

**ELDORADO COUNTY DEVELOPMENT SERVICES
STAFF REPORT**



Agenda of: February 12, 2009

Item No.: 13

Staff: Gordon Bell

REZONE/PLANNED DEVELOPMENT/SUBDIVISION MAP

FILE NUMBER: Rezone Z07-0027/PD07-0017/TM96-1325E/Cameron Hills Subdivision

APPLICANT: Douglas Hanzlick, c/o Clifford Stokes, 4312 Anthony Court, Ste. A, Rocklin, CA 95677

AGENT: Gene E. Thorne & Associates, 4080 Plaza Goldorado Circle, Cameron Park, CA 95682

REQUEST: The project consists of the following requests:

1. Rezone from R1(One Family Residential) to R1-PD (One Family Residential/Planned Development).
2. Development Plan to allow clustering of lots to avoid sensitive plant species and steep slopes, and a reduction in the minimum parcel size of 5 acres in the Airport Safety Zone 3.
3. Tentative Subdivision Map to create 41 residential lots ranging in size from 0.14 to 0.47 acres and five lettered open space lots totaling 8.16 acres.
4. Design Waiver from the required sidewalk width of 6 feet to 4 feet.

LOCATION: West side of Cambridge Road approximately 150 feet south of the intersection with Berry Road, Cameron Park area, Supervisorial District I (Exhibit A).

APN: 116-010-04 (Exhibit B)

ACREAGE: 20.13 acres

GENERAL PLAN: HDR (High Density Residential) (Exhibit C)

ZONING: R1 (One Family Residential) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND: On August 18, 1998 the Board of Supervisors approved a request for a rezone of the subject site from RE-5 (Residential Estate-Five Acre minimum) to R1 (One Family Residential) and a Tentative Subdivision Map that would create 41 single-family residential parcels ranging from 8,240 to 75,450 square feet in size. The request also included a Design Waiver to reduce the sidewalk width from 6 feet to 4 feet.

The originally approved map was valid until July 23, 2001. In February 1999, a Writ of Mandate was imposed on the County that effectively halted any further development in the County. As no Final Map had been filed with the County for the project prior to the Writ of Mandate, all further action on the project was held in abeyance until such time as the Writ was lifted.

The applicant filed an extension request for the map on August 8, 2001, but the applicant was advised the processing of the extension request could not proceed until the Writ was lifted. When the Writ was lifted in November 2006, the applicant was advised that the extension request was incomplete.

Changes had occurred within the 2004 El Dorado County General Plan which placed the project within the Airport Safety Zone 3. Airport Safety Zone 3 limits the density on the site to one dwelling unit per 5 acres unless a Planned Development Combining Zone District is applied to the site. The PD overlay requires a minimum of 30% of the site to remain within open space. As a result, the applicant needed to redesign the project to accommodate the required open space. In addition, the applicant was required to provide a plant survey and a revised traffic study. The applicant revised the project and presented the requested materials to the County in June of 2007.

STAFF ANALYSIS

Project Description: The project request includes a Rezone, Planned Development, and Tentative Subdivision Map. The zone change request would add the Planned Development (PD) overlay to project parcels currently zoned R1 as required for developments within Airport Safety Zone 3. The Tentative Map and Development Plan would create 41 residential lots ranging in size from 6,000 square feet to 20,317 square feet, and 5 lettered open space lots ranging in size from 0.08 acres to 4.91 acres, totaling 8.16 acres (See Table 1). The project requires annexation into the Cameron Park Community Services District (CSD) and Fire Department Boundaries. A Design Waiver has been proposed to allow sidewalk widths to be modified from 6 feet to 4 feet. Water and sewer would be provided by the El Dorado Irrigation District (EID). Access would be provided via an internal roadway system with points of access at Kimberly Road and Harvey Road.

Table 1. Lot Sizes

Lot #	Gross Area(s.f.)	Net Area (s.f.)	Lot #	Gross Area(s.f.)	Net Area (s.f.)
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1	11,938	4,083	24	6,603	3,531
2	11,458	4,447	25	14,270	2,467
3	20,317	5,671	26	19,462	5,297
4	14,857	3,890	27	12,901	4,734
5	13,164	3,975	28	9,840	2,533
6	11,501	4,300	29	6,965	3,572
7	12,976	4,665	30	7,329	3,185
8	11,991	4,904	31	7,844	2,810
9	11,185	4,438	32	7,741	3,575
10	10,741	4,627	33	8,629	4,056
11	7,173	3,525	34	6,960	2,508
12	9,958	3,425	35	7,783	3,259
13	8,889	3,390	36	6,000	2,947
14	9,914	3,753	37	6,000	2,925
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19	6,661	2,839	"A"	4.91 acres	
20	8,661	4,582	"B"	1.01 acres	
21	8,917	4,019	"C"	0.08 acres	
22	9,113	3,910	"D"	0.36 acres	
23	7,767	4,578	"E"	1.80 acres	

