved the Promontory Specific Plan on November 4, 1997. A subsequent amendment to the plan was approved on September 28, 1999, in response to a Settlement Agreement following litigation. The amendment included a development cap of 1,100 dwelling units allocated between eight residential villages, reduced specific road standards, and use of open lined drainage. A Village Center was planned to allow a relatively concentrated mix of uses including office, commercial, residential, and open space. Lot H is part of the Village Center and was intended for Multifamily, Single Family Attached, or Small Lot Single Family Detached Residential Development. The maximum dwelling count in the Village Center shall not exceed 136 units.

ANALYSIS

Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the entitlements and associated issues for Planning Commission's consideration are provided in the following sections.

Project Description

Tentative Subdivision Map

Village Center Lot H is a Class I subdivision map consisting of 69 small lot single family units, five roadway lots, five open spaces lots, three future development lots, two landscape lots, and one landscape/drainage lot for a total of 85 new proposed lots. The residential small lot sizes range from 3,232 square feet (0.07 acre) to 6,008 square feet (0.14 acre). The proposed 69 residential lots are designated "Small Lot Single Family Detached" (SL SFD) and are much smaller than the other single family lots in The Promontory. The proposed five roadway lots will include sections of Sophia Parkway, a section of Alexandra Way, and roads to service the 69 single family lots. The proposed open space lots will separate portions of land that have already been designated open space from active development areas. The landscape and drainage lots will be functional lots to serve the 69 single family lots. The future development lots include one lot in the Village Center as well as the future development of Village 7 and Village 8 into additional single family residential units.

Village Center Lot H is located at Sophia Parkway and Alexandra Way and can be accessed by way of Beatty Drive from the east, Green Valley Road from the north, or Empire Ranch Road from the south. Internal circulation will consist of Roads A, B, C, D, E, and F and includes two points of access from Alexandra Way.

The El Dorado Irrigation District (EID) will provide sewer and water service. Lot H will be connecting to the existing EID infrastructure in Alexandra Way at two separate points for both water and sewer, one connection point at each of the two proposed entrances into the residential development. A two million gallon storage tank and a 16-inch water line are planned for the project

area as part of the Phase 3 water facility improvements in the El Dorado Hills Master Facilities Plan. EID has determined that the existing facilities have sufficient capacity to meet the initial residential needs of the project.

Drainage on site is designed to handle typical 10-year flows, while establishing an overall system that can safely handle 100-year flows. The drainage study has determined that the combination of 18-inch underground street pipes combined with a single ditch to be constructed along the back of the subdivision will be adequate to safely handle 100-year flows without generating storm water head. In the event that all drain inlets are stopped, overland release will occur at the low point of the site, over the edge of the road and through a 10-foot drainage easement located at the northwest of the development.

Design Waiver- County Road Standard

In accordance with Section 16.08.020 of the El Dorado County Subdivision Ordinance, the applicant is requesting a design waiver for the reduction of the minimum 60-foot right-of-way for a minor residential street within the Class I subdivision. As proposed, Roads A, B, C, and D would be constructed with a maximum right-of-way of 36 feet (28-foot road width, 5-foot sidewalk on one side only) while Road E and the dead end portions of Roads B and D would be constructed with a maximum right of way of 24 feet (21-foot wide road width, no sidewalks). These proposed right-of-ways and road widths conform to the approved roadway sections identified in the Circulation Plan of the Promontory Specific Plan and Settlement Agreement. The required findings for the waivers are further discussed below.

Site Description

Village Center Lot H is on the western ridge of El Dorado Hills between 440 and 500 feet of elevation and features pre-graded, flat topography. Some steep artificial slopes exist around the edges of the proposed development ranging from 20 to 40 percent. The site is very sparsely vegetated and does not have any existing oak woodland. The natural drainage of the site flows downhill to the west towards Sophia Parkway.

Adjacent Land Uses

	Zoning	General Plan	Land Use/Improvements
Site	Promontory Specific Plan (PR-SP)	Planned Area (AP)	Undeveloped
North	Promontory Park (PRP) Promontory Open Space (PR-OS)	Planned Area (AP)	Open Space and Park
South	One Family Residential (R1), Open Space (OS)	High Density Residential (HDR)	Rancho Dorado Future Subdivision (Undeveloped)
East	Multiple Residential Subdivisions (PR-SP, R1A, R20K, R1)	Promontory (PR) / South El Dorado Hills Specific Plan (SEDH)	Multiple El Dorado Hills Subdivisions
West	City of Folsom	City of Folsom	Empire Ranch Subdivision

Issues

Design Waiver

The applicant is requesting two design waivers:

- A) Reduction of the road right-of-way from 60 feet to 36 feet for roads A, B, C, and D.
- B) Reduction of the road right-of-way from 60 feet to 24 feet for all stub street dead ends in the subdivision including Road E.

Section 3.4 (Circulation Plan) of the Promontory Specific Plan states that publicly owned streets shall comply with Hillside Design Standards of the El Dorado County Design and Improvement Standard Manual, unless design waivers are approved in accordance with Section 16.08.020 of the El Dorado County Subdivision Ordinance. The proposal includes a design waiver request for a reduction in the required 60-foot right-of-way for Roads A, B, C, and D to 36-foot width. The proposal also includes a request for reduction of right-of-way on Road E to a 24 foot width. These proposed widths conform to the identified sections in the Circulation Plan of the Promontory Specific Plan.

Serving the majority of the lots in Village Center Lot H, and acting as circulation streets inside the subdivision, Roads A, B, C, and D are proposed as upland two-way residential road to be constructed within a 36-foot right-of-way. Subject to Condition 3 recommended by the Department of Transportation, the road section shall consist of two 14-foot wide asphalt sections (one for each direction and approved under the Settlement Agreement), with Type 1 rolled curb and gutter with a five foot sidewalk on one side only. Parallel parking will be limited to the non-sidewalk side of the street only.

