

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of:	August 28, 2008
Item No.:	11
Staff:	Jason R. Hade

TENTATIVE SUBDIVISION MAP

FILE NUMBERS: TM07-1460/Monte Vista Subdivision

APPLICANT: Carlton Engineering/Jim Willson

PROPERTY OWNER: Gael and Joan Barsotti

REQUEST: Tentative subdivision map to create three lots ranging in size from 0.64 to 2.57 acres on a 3.90 acre site.

The following design waiver has been requested:

(1) Permit the project to proceed without a secondary means of access as required by Section 3.A.9. and 12 of the El Dorado County Design and Improvement Standards Manual (DISM).

LOCATION: On the south side of Monte Vista Drive, approximately 100 feet east of the intersection with Verde Robles Road in the Camino area, Supervisorial District III. (Exhibit A)

APN: 048-620-08 (Exhibit D)

ACREAGE: 3.90 acres

GENERAL PLAN: High-Density Residential – Platted Lands (HDR – PL) (Exhibit B)

ZONING: One-Family Residential (R1) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Negative Declaration

SUMMARY RECOMMENDATION: Conditional approval

STAFF ANALYSIS

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

Project Description

Tentative subdivision map to create three lots ranging in size from 0.64 acres to 2.57 acres on a 3.90 acre site. The following design waiver has been requested: (1) Permit the project to proceed without a secondary means of access as required by Section 3.A.9. & 12 of the El Dorado County DISM. No grading is proposed for the project. Domestic water would be supplied by El Dorado Irrigation District and each lot would utilize individual septic facilities.

Site Description

The undeveloped project site lies at an elevation of approximately 2,768 to 2,832 feet above mean sea level on a southerly slope averaging 13 percent. A broad saddle with no defined channel collects water from both the east and west ends of the parcel, as well as from the adjacent golf course, and empties it into a drop inlet at Monte Vista Drive. Black Oak and White Oak tree canopy present at the site consist of approximately nine percent coverage. The subject site is bordered by a golf course, single-family residences, and undeveloped land. Proposed project access would be via Monte Vista Drive.

Adjacent Land Uses

	Zoning	General Plan	Land Use/Improvements
Site	R1	HDR	Undeveloped
North	OS	OS	Golf Course
South	R1	HDR	Single-Family Residences
East	R1	OS	Golf Course
West	R1	HDR	Undeveloped

Access

The El Dorado County Fire Protection District reviewed the project proposal and concluded that the project would not result in inadequate emergency access to any potential residential structure with the implementation of the conditions of approval included in Attachment 1 of the staff report. The following design waiver has been requested: (1) Permit the project to proceed without a secondary means of access as required by Section 3.A.9. & 12 of the El Dorado County DISM. Although the Department of Transportation does not support the design waiver request, the El Dorado County Fire Protection District is in support of the design waiver. The proposed subdivision would only create two additional lots within a large existing subdivision. Additionally, the un-looped portion of Camino Heights Drive from the intersection with Sierra Blanca Drive to the intersection with

Camino Hills Drive is only 275 feet long and is a paved 36 foot wide road with rolled curb, providing for sufficient access. Impacts would be less than significant with the implementation of the Fire District requirements included as conditions of approval within Attachment 1 of the staff report.

Circulation

The Department of Transportation (DOT) reviewed the proposed project and determined it would not trip the traffic impact threshold within the General Plan. Proposed project access would be provided via Monte Vista Drive.

The 2004 General Plan Policies TC-Xe and TX-Xf (which incorporate Measure Y) require that projects that “worsen” traffic by 2 percent, or 10 peak hour trips, or 100 average daily trips must construct (or ensure funding and programming) of any improvements required to meet Level of Service standards in the General Plan Transportation and Circulation Element. DOT reviewed the proposed project and determined that it would not trigger the threshold described above because of its limited size.

Design Waiver

The proposed project would create two new residential lots in an area that only has one access point on Camino Heights Drive. Roads providing access to the subject site make up a loop road with only one exit for residents on Camino Heights Road. As such, the applicant has requested a design waiver to permit the project to proceed without a secondary means of access as required by Section 3.A.9. & 12 of the El Dorado County DISM. Design waiver justification submitted by the applicant is included as Exhibit H. DOT does not support the design waiver request, but Section 3.A.9 of the DISM allows the Planning Commission to approve a project without a secondary means of access when an “acceptable alternative” has been approved with a favorable recommendation from the responsible fire agency. Because the El Dorado County Fire Protection District is in support of the design waiver, the necessary findings for approval of the request are listed in Attachment 2 of the staff report.

Fire

The El Dorado County Fire Protection District reviewed the proposed project and would require new fire hydrants for the site as well as an approved fire safe plan. Fire issues are addressed within the project’s conditions of approval.

Land Use Compatibility

As discussed above, the subject site is surrounded by recreational and residential uses. The proposed project would create two additional residential lots from an existing lot within an existing large residential subdivision. The proposed project density is consistent with surrounding residential densities. Therefore, the proposed project is compatible within the context of the surrounding land uses pursuant to General Plan Policy 2.2.5.21.

Oak Tree Canopy

Existing project oak tree canopy coverage is estimated at nine percent. (*Tree Canopy Analysis for Tentative Subdivision Map Monte Vista Subdivision, Carlton Engineering, Inc., November 2007*) Under General Plan Policy 7.4.4.4, Option A, 90 percent of the existing canopy must be retained. As proposed, the project would retain 100 percent of the oak tree canopy at the site consistent with General Plan Policy 7.4.4.4, Option A because no road construction or lot development is proposed. Future development of the proposed lots would have the option of complying with either Option A or Option B of Policy 7.4.4.4.

Special Setbacks

According to a submitted wetland delineation report, the project site consists of four potential jurisdictional areas: a catchment basin along the north property boundary; wetlands around the catchment basin; a seepage wetland below the catchment basin; and a seepage wetland associated with a shallow rock cap along the north property boundary. (*Wetland Delineation Report for Assessor's Parcel Number 048-620-08 El Dorado County, CA, Ruth A. Willson, February 2007*) Policy 7.3.3.4 of the General Plan requires a 50-foot setback from wetlands but allows the interim standard to be modified based on project specific information regarding slope, soil stability, vegetation, habitat and other factors that demonstrate an alternative setback would be sufficient to protect the particular riparian area at issue. A 25-foot wetland setback is shown on the tentative subdivision map (Exhibit E) as the consulting biologist determined that a 25-foot setback would be sufficient to protect the wetlands, catchment basin and surrounding hydrophytic vegetation. Planning Services staff concurs with the recommended wetland setback of 25 feet as shown on Exhibit E.

Wastewater

The proposed septic system for the project was reviewed and approved by the Environmental Management Department on January 29, 2008. As such, the project would be consistent with General Plan Policy 5.3.1.1 regarding wastewater capacity.

Water

Public water service would be provided to the project site by EID. El Dorado Irrigation District provided a letter dated March 7, 2007 indicating that it has adequate water supplies to serve the project. Therefore, no new or expanded offsite water facilities would be necessary to serve the proposed project. Based on this information, the project would be consistent with General Plan Policy 5.2.1.4 regarding availability of reliable water supply.

GENERAL PLAN

This project is consistent with the policies of the adopted 2004 El Dorado County General Plan. Findings for consistency with the General Plan are provided in Attachment 2. The policies and issues that affect this project are discussed below:

Policy 2.1.1.7 directs that *development be limited in some cases until such time as adequate roadways, utilities, and other public service infrastructure becomes available and wildfire hazards*

are mitigated. As discussed above, the existing and proposed improvements would be adequate to serve the proposed subdivision.

Policy 2.2.1.2: states that the high-density residential land use designation *identifies those areas suitable for intensive single-family residential development at densities from one to five dwelling units per acre.* The proposed project density is consistent with the density permitted under the HDR land use designation.