Road E and the other stub street dead ends proposed in this subdivision are upland two-way residential stub streets with a proposed 24-foot wide right-of-way. Subject to Condition No.3 recommended by the Department of Transportation, these road sections shall consist of a 21-foot wide asphalt section with Type 1 rolled curb and gutter on both sides. These street sections shall be striped with red curbing and posted with no parking signs to prohibit parking on both sides of the street and to maintain emergency vehicle access to the parcels accessed by the specified stub street sections. No sidewalk is required for this road.

Each waiver request shall be evaluated separately against the findings required under §16.08.020(a)(2) of the Subdivision Ordinance.

1. Roads A, B, C, and D to conform to upland two-way standards of a 36-foot right-of-way.
 - a. There are special conditions or circumstances peculiar to the property which would justify the adjustment.

Discussion: Roads A, B, C, and D have been identified in the Promontory Specific Plan to be two-way minor residential collector streets. These roads also serve as circulation streets within the residential development.

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

Discussion: Strict application of the right-of-way standard requirement would conflict with previously adopted road sections identified in the Promontory Specific Plan.

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

Discussion: Roads A, B, C, and D will be constructed within a reduced the right-of-way of 36 feet conforming to the specific plan and Department of Transportation standards as conditioned. The road will serve as circulation streets to the 69 lot subdivision proposed for Village Center Lot H. On-street parking will be limited to one side of the street.

- d. The adjustment would not have the effect of nullifying the objectives of any other law or ordinance applicable to the subdivision.

Discussion: The requested reduced right of ways matches the standards under the specific plan and subject to recommended Department of Transportation conditions. Therefore, if granted, the waiver would not have any nullifying effect on other laws or ordinance.

2. Road E and the three other stub streets to conform to upland two-way standards of a 24-foot right-of-way.

- a. There are special conditions or circumstances peculiar to the property which would justify the adjustment.

Discussion: Road E and the three other stub streets have been identified in the Promontory Specific Plan to be private upland two-way stub streets. The map has been conditioned to meet county road construction standards.

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

Discussion: Strict application of the right-of-way standard requirement would conflict with previously adopted road sections identified in the Promontory Specific Plan.

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

Discussion: Road E and the three other stub streets will be constructed within a reduced the right-of-way of 24 feet conforming to the specific plan and Department of Transportation standards as conditioned. On-street parking will be prohibited on both sides of the four stub streets proposed.

- d. The adjustment would not have the effect of nullifying the objectives of any other law or ordinance applicable to the approved special use permit.

Discussion: The requested reduced right of ways matches the standards under the specific plan and subject to recommended Department of Transportation conditions. Therefore, if granted, the waiver would not have any nullifying effect on other laws or ordinance.

Agency Comments:

El Dorado Hills Fire Protection District: The El Dorado Hills Fire Protection District, Division Fire Chief Fred Russell has conditionally agreed to the design waivers proposed within the subdivision. The district has recommended that the subdivision not be a gated community and that the stub street dead-ends be striped for no parking at any time. This parking requirement is to keep the dead end street accessible to the emergency fire protection vehicles that serve the Promontory area. In addition, Roads A, B, C, and D shall only allow parking on one side of the street for the same reason. Additional parking for the subdivision has been provided by the two car garage requirement and the room on each proposed parcel's driveway for visitor parking.

GENERAL PLAN

The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies, and it has been determined that the project is consistent with the General Plan. The General Plan designates the subject site as Adopted Plan (AP) in conformance with the boundaries of the Promontory Specific Plan. The following General Plan policies apply to this project:

Land Use Policy

Policy 2.2.1.2: Land use types and densities within the County.

The Board of Supervisors approved The Promontory Specific Plan on November 4 1997, and its subsequent amendment on September 29, 1999. The plan and associated maps under the specific plan has been accepted and adopted by the current General Plan. The General Plan Land Use Map designates the Promontory Specific Plan as an Adopted Plan (AP).

The Promontory Specific Plan allows flexibility in the land uses within the Village Center. Though Lot H was originally allocated 45 residential units, the development proposes a total of 69 residential units. As indicated in **Section 6.3 Density Transfer** below, residential development in Village Center must meet certain requirements regarding unit count for the entire Village Center area. This provision allows the adjustment of additional residential units in Lot H as it is the first residential development in Village Center.

- **6.3 Density Transfer:** A transfer of density is also allowed within the Village Center area between the proposed land uses identified in Table 2: Village Center Calculations (see Exhibit E). The total Village Center unit count shall not exceed 136 units with the gross density in any residential land use within the Village Center not to exceed 24 dwelling units per acre. The maximum density allowed within designated commercial areas may not exceed 10 dwelling units per acre.

The intent of this density transfer provision is to accommodate changing market conditions as they may occur and to encourage the use of larger lots in hillside Villages without penalizing the project's overall unit allowance.

Lot H anticipates the creation of 69 Small Lot Residential Units, encompassed within 9.60 acres, resulting in a density of 7.19 dwelling units per acre. Lot H is the first proposed residential development in Village Center and would comply with the 136 lots allotted. The proposed subdivision conforms to the density range for residential development in Village Center under the Promontory Specific Plan and therefore conforms to the General Plan policy.

Transportation and Circulation Policy

Policy TC-1b: The minimum road right of way width for local roads is 60 feet. The project proposal includes a request for consideration of Design Waiver of minimum right-of-way. The required findings for the waiver are further detailed below.

Policy TC-Xa: The County shall make a finding that:

1. Residential development, of five or more units, shall not result in or worsen Level of Service F during weekday peak hour.
2. The county shall not add segments to roads operating at LOS 'F'.
3. The developer-paid traffic impact fees shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impact.
4. The county tax revenues shall not be used to offset traffic impacts from new development.

Findings:

1. The applicant has provided Traffic Impact Study for the Promontory Village Center, by Fehr and Peers, dated July 21, 2006. The results of this study show that the project does not result or worsen Level of Service F, as all roads segments are LOS E or better. Intersections with LOS F have been funded and programmed for improvement.
2. No additional segments to the subject roads are being made.
3. Applicant is required to pay traffic impact fees to cover the cost of road capacity improvements (Department of Transportation Condition 1 below).
4. Applicant is required to pay traffic impact fees to cover the cost of road capacity improvements (Department of Transportation Condition 1 below).