Policy 2.2.2.3 states that *parcels within the –PL overlay designation shall not be permitted to subdivide to a size smaller than the minimum parcel size allowed by the base land use designation.* As stated above, the proposed minimum parcel size and project density is consistent with the minimum parcel size and density permitted under the HDR land use designation.

Policy 2.2.5.21 directs that new development be compatible with the surrounding neighborhood. The two new parcels would be in keeping with the General Plan intended development pattern expected in lands designated as High Density Residential and would be consistent with the surrounding residential densities in the Camino Heights subdivision.

Policy 5.2.1.4 directs that subdivision approvals in Community Regions or other areas dependent on public water supply shall be subject to the availability of a permanent and reliable water supply. As discussed above, public water service would be provided to the project site by EID. El Dorado Irrigation District provided a letter dated March 7, 2007 indicating that it has adequate water supplies to serve the project. Based on this information, the project would be consistent with General Plan Policy 5.2.1.4 regarding availability of reliable water supply.

Policy 5.3.1.1 directs that high-density and multi-family residential, commercial, and industrial projects shall be required to connect to public wastewater collection facilities as a condition of approval except in Rural Centers and areas designated as Platted Lands (-PL). As discussed above, El Dorado Irrigation District provided a letter dated March 7, 2007 indicating that it has adequate water supplies to serve the project. Additionally, the subject site is located in area designated as – PL. As such, connection to a public wastewater collection facility is not required.

Policy 5.7.1.1 directs that the applicant demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or would be provided concurrent with development. The project would be conditioned by the El Dorado County Department of Transportation to meet the minimum State Responsibility Area (SRA) Fire Safe Regulations for road surface and road width. The project would be required to meet the required minimum fire flow requirements of the El Dorado County Fire Protection District which would be reviewed and approved by them prior to filing the final map and all the water conveyance facilities would further need to meet the approval of EID.

Policy 6.2.3.2 directs that 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. As conditioned, and discussed under Access section above, the project would meet the intent of this

policy. The El Dorado County Fire Protection District supports the requested secondary access design waiver.

Policy 7.4.4.4 establishes the native oak tree canopy retention and replacement standards. Existing project oak tree canopy coverage is estimated at nine percent. (*Tree Canopy Analysis for Tentative Subdivision Map Monte Vista Subdivision, Carlton Engineering, Inc., November 2007*) Under General Plan Policy 7.4.4.4, Option A, 90 percent of the existing canopy must be retained. As proposed, the project would retain 100 percent of the oak tree canopy at the site consistent with General Plan Policy 7.4.4.4, Option A because no road construction or lot development is proposed. Future development of the proposed lots would have the option of complying with either Option A or Option B of Policy 7.4.4.4.

ZONING

The subject site is currently zoned One-Family Residential (R1) which permits a minimum lot area of 10,000 square feet when either the proposed water supply is a well located on the lot, or the proposed sewage disposal system is a septic tank located on the lot. The proposed 0.64 acre to 2.57 acre lots would conform to existing zoning and the development standards in Section 17.28.040 for minimum lot width of 60 feet, minimum lot area of 10,000 square feet, building setback requirements of 20/5/15 (front/side/rear) feet from parcel boundaries and road easements, as well having the space to comply with the parking requirements of two spaces not in tandem per dwelling unit pursuant to Section 17.18.060.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Exhibit J) to assess project-related environmental impacts. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment. Therefore, a Negative Declaration has been prepared.

This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,926.75 after approval, but prior to the County filing the Notice of Determination on the project. This fee, less a \$50.00 recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$1,876.75 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the States fish and wildlife resources.

RECOMMENDATION

Staff recommends the Planning Commission take the following actions:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff;

2. Approve TM07-1460, subject to the conditions of approval in Attachment 1, based on the Findings in Attachment 2.
3. Approve the following design waiver since appropriate findings have been made as noted in Attachment 2:
 - a. Permit the project to proceed without a secondary means of access as required by Section 3.A.9. & 12 of the El Dorado County Design and Improvement Standards Manual (DISM).