Policy TC-Xb.C: The County shall ensure development will not generate traffic in excess of 10-year Capital Improvement Program. The applicant has provided a traffic study to determine mitigation measures necessary to offset any traffic impacts. The mitigation measures are in conformance and subject to the 5 year CIP.

Policy TC-Xe&f: The developer must construct or ensure adequate funding is available to construct roads needed to maintain level of service, if the project worsens traffic. The applicant has provided a traffic study that states that the project will worsen traffic, however, mitigation measures and the 5-year CIP will reduce impacts to a less than significant level.

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. Subject to Condition No.2, the applicant is required to pay traffic impact fees prior to issuance of building permit.

ZONING

The tentative map is subject to Section 17.22.675 of the County Zoning Ordinance requiring a determination for consistency with the adopted Specific Plan. The Promontory Specific Plan acknowledges that, given the size and intended use, the 69 proposed residential lots within Village Center Lot H are subject to the “Small Lot Single Family Detached” (PRSL) zoning code. These standards establish a minimum parcel size of 1,250 square feet, and minimum lot frontage of 25 feet (at the setback).

In accordance with the Promontory Specific Plan and the El Dorado County Design and Improvement Manual, the proposed parcels conform to PRSL zoning standards as allowed under the Specific Plan. Therefore, the map is consistent with the zoning ordinance.

ENVIRONMENTAL REVIEW

This project qualifies as Categorical Exempt from the requirements of CEQA pursuant to Section 15182 of the CEQA Guidelines. This guideline states that “where a public agency has prepared an EIR on a specific plan after January 1, 1980, no EIR or negative declaration need be prepared for a residential project undertaken pursuant to and in conformity to that specific plan if the project meets the requirements of this section. (b) Scope. Residential projects covered by this section include but are not limited to land subdivisions, zoning changes, and residential planned unit developments.” As discussed under the General Plan and Zoning sections of this staff report, the proposed tentative map is in conformity with The Promontory Specific Plan. No impacts have been identified which were not discussed and mitigated in the Specific Plan EIR. No further environmental analysis is necessary. Pursuant to Resolution No. 240-93, a \$35.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. Certify that the project is Categorical Exempt from CEQA pursuant to Section 15182; and
2. Approve the subdivision map and design waiver based on the analysis in the staff report and required findings noted in Attachment 2, subject to the conditions of approval in Attachment 1.

SUPPORT INFORMATION

Attachments to Staff Report:

- Attachment 1Conditions of Approval
- Attachment 2.....Findings

Exhibit A.....Vicinity Map
Exhibit B.....Assessor’s Parcel Map
Exhibit C.....General Plan Land Use Map
Exhibit D.....Zoning Map
Exhibit E.....Table 2: Village Center Calculations
Exhibit F.....Tentative Subdivision Map

ATTACHMENT 1

CONDITIONS OF APPROVAL

FILE NUMBER TM06-1423

CONDITIONS OF APPROVAL

1. This tentative subdivision map approval is based upon and limited to compliance with the project description, dated December 28, 2006, and Conditions of Approval set forth below. Any deviations from the project description, exhibits of conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

The project consists of a tentative subdivision map creating 69 small lot single family units, five roadway lots, five open spaces lots, three future development lots, two landscape lots, and one landscape/drainage lot for a total of 85 new proposed lots. The applicants additionally request a design waiver of 60' county right-of-way standard. The Class I subdivision proposes the creation of 69 small lot parcels with sizes ranging from 3,232 square feet (0.07 acre) to 6,008 square feet (0.14 acre). These lots are designated "Small Lot Single Family Detached" (SLSFD) and are much smaller than the other single family lots in The Promontory. The proposed five roadway lots will include sections of Sophia Parkway, a section of Alexandra Way, and roads to service the 69 single family lots. The proposed open space lots will separate portions of land that have already been designated open space from active development areas. The landscape and drainage lots will be functional lots to serve the 69 single family lots. The future development lots include one lot in the Village Center as well as the future development of Village 7 and Village 8 into additional single family residential units. The site is accessed via Sophia Parkway and Alexandra Way and the 69 small lots are served by circulation Roads A, B, C, D, and E. Sewer and water service will be provided by EID.

The request includes a design waiver for the reduction of the minimum 60-foot right-of-way for minor residential streets within the Class I subdivision. Roads A, B, C, and D would be constructed with a maximum right-of-way of 36 feet (28-foot road width, sidewalk on one side) while Road E and the other dead end road stubs proposed would be 24 feet (21 foot wide road width, no sidewalks). The proposed right-of-ways and road widths conform to the approved road standards identified in the Promontory Specific Plan and Settlement Agreement.

DEPARTMENT OF TRANSPORTATION PROJECT SPECIFIC CONDITIONS

2. This project is subject to the 2004 General Plan Transportation Impact Mitigation Fee Program. Applicant shall pay traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.
3. A vehicular access restriction shall be designated on the final map, on the frontage of Sophia Parkway and Alexandra Way (specifically Lots 1 through 11, 16 through 18, and 40 through 43).
4. All roads shall be constructed in conformance with the Promontory Specific Plan and the Design and Improvements Standard Manual with the following widths, prior to issuance of building permits:

ROAD NAME	PROMONTORY REFERENCE	ROAD WIDTH	EXCEPTIONS/NOTES
Dead end roads/courts, i.e. portions of Roads B, D & E	Section A	21 ft (24 ft R/W)*	Type 1 rolled curb & gutter per Std. Plan 104, w/no sidewalks
Roads A, B, C & D	Section B	28ft (36 ft R/W)*	Type 1 rolled curb & gutter per Std. Plan 104, w/5 foot sidewalk (ADA minimum) on one side only.
Road F	Section C	51 ft(60 ft R/W)w/9 ft median	Type 2 vertical curb & gutter per Std. Plan 104 on both sides and on median, w/5 ft (ADA minimum) sidewalk on both sides

Notes for Condition 3 table:

Road widths in the preceding table are measured from curb face to curb face. Curb face for rolled curb and gutter is 6" from the back of curb.