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Vicinity Map
Exhibit B	General Plan Land Use Map
Exhibit C	Zoning Map
Exhibit D	Assessor's Parcel Map Page
Exhibit E	Tentative Subdivision Map
Exhibit F	Preliminary Grading and Drainage Plan
Exhibit G	Slope Analysis
Exhibit H	Applicant's Design Waiver Request
Exhibit I	DOT Response to Design Waiver Request
Exhibit J	Environmental Checklist & Discussion of Impacts

ATTACHMENT 1

CONDITIONS OF APPROVAL

FILE NUMBER TM07-1460

I. PROJECT DESCRIPTION

1. This tentative subdivision map is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits A-I, approved August 28, 2008, and conditions of approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

Tentative subdivision map creating three lots, comprising 0.64, 0.70, and 2.57 acres, on a 3.90-acre site. Public water will be provided by the El Dorado Irrigation District and each lot will utilize individual septic facilities. Primary site access will be provided via Monte Vista Drive.

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

II. PROJECT CONDITIONS OF APPROVAL

Planning Services

2. Prior to filing the final map, an oak tree canopy replacement plan shall be submitted by the applicant to meet the requirements of General Plan Policy 7.4.4.4, Option A. Should identified on-site replacement area not be sufficient, applicant shall comply with Option B prior to filing the final map.
3. In the event that previously unknown cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archeologist shall make recommendations on the measures to be implemented to protect the

discovered resources, including but not limited to excavation of the finds and evaluation of the finds, in accordance with § 15064.5 of the CEQA Guidelines. Cultural resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites.

4. If human remains are encountered during earth-disturbing activities within the project area, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. If the remains are determined to be Native American in origin, both the Native American Heritage Commission (NAHC) and any identified descendants shall be notified by the coroner and recommendations for treatment solicited (CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94 and 5097.98).
5. The applicant shall provide a meter award letter or similar document by the water purveyor to Planning Services. Planning Services shall review the letter prior to filing the final map.
6. 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.

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 16.12.090 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.

7. This tentative subdivision map shall expire within 36 months from date of approval unless a timely extension has been filed.
8. All fees associated with the tentative subdivision map shall be paid prior to recording the final subdivision map.
9. The applicant shall submit to Planning Services a \$50.00 recording fee and a \$1,876.75 Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No permits shall be issued or final map filed until said fees are paid.
10. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the Government Code.

The subdivider shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

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

Air Quality Management District

11. During construction, all activities shall apply standard Best Management Practices (BMPs) to control dust during construction. These practices shall be incorporated into the project and include:
 - Application of water on disturbed soils and unpaved roadways a minimum of three times per day
 - Using track-out prevention devices at construction site access points
 - Stabilizing construction area exit points
 - Covering haul vehicles
 - Restricting vehicle speeds on unpaved roads to 15 miles per hour
 - Replanting disturbed areas as soon as practical and other measures as deemed appropriate to the site, to control fugitive dust
12. Prior to grading permit issuance, a fugitive dust plan shall be submitted to the Air Quality Management District (AQMD) for review and approval.
13. Burning of vegetative wastes that result from “Land Development Clearing” must be permitted through the District Rule 300 Open Burning. Only vegetative waste materials are permitted to be disposed of using an open outdoor fire.
14. The applicant shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.

Department of Transportation

15. **Secondary Access:** The nearest County roadway having two means of access for this site is over 2,640 ft away. The DISM [Section 3 A. 9. & 12] states and therefore the applicant shall be required to verify and/or provide a secondary access to this site. Both the primary and secondary off-site accesses shall meet the requirements of El Dorado County Standard Plan 101C with an 18 foot road width with 1 foot shoulders on each side of the roadway, as required in Section 3 A. 2. c. ii, of the DISM. These off-site improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.
16. **Road Design Standards:** The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM), as shown in Table 1. The improvements shall be completed to the satisfaction of the Department of Transportation

(DOT) or the applicant shall obtain an approved improvement agreement with security, prior to the recordation of the final map: (the requirements outlined in Table 1 are minimums)

Table 1				
ROAD NAME	DESIGN STANDARD PLAN	ROAD WIDTH* / SHOULDER WIDTH	RIGHT OF WAY**	EXCEPTIONS /NOTES
Monte Vista Road (onsite)	Std Plan 101C (to match existing)	24ft / 1ft	50ft	Match existing

* Road widths are measured from curb face to curb face or edge of pavement to edge of pavement if no curb (traveled way). Curb face for rolled curb and gutter is 6” from the back of the curb.