*With approved waiver but consistent with the Specific Plan and prior approvals.

5. An irrevocable offer of dedication for rights of way (R/W) shall be made, in fee, of the widths shown in the preceding table for the proposed roads, with slope, pedestrian, and parking easements where necessary. Said offer may be rejected at the time of the final map, in which case a County Service Area Zone of Benefit or Homeowner's Association shall be established in order to provide for the long term maintenance of the roads.
6. Applicant shall construct Alexandra Way from the intersection of Beatty Drive to the intersection of Sophia Parkway in conformance with the requirements of the Promontory Specific Plan and the Design and Improvements Standard Manual, prior to issuance of building permits.

ROAD NAME	PROMONTORY REFERENCE	ROAD WIDTH	EXCEPTIONS/NOTES
Alexandra Way	Village Center Collector	48 ft (60 ft R/W), plus parking, utility and slope easements	Type 2 Vertical Curb & Gutter w/o lot frontage: Type 1 rolled curb and gutter w/lot frontage: 6' sidewalks on both sides includes curb.

Road widths in the preceding table are measured from curb face to curb face.

7. A notice of restriction shall be recorded on all lots where off street parking is required in lieu of the additional on street parking spaces or bays. As an alternative, the Promontory (or Village) CC&Rs shall include a provision for off street parking to compensate for lack of parking normally required on street.
8. A final drainage plan shall be prepared in accordance with the County of El Dorado Drainage Manual, the Promontory Master Drainage Study (July 1997, CTA) and the Willow-Humbug Creek Watershed Memorandum of Understanding between the County of El Dorado and the City of Folsom, subject to review and approval by the Department of Transportation. Drainage facilities shall be designed and shown on the project improvement plans consistent with above referenced documents.

DOT STANDARD CONDITIONS OF APPROVAL:

9. Cross lot drainage shall be avoided. When cross lot drainage does occur, it shall be contained within dedicated drainage easements with gated access across fenced property lines. This drainage shall be by closed conduit wherever possible, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway.
10. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.
11. The subdivider shall be required to form a County Service Area Zone of Benefit or Homeowner's Association to fund drainage facilities maintenance and improvement services. The funding mechanism for these services must be established prior to approval of the final map and shall include a provision for future increased funding requirements. It is recommended that a special tax with an escalator clause be used as the funding mechanism.
12. The final map shall show all drainage easements consistent with the County of El Dorado Drainage Manual, the project final drainage plan, and the project improvement plans.
13. Applicant shall join and/or form an entity, satisfactory to the County, to maintain all roads not maintained by the County, both onsite and for those roads that are required for access to County or State maintained roads.
14. The County reserves the right to impose additional reasonable conditions relating to the filing of multiple final maps and phasing on the tentative map. Reasonable conditions, at a minimum, will include a letter of approval from the El Dorado Hills Fire Department and a finding of substantial compliance with the approved tentative map from the Planning Director.

15. The developer shall obtain approval of project grading and improvement plans, including erosion control plans, and cost estimate consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to commencement of any improvements on the project facilities. All improvements shall be consistent with the approved tentative map.
16. Prior to filing the final map, the developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Major Land Division Ordinance.
17. The final map shall show all utility, road and drainage easements pursuant to the recommendation of the utility purveyors and the County Engineer. Final determination of the location of said easements shall be made by the county Engineer. Said easements shall be irrevocably offered to the County.
18. All lots that front on two roads shall take access on the minor roadway, and a non-vehicular access easement shall be established on the major roadway on the final map.
19. Grading plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. No building permits shall be issued by the County until final grading plans and erosion control plans are approved by the Department of Transportation and the grading is completed.
20. The timing of construction and method of re-vegetation shall be coordinated with the El Dorado Resource Conservation District (RCD). An erosion and sediment control plan shall be part of the project grading and improvement plans, incorporating the El Dorado County Minimum Construction Site Storm Water Management Practices (March 31, 2004) and submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve such plans and the developer shall implement said plan on or before October 15.
21. The contractor shall deploy measures sufficient to achieve compliance with the County's Grading Ordinance and, for projects which involve one acre or more of disturbed soil or are part of a larger common plan of development that encompasses one acre or more of disturbed soil, shall comply with the State Water Resources Control Board's (SWRCB) NPDES General Permit for Storm Water Discharges Associated with Construction Activity.
22. Erosion control and drainage design from residential areas into the open space areas shall employ natural appearing methods. The use of native plant materials is required where re-vegetation is proposed.

23. All curb returns, at pedestrian crossing, shall include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp. All curb returns shall be profiled on the improvement plans with elevations shown at least 25 feet before the beginning (BC) and at least 25 feet past the end (EC) of the curb, at the BC and EC, and at a minimum of quarter curve lengths, in a clockwise direction.
24. The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).

EL DORADO HILLS FIRE DEPARTMENT CONDITIONS OF APPROVAL:

25. The potable water system for the purpose of the fire protection for this residential development shall provide a minimum fires flow of 1,500 gpm with a minimum residual pressure of 20 psi for a two-hour duration. This requirement is based on a single family dwelling 4,800 square feet or less in size. Any home larger than 4,800 square feet shall be required to provide the fire flow for the square footage of that dwelling or shall be fire sprinklered in accordance with NFPA 13D and Fire Department requirements. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval.
26. This development shall install Mueller Dry Barrel fire hydrants conforming to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The Spacing between hydrants shall be determined by the Fire Department.
27. To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations.
28. In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to framing of any combustible members as specified by El Dorado County Fire Department Standard 103.
29. The lots that back up to Wildland Open Space shall be required to use non-combustible type fencing. The Fencing shall include three-foot gates spaced approximately 300 feet apart or as required by the Fire Department. These gates would be used by the Fire Department to access the open space during an emergency.
30. The driveways serving this project shall be designed to a maximum of 20 percent grade as required by the Uniform Fire Code.
31. The applicant shall be conditioned to revise and implement the existing Wildland Fire Safe Plan to include Lot H.