** Non-exclusive road and public utility easements included.

17. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct new driveway encroachments onto Monte Vista Drive to the provisions of County Design Std 103A-1. The signing and striping for this encroachment shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
18. **Drainage, Cross-Lot:** Cross lot drainage shall be avoided. When cross lot drainage does occur, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway. The site plans shall show drainage easements for all on-site drainage facilities.
19. **Drainage Easements:** The site plans shall show drainage easements for all on-site drainage courses and facilities prior to filing of the map.
20. **Easements:** All applicable existing and proposed easements shall be shown on the project plans prior to filing of the map.
21. **Common Fence/Wall Maintenance:** The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants, Conditions, and Restrictions (CC&Rs).
22. **Water Quality Stamp:** 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.
23. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.
 24. **DISM Consistency:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
 25. **Road Improvement Agreement & Security:** The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map.
 26. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
 27. **Grading Permit / Plan:** If more than 50 cubic yards of earth movement are required for improvements, a grading permit will be required. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado "Design and Improvement Standards Manual", the "Grading, Erosion and Sediment Control Ordinance", the "Drainage Manual", the "Off-Street Parking and Loading Ordinance", and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of DOT prior to occupancy clearance.
 28. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.

29. **RCD Coordination:** The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
30. **Soils Report:** At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
31. **Drainage Study / SWMP Compliance:** The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation. The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:
- The site can be adequately drained;
 - The development of the site will not cause problems to nearby properties, particularly downstream sites;
 - The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
 - The ultimate drainage outfall of the project.

The improvements shall be completed to the approval of the Department of Transportation, prior to the filing of the final map or the applicant shall obtain an approved improvement agreement with security.

32. **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a

location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.

33. **Electronic Documentation:** Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
34. **TIM Fees:** The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.

El Dorado County Fire Protection District

35. A plan check fee of \$120.00 shall be submitted to the El Dorado County Fire Protection District (EDC FPD) prior to improvement plan approval.
36. All additional required fire hydrants shall be shown on the improvement plans and installed throughout the project subject to EDC FPD approval.
37. Prior to improvement plan approval, documentation from EID shall be submitted to the EDC FPD demonstrating that the project will meet the required fire flow of 1,000 gpm at 20 psi for two hours.
38. A fire safe management plan, acceptable to the EDC FPD and the California Department of Forestry and Fire Protection, shall be prepared and implemented. A letter of compliance with this condition shall be submitted by the fire district to Planning Services prior to filing the map.
39. Any gates that are not shown will require EDC FPD review and approval.

Surveyor's Office

40. All survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval, or the developer 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.

ATTACHMENT 2 **FINDINGS**

FILE NUMBER TM07-1460

FINDINGS FOR APPROVAL

1.0 CEQA Findings

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 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 Development Services Department - Planning Services located at 2850 Fairlane Court, Placerville, CA.