32. This development shall be prohibited from installing any type of traffic calming device that utilized a raised bump/dip section of roadway.
33. All dead end road stubs (24 foot right-of-way) in the subdivision shall be striped with red curbing and shall have signage posted for no parking on either side of the road. On street parking is limited in this development based on requirements from the Manual of Uniform Traffic Control Devices, and striping and signage shall be completed prior to. Visitors shall park on the private driveway for lots served by the dead end road stubs, or on Roads A, B, C, or D in the allowed parking areas. Parking is prohibited on these road sections to provide adequate access for emergency vehicles.

AIR QUALITY MANAGEMENT DISTRICT CONDITIONS:

34. The project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM₁₀) in the form of dust. Current county records indicate this property is located within the Confirmed Asbestos Area. Therefore, District Rule 223.2 Fugitive Dust-Asbestos Hazard Mitigation, which address the regulations and mitigation measures for fugitive dust emissions shall be adhered to during the construction process. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223.2. In addition, an **Asbestos Dust Mitigation Plan (ADMP) Application with appropriate fees shall be submitted to and approved by the District prior to start of project construction.**
35. Project construction may involve road development and should adhere to District **Rule 224 Cutback and Emulsified Asphalt Paving Materials** and the county ordinance concerning asbestos dust.
36. A health risk assessment shall be prepared when the project will emit toxic air contaminants. Airborne toxic pollutants expected to be generated by the project must be identified. In addition, it must be determined if a project is to be located in an area which may impact existing or planned schools or facilities with the potential to emit toxic or hazardous pollutants. A potential airborne toxic pollutant to consider is asbestos in asbestos-containing serpentine. Applicant will assist District in preparing a public notice in which the proposed project for which an application for a permit is made is fully described and complies to Health and Safety Code 42301.6. The risk assessment must address the pollutants and potential impacts on public health.
37. If there is an additional increase of in/out traffic from the project then long-term emissions data must be determined. Long term emissions are direct emissions generated by the project operation and the indirect emissions induced by the operation, the latter caused principally by the use of motor vehicles. El Dorado County is classified as non-attainment for ozone (O₃) and particulate matter (PM₁₀); therefore, the impact of this operation on long-term attainment status needs to be determined. Computer modeling should be used to make this assessment. Most current models for URBEMIS and CALINE 4 should be used for this purpose and are available from the California Air Resources Board.

38. If there is an additional increase of in/out traffic from the project then a local scale analysis data must be determined. Local scale analysis is an estimate of the operation's air quality impact in the vicinity of the operation. Carbon monoxide (CO) is the primary concern regarding this analysis. CO impacts may be determined using the most current model of CALINE 4.
39. If there is an additional increase of in/out traffic from the project then a corridor analysis data must be determined. Corridor analysis should include the expected change in emissions for the affected transportation corridor, which may result from a significant change in level of service of local roadways, freeways, and/or arterials.
40. If there is an additional increase of in/out traffic from the project then cumulative impacts must be determined. Cumulative impacts are impacts on the ambient air that result from the incremental impact of the operation when added to other past, present, and reasonably foreseeable future development activities.
41. Burning of wastes that result from "Land Development Clearing" must be permitted through the DISTRICT. Only vegetative waste materials may be disposed of using an open outdoor fire.
42. The project construction will involve the application of architectural coating, which shall adhere to District Rule 215 Architectural Coatings.
43. The District's goal is to strive to achieve and maintain ambient air quality standards established by the U.S. Environmental Protection Agency and the California Air Resources Board and to minimize public exposure to toxic or hazardous air pollutants and air pollutants that create unpleasant odors. The following are measures used to reduce impacts on air quality from equipment exhaust emissions:

Heavy Equipment and Mobile Source Mitigation Measures.

- Use low-emission on-site mobile construction equipment.
- Maintain equipment in tune per manufacturer specifications.
- Retard diesel engine injection timing by two to four degrees.
- Use electricity from power poles rather than temporary gasoline or diesel generators.
- Use reformulated low-emission diesel fuel.
- Use catalytic converters on gasoline-powered equipment.
- Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.
- Do not leave inactive construction equipment idling for prolonged periods (i.e., more than two minutes).
- Schedule construction activities and material hauls that affect traffic flow to off-peak hours.
- Configure construction parking to minimize traffic interference.

44. Develop a construction traffic management plan that includes, but is not limited to: Providing temporary traffic control during all phases of construction activities to improve traffic flow; Rerouting construction trucks off congested streets; and provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
45. Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, boilers, internal combustion engines, etc.), authority to construct applications shall be submitted to the District. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors.

OTHER DEPARTMENT OR AGENCY STANDARD CONDITIONS

46. All survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval, or the development shall have surety of work to be done by bond or cash deposit. Verification of set survey monuments, or amount of bond or deposit to be coordinated with the County Surveyors Office.
47. The roads serving the development shall be named by filing a completed Road Name Petition with the County Surveyors Office prior to filing the final map.
48. A meter award letter or similar document shall be provided by the water purveyor prior to filing the final map.
49. The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. The fees shall be paid at the time of filing the final map.
50. The subdivider shall be subject to a \$150.00 appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.
51. As specified in conditions of approval, the subdivider is required to perform off-site improvements. If it is determined that the subdivider does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the subdivider's expense and within 120 days of filing the final map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possessing of the property.
52. If blasting activities are to occur in conjunction with subdivision improvements, the subdivider shall ensure that such blasting activities are conducted in compliance with state and local regulations
53. The applicant shall provide a letter from SBC shall verify that easements for SBC utilities are accurately shown on the final map.

54. Applicant shall provide verification that a joint trenching agreement has been established with the cable television provider.

MITIGATION MEASURES

The following are the applicable adopted mitigation measures from the Promontory Final EIR certified on November 4, 1997. The reference numbers are from the EIR. Within or following the mitigation measure in italics are notes or abbreviations added to clarify implementation of the mitigation measure. The following legend defines the abbreviations used:

Stage in Process in Which Condition Must be Satisfied	Abbreviation
Tentative Map	<i>T.M.</i>
Shown on Improvement Plans	<i>I.P.</i>
Final Map	<i>F.M.</i>
Building Permit(fees paid with building permit issuance or design criteria in CC&Rs or Design Notebook)	<i>B.P.</i>

- 4.2.1a. Prior to approval of any project site improvement plans and the commencement of construction activities, the project applicant shall locate construction staging areas as far as reasonably possible from existing residential areas. Construction staging areas shall be identified on project site improvement plans and approved by the El Dorado County Department of Transportation (*I.P.*)

- 4.2.1b. During construction activities, the project applicant shall limit the amount of daily construction equipment traffic by staging construction equipment and vehicles on the project site at the end of each work day rather than removing them. (*I.P.*)

- 4.2.1c. Prior to any construction activities requiring complete or partial closure of existing roadways surrounding the project site, the project applicant shall perform the following tasks to the satisfaction of the El Dorado county Department of Transportation:
Provide written notice to property owners along affected roadways one week prior to roadway closures.

To ensure public safety, clearly mark and secure roadway construction areas.

Steel plates shall be placed over open trenches at the end of each work day to restore vehicle access to all residents.

Roadway closure shall not occur during the a.m. or p.m. peak hour traffic periods. (*I.P.*)

- 4.3.1a. Prior to County approval of project site grading plans, the following item shall be included in the grading plans:

Project site grading shall avoid disturbing and or removing rock outcroppings and oak trees to the maximum extent feasible. (*I.P.*)

- 4.5.2a. Widen Green Valley Road from two lanes to four lanes from El Dorado Hills Boulevard to

the El Dorado County line. *This mitigation measure is accomplished by inclusion in the CIP, paid for by the collection of fees for the 2004 General Plan Transportation Impact Mitigation Fee Program at time of building permit. (B.P.)*

- 4.5.3. The project applicant shall be responsible for their fair share cost of the following improvements:

Widen the northbound Francisco Drive approach to include dual left turn lanes, one exclusive through lane, and one exclusive right turn lane;

Widen the westbound Green Valley Road approach to include one exclusive left turn lane, two exclusive through lanes, and one exclusive right turn lane;

Widen the eastbound Green Valley Road approach to include dual left turn lanes, two exclusive through lanes, and one exclusive right turn lane; and

Modify the existing traffic signal equipment as necessary to accommodate the intersection widening. *This mitigation measure is accomplished by inclusion in the CIP, paid for by the collection of fees for the 2004 General Plan Transportation Impact Mitigation Fee Program at time of building permit. (B.P.)*

- 4.5.6. Install a traffic signal at the Latrobe Road/U.S. Highway 50 Eastbound Ramps intersection. *This mitigation measure is accomplished by inclusion in the CIP, paid for by the collection of fees for the 2004 General Plan Transportation Impact Mitigation Fee Program at time of building permit. (B.P.)*

- 4.5.8. The project applicant shall be responsible for contributing their fair share of the cost to reconstruct the El Dorado Hills Boulevard/Latrobe Road interchange with U.S. Highway 50. *This mitigation measure is accomplished by inclusion in the CIP, paid for by the collection of fees for the 2004 General Plan Transportation Impact Mitigation Fee Program at time of building permit. (B.P.)*

- 4.6.1 Prior to approval of improvement plans for subsequent development, the project applicant shall demonstrate to the County and District their compliance with Rule 223 of the El Dorado Air Pollution Control Districts Rules and Regulations handbook in written report form. This fugitive dust prevention and control plan shall briefly list all Best Management Practices (BMP) to be implemented for the control of fugitive dust emissions throughout the construction phase. *(I.P)*

- 4.6.2.a The County shall encourage subsequent site development to incorporate the use of Best Available Control Technologies (BACT) for the control of construction exhaust emissions. The EDCAPCD shall be consulted to determine the appropriate BACT measures available (regular tune-ups, cleaner burning conventional fuels, alternative fueled vehicles and equipment). *(I.P)*

- 4.6.2.b Prior to future final map approvals, the project applicant shall demonstrate to the County and the EDCAPCD concerning feasible transportation alternatives in order to reduce construction worker vehicle trips and associated vehicle exhaust emissions. *(F.M.)*

- 4.6.3. Prior to future final map approvals, the project applicant shall demonstrate to the County and the EDCAPCD their compliance with Rules 215 and 225 of the EDCAPCD's Rules and Regulations handbook for the control of ROG emissions from architectural and asphalt coatings. *(F.M.)*
- 4.6.4. Prior to future final map approvals, the project applicant shall demonstrate compliance with the El Dorado Air Pollution Control District's open burning rules contained in Regulation III. *(F.M.)*
- 4.6.5. Implementation of the following measures would reduce, but not eliminate, the significant air quality impacts:
- Prior to future final map approvals, the project applicant shall demonstrate that only EPA certified stoves and fireplaces inserts are installed in homes. Standard masonry fireplaces, uncertifiable by the EPA, shall not be constructed. EPA certified stoves and fireplace inserts have a 70 to 90% lower particulate emission rate than conventional stoves and fireplaces. *(F.M.)*
- 4.7.1a. Construction activities shall be limited to the hours of 7:00 a.m. to 6 p.m. on weekdays and the hours of 8:00 a.m. to 5 p.m. on Saturday and Sunday. *(I.P.)*
- 4.9.1a. Prior to approval of the improvement plans for site development, the project applicants shall hire an engineering geologist or equivalent professional to prepare a site specific geotechnical report that will include the following:
Identification of areas of potential slope hazards and measures to minimize the project's impact to slope stability.
- Identification of areas susceptible to soil erosion and measures to minimize the project's impact on soil erosion.
- Determination of the suitability of excavated material as engineering fill, topsoil, or other type of reuse on site. *(I.P.)*
- 4.9.1b. To the maximum extent practicable, project development shall avoid areas determined by the site specific geotechnical report to have unstable ground conditions. *(I.P.)*
- 4.9.1c. Prior to approval of the improvement plans for site development, the project applicant will submit an erosion control plan to the County. Erosion control measures will include techniques such as physical and vegetative stabilization measures and runoff diversion measures. Additionally, the plan will specify measures for reuse or disposal of excavated material. If excavated material is suitable for use at the project site, the plan should minimize elapsed time between excavation and reuse and provide adequate stockpile coverage and protection from wind and water erosion during the entire storage period. If excavated material is unsuitable for reuse at the project site, the plan will include specific information regarding the eventual reuse or disposal site, transportation methods, disposal