2.0 GENERAL PLAN FINDINGS

- 2.1 As proposed, the project is consistent with the High Density Residential (HDR) land use designation of the subject site as defined by General Plan Policy 2.2.1.2, because this land use designation permits an allowable density of one to five dwelling units per acre. The proposed project density conforms to the General Plan land use designation.
- 2.2 The proposal is consistent with all applicable Policies of the General Plan including 2.1.1.7, 2.2.2.3, 2.2.5.21, 5.2.1.4, 5.3.1.1, 5.7.1.1, 6.2.3.2, 7.3.3.4, and 7.4.4.4, concerning, adequate roadways, utilities and other public services, platted lands, compatibility with the surrounding neighborhood, availability of emergency water, adequate emergency access, sufficient wetland setbacks, and oak tree canopy retention. The project provides adequate access and site design that ensure compatibility with the surrounding permitted land uses, and is consistent with the General Plan policies identified above. Pursuant to Policy 7.3.3.4, a reduced wetland setback of 25-foot is shown on the tentative subdivision map (Exhibit E) based on adequate documentation submitted by a consulting biologist which determined that a 25-foot setback is sufficient to protect the wetlands, catchment basin and surrounding hydrophytic vegetation.

3.0 ZONING FINDINGS

- 3.1 The project, as proposed and conditioned, is consistent with the El Dorado County Zoning Ordinance Development Standards because the proposed lots meet the development

standards of the R1 zone district pursuant to section 17.28.040 for minimum lot areas and lot widths, and to permit the yard setbacks required of future residential development.

4.0 ADMINISTRATIVE FINDINGS

4.1 Tentative Subdivision Map

- 4.1.1 *The proposed map and design is consistent with the General Plan and Specific Plans adopted by the County.* As proposed, the tentative map conforms to the HDR General Plan land use designation and applicable General Plan policies including adequate roadways, utilities and other public services, platted lands, compatibility with the surrounding neighborhood, availability of emergency water, adequate emergency access, sufficient wetland setbacks, and oak tree canopy retention.
- 4.1.2 *The site is physically suitable for the type and density of development proposed.* The site contains sufficient developable areas to accommodate the proposed residential use and proposed density of approximately 1 unit per acre.
- 4.1.3 *The design of the subdivision and proposed improvements as conditioned will not cause significant environmental damage or injure fish and wildlife habitat.* A negative declaration was prepared for the proposed tentative subdivision map. Based on the initial study, it was determined that the project would not have a significant effect on the environment.
- 4.1.4 *The subdivision shall have adequate access to accommodate the proposed density.* The project has been conditioned to comply with El Dorado County Department of Transportation and El Dorado County Fire Protection District requirements to assure adequate access.
- 4.1.5 *The subdivision shall not create serious public health and safety problems or unacceptable fire risk to future occupants to adjoining properties.* The El Dorado County Fire Protection District reviewed the proposed tentative subdivision map and conditioned the map for adherence to fire safe standards which will ensure that the project does not create serious public health and safety problems or unacceptable fire risk to current and future occupants of adjoining properties.

5.0 DESIGN WAIVER APPROVAL FINDINGS

5.1 Permit the project to proceed without a secondary means of access as required by Section 3.A.9. & 12 of the El Dorado County Design and Improvement Standards Manual (DISM).

- 5.1.1 *There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.* The proposed subdivision will only create two additional lots within a large existing subdivision. Additionally, the un-looped

portion of Camino Heights Drive from the intersection with Sierra Blanca Drive to the intersection with Camino Hills Drive is only 275 feet long and is a paved 36 foot wide road with rolled curb, providing for sufficient access. The El Dorado County Fire Protection District has reviewed the project and confirmed that the proposed access is adequate. As such, the El Dorado County Fire Protection District is in support of the design waiver request.

- 5.1.2 *Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.* Strict application of the design and improvement requirements will preclude approval of the tentative subdivision map application although fire safe issues have been addressed to the satisfaction of the El Dorado County Fire Protection District. The only feasible secondary access option would require connecting Camino Hills Drive to Sierra Blanca Drive which will cause an unnecessary hardship for the property owner to create two additional lots.
- 5.1.3 *The adjustment or waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.* The waiver will not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public as the Fire District has determined that the existing roads within the project area are sufficient to accommodate two additional lots. Additional traffic trips generated from the two lots will be minimal.
- 5.1.4 *The waivers 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 design waiver will not hinder the County's implementation of the Subdivision Map Act as outlined in Article II of Chapter 16 of County Code or any of the other applicable ordinances discussed within the staff report.