reuse management, and schedule. The plan will be consistent with the El Dorado County Grading, Erosion and Sediment Control Ordinance and the El Dorado County Resource Conservation District's Erosion sediment Control Guidelines. *(I.P.)*

- 4.9.1.d. Stabilize grading areas left unprotected during the rainy season, as specified by the El Dorado County Grading, Erosion and Sediment Control Ordinance. Stabilization measures may include National Pollutant Discharge Elimination System (NPDES) Construction Activity best management practices such as hydroseeding, geotextiles and mats, and straw bale or sandbag barriers. *(I.P.)*
- 4.9.1e. Implement water quality mitigation measures, including retention of vegetation and avoidance of grading activities near water channels to the maximum extent feasible. Water quality mitigation measures are described in detail in Section 4.10, Hydrology and Water Quality. *(I.P.)*
- 4.9.2a. Prior to approval of the improvement plans for site development, a seismicity report will be completed by an engineering geologist or equivalent professional regarding possible damage from seismic shaking and secondary hazards such as landsliding, liquefaction and lateral spreading. This report will include:

- An analysis of seismic hazards anticipated at the project site from regional faults.*
- A discussion and recommendations for seismic mitigation at the project site.*

Recommendations may include use of reinforced concrete foundations and avoidance of potentially unstable foundation materials. *(I.P.)*

- 4.9.2b. The project applicant will incorporate the recommendations of the seismicity report into the design for all structures proposed at the project site. All Structures will be designed for Seismic Zone 3 and will designed to withstand the anticipated seismic hazards determined in the seismicity report. Plans for structures shall be reviewed by the County prior to approval of the improvement plans and building permits. *(I.P., B.P.)*
- 4.10.1 Prior to approval of improvement plans for site development, the project applicant shall submit erosion control plans and hazardous materials control program to the County consistent with El Dorado County's Grading, Erosion, and Sediment Control ordinance and El Dorado Resource Conservation District's Erosion sediment Control Guidelines. The plan should include Best Management Practices to minimize and control pollutants in storm water runoff. Suggested water quality control practices should include the following:

Construction Measures

Native vegetation will be retained where possible. Grading and excavation activities will be limited to the immediate area required for construction.

Stockpiled topsoil shall be placed in disturbed areas outside of natural drainage ways. Stockpile

areas shall be designated on project grading plans.

No construction equipment or vehicles will disturb natural drainage ways without temporary or permanent culverts in place. Construction equipment and vehicle staging areas will be placed on disturbed areas and will be identified on project grading plans.

If construction activities are conducted during the winter or spring months, storm runoff will be regulated by temporary onsite detention basins.

Temporary erosion control measures (such as silt fences, staked straw bales, and temporary re-vegetation) will be employed for disturbed slopes until permanent re-vegetation is established.

No disturbed surfaces will be left without erosion control measures during the winter and spring months.

Sediment will be retained onsite by a system of sediment basins, traps or other appropriate measures. Immediately after the completion of grading activities, erosion protection will be provided for finished slopes. This may include re-vegetation with native plants (deep rooted species for steep slopes), mulching, hydroseeding, or other appropriate methods.

Energy dissipaters will be employed where drainage outlets discharge into areas of erodible soils or natural drainage ways. Temporary dissipaters may be used for temporary storm runoff outlets during the construction phase.

A spill prevention and countermeasure plan will be developed identifying proper storage, collection and disposal measures for pollutants used onsite. No-fueling zones shall be indicated on grading plans and shall be situated at least 100 feet from natural drainage ways.

Operation Measures

All storm drain inlets will be quipped with silt and grease traps to remove oil, debris, and other pollutants, which will be routinely cleaned and maintained. Storm drain inlets will also be labeled “No Dumping – Drains to Streams and Lakes”.

Parking lots will be designed to allow as much runoff as feasible to be directed toward vegetative filter strips to help control sediment and improve water quality.

Storm runoff from service stations or other similar uses will be treated with an oil/water separator.

Permanent energy dissipaters will be included for permanent outlets.

The detention/retention basin system of the site will be designed to provide effective water quality control measures design and operation features of detention/retention basins will include:

1. Construct basins with a total storage volume that permits adequate detention time for settling of fine particles even during high flow conditions.
 2. Maximize the distance between basin inlets and outlets to reduce velocities, perhaps by using an elongate basin shape.
 3. Incorporate some below grade area within the main detention basin for sediment settling.
 4. Allow vegetation to reduce velocities and naturally filter water by encouraging vegetation establishment and ensuring adequate water supply to maintain vegetation cover.
 5. Establish basin maintenance responsibility and schedules to periodically remove basin sedimentation, excessive vegetation growth and debris that may clog basin inlets and outlets. (*I.P.*)
- 4.10.5b. Prior to approval of improvement plans for site development, the project applicant shall prepare a hydrologic study in conformance with the El Dorado County Drainage Manual which would support the project drainage plans. The project applicant shall submit both the hydrologic study and drainage plans to the County for review and approval. The drainage plans shall clearly demonstrate that build out peak storm runoff flows from the project site will remain at or below existing peak storm runoff flows. The drainage plan will provide details on ultimate location and design of retention/detention basins and other drainage facilities, as well as a maintenance program for all drainage facilities. The drainage plan shall also identify the 100 year floodplain on the project site, or verify that no 100 year flood zones will exist on the site. The drainage plan shall be in conformance with the El Dorado County Drainage Manual, as well as any additional requirements set forth in the City of Folsom/El Dorado County drainage agreement described in Mitigation Measure 4.10.5a. (*I.P.*)
- 4.11.2. The project applicant shall implement the following measures to minimize potential impacts to undiscovered cultural resources:
- a. Prior to approval of subsequent tentative subdivision maps for project development, the project shall retain a qualified archeologist to perform an archeological survey for the tentative subdivision map area. The archeological survey shall employ current field survey and record search methods and standards. Significant archeological resources discovered shall be recorded and avoided and/or mitigated, pursuant to state and federal standards. The findings of the archeological survey shall be summarized in a report and submitted to the County prior to tentative subdivision map approval. (*T.M.*)
 - c. In the event that any prehistoric or historic subsurface cultural resources are discovered during construction related earthmoving activities, all work within 20 meters of the resources shall be halted and the project applicant shall consult with a qualified archaeologist to assess the significance of the find. If any find were determined to be significant by the qualified archaeologist, then representatives of the project applicant, El Dorado County, and the qualified archaeologist would meet to determine the appropriate course of action. If the discovery includes human remains, Section VIII of CEQA Guidelines Appendix K would be

followed, requiring coordination with the Native American Heritage Commission if human remains are of Native American origin. All significant cultural materials recovered would be subject to scientific analysis, profession museum curation, and a report prepared by the qualified archaeologist accord to current professional standards. *(I.P.)(B.P.*

ATTACHMENT 2 FINDINGS

FILE NUMBER TM06-1423

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

FINDINGS FOR APPROVAL

1.0 CEQA

- 1.1. The project has been found to be Categorical Exempt from CEQA pursuant to Section 15182 stating that “where a public agency has prepared an EIR on a specific plan after January 1, 1980, no EIR or negative declaration need be prepared for a residential project undertaken pursuant to and in conformity to that specific plan if the project meets the requirements of this section.

The proposed subdivision is not likely to cause substantial environmental damage because there is no additional project impacts beyond the effects previously analyzed and mitigated in the Promontory Specific Plan EIR. No further environmental analysis is necessary. Pursuant to Resolution No. 240-93, a \$35.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption

- 1.2. The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department Planning Services at 2850 Fairlane Court Placerville, CA, 95667.
- 1.3. The applicant has provided updated information regarding the compliance with the Oak Tree Protection, Re-vegetation and Monitoring Plan as required under the Mitigation Monitoring Reporting Program for the Promontory Specific Plan.

2.0 General Plan

- 2.1. The project is located within the Promontory Specific Plan with a designation of Adopted Plan (AP) under the El Dorado County General Plan Land Use Map. The General Plan has recognized and adopted the plans, policies and maps associated with the Specific Plan.
- 2.2. The proposed development is found to be consistent with applicable El Dorado County General Plan Policies.
 - 2.2.1. The project is consistent with general plan policy 2.2.1.2 regarding density. The density proposed for the class 1 subdivision is 7.19 dwelling units per acre and is

consistent with the requirements of the Promontory Specific Plan for the Village Center.

- 2.2.2 The project is consistent with general plan policies TC-1b, TC-Xa, TC-Xb.C, TC-Xe&f, and TC-Xh pursuant to the findings made by the Department of Transportation. These policies were reviewed and found to be consistent based on the mitigation measures already in place for The Promontory Development. These measures were created to be consistent with the Promontory Specific Plan and in conformance with the requirements of the Promontory Environmental Impact Report.

3.0 Zoning Code

- 3.1 The subdivision conforms to the lot standards identified in the Promontory Specific Plan by creating Single Family Small Lots with appropriate sizes, and frontages. Therefore, the proposed subdivision map is consistent with the El Dorado County Zoning Code.

4.0 Administrative-Tentative Subdivision Map

- 4.1 The proposed residential tentative map conforms to the applicable land use, density, and design and improvement standards identified in the Promontory Specific Plan. The project site is physically suitable to accommodate the proposed 69 Single Family Small Lots, the additional 16 lots (roads, landscape, future development), public utilities, and associated improvements in accordance to the standards Promontory Specific Plan and Settlement Agreement.

5.0 Design Waivers

5.1. Roads A, B, C, and D to conform to upland two-way standards of a 36-foot right-of-way.

- 5.1.1 There are special conditions or circumstances peculiar to the property which would justify the adjustment or waiver. Roads A, B, C, and D have been identified in the Promontory Specific Plan to be two-way minor residential street serving as circulation streets for the proposed 69 lot subdivision.
- 5.1.2. Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property because it would conflict with previously adopted road sections identified in the Promontory Specific Plan.
- 5.1.3. The adjustment or waiver(s) would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public because Roads A, B, C, and D will be constructed within a reduced the right-of-way of 36 feet conforming to the specific plan and DOT standards as conditioned. On-street parking will be limited to one side of the street.

- 5.1.4 This waiver(s) would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division. The requested reduced right of ways matches the standards under the specific plan and is subject to recommended DOT conditions.

5.2 Road E and the three other stub streets to conform to upland two-way standards of a 24 foot right-of-way.

- 5.2.1. There are special conditions or circumstances peculiar to the property which would justify the adjustment or waiver. Road E and the three other stub streets have been identified in the Promontory Specific Plan to be private upland two-way stub streets. The map has been conditioned to meet county road construction standards.
- 5.2.2 Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property because it would conflict with previously adopted road sections identified in the Promontory Specific Plan.
- 5.2.3 The adjustment or waiver(s) would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public because Road E and the three other stub streets will be constructed within a reduced the right-of-way of 24 feet conforming to the specific plan and DOT standards as conditioned. On-street parking will be prohibited on both sides of the street.
- 5.2.4. This waiver(s) would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division. The requested reduced right of ways matches the standards under the specific plan and subject to recommended DOT conditions.