Site Description: The project site is a 20.13-acre site set amidst an existing residential neighborhood. The site is currently vacant, with no existing development. It is surrounded by high-density residential development to the east, south, and north, with vacant land and medium density residential uses to the north. Topography onsite is moderate to steep with the bulk of the property having slopes of 15 to 20 percent. The steepest slopes are in the westernmost corner adjacent to Woodleigh Lane, with slopes becoming gentler as they approach Cambridge Road. Elevations range from 1,225 feet to 1,450 feet above sea level (asl). Vegetation on the majority of the site consists of Gabbroic northern mixed chaparral. Vegetation is dominated by chaparral shrubs including chamise (*Adenostoma fasciculatum*), manzanita (*Arctostaphylos* sp.), coyote brush (*Baccharis pilularis*), western rosebud (*Cercis occidentalis*), and hoary coffeeberry (*Rhamnus tomentella*). The herb layer is dominated by *Salvia sonomensis*, gold-wire (*Hypericum concinnum*), and annual species. Several interior live oaks (*Quercus wislizenii* var. *wislizenii*) occur on the project site. The mapped soil unit on the project site is Rescue extremely stony sandy loam. There are several ephemeral channels on the project site that drain the site to the south into Deer Creek. There are no wetlands onsite. There are no known cultural resources on the project site.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	R1	HDR	Vacant land
North	R1	HDR	High density residential/residences
East	R1	HDR	High density residential/residences
South	R1	HDR	High density residential/residences
West	RE-5	HDR	Medium density residential/residences

Discussion: The project parcels are in an area that has been designated by the General Plan for High Density Residential uses. The majority of housing surrounding the project site is high-density residential, with the exception of land to the west, which consists of low/medium density residential development in steeper sloped areas. The project could be considered an infill project given that its proposed density and character are similar to that of the surrounding neighborhood.

General Plan: The following discussion describes, in detail, the General Plan Policies that apply to this project:

Policy 2.2.3.1 requires that the Planned Development (-PD) Combining Zone District provide for a minimum of 30 percent open space. As shown on the Tentative Map (Exhibit E), the project has provided for 40 percent open space.

Parcel Size	20.13 acres
Required Open Space	6.04 acres
Proposed Open Space	8.04 acres
Percent Open Space Proposed	40%

As indicated in Table 2-4 of the County’s General Plan, General Plan Land Use Designation and Zoning District Consistency Matrix, the proposed R1 Zone District would be consistent with the HDR land use designation, as required by **Policy 2.2.1.5**.

Rezone: General Plan **Policy 2.2.5.3** requires that the County shall evaluate future rezoning: (1) To be based on the General Plan’s general direction as to minimum parcel size or maximum allowable density; and (2) To assess whether changes in conditions that would support a higher density or intensity zoning district. The specific criteria to be considered include; but are not limited to, the following:

1. *Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;*

Discussion: An El Dorado Irrigation District (EID) Facility Improvement Letter, dated September 8, 2005 indicates that the district would serve the project if water meters are available at the time the project requested them. At the time of the writing of that letter, 2434 equivalent dwelling units (EDUs) were available in the Western/Eastern Water Supply Region. The project would use approximately 41 EDUs.

2. *Availability and capacity of public treated water system;*

Discussion: As discussed above, the El Dorado Irrigation District (EID) would be able to supply the project with publicly treated water. The applicant would be required to construct a looped water system connecting to the 8-inch water line in Harvey Road and the 6-inch water line in Kimberly Road.

3. *Availability and capacity of public waste water treatment system;*

Discussion: Sewage disposal would be served by the El Dorado Irrigation District. The District has indicated that it has the capacity to serve the proposed project and would require connection to the 8-inch sewer line in Harvey Road and the 6-inch sewer line in Kimberly Road.

4. *Distance to and capacity of the serving elementary and high school;*

Discussion: The project site is located within the Rescue Union School District and the El Dorado Union High School District. The distance to the closest elementary school, Green Valley Elementary, is approximately 2.75 miles to the north of the project site. The distance to the closest high school, Ponderosa High School, is approximately 4 miles east of the project site, in Cameron Park. The affected school districts were contacted as part of the initial consultation process, and no specific comments or mitigation measures were received.

5. *Response time from nearest fire station handling structure fires;*

Discussion: The Cameron Park Fire Department, located at 3200 Country Club Drive, would be responsible for providing fire protection to the subject site upon annexation into the District. The District was contacted as part of the initial consultation process and has indicated that the project is within an area with acceptable response times. The Department has reviewed the project plans and indicated that adherence to the applicable building and fire codes, as well as conditions of approval regarding the installation of fire hydrants, provision of established fire flow, submittal of a fire safe plan, and construction of road improvements shown on the Tentative Subdivision Map, would satisfactorily address all fire related safety issues.

6. *Distance to nearest Community Region or Rural Center;*

Discussion: The project site is located within the Cameron Park Community Region. As proposed, the project is a residential project similar in character to existing surrounding medium and high-density residential uses.

7. *Erosion hazard;*

Discussion: The site is moderately sloping with site development proposed to occur on grades of up to, but less than 30% as shown on Exhibit G. Proposed parcels and access roads have been analyzed and are shown on the Tentative Subdivision Map. The applicant supplied a drainage study for review by the Department of Transportation. Drainage issues would be resolved through Conditions of Approval and Improvement Plans reviewed and approved by the Department of Transportation during the final map phase.

8. *Septic and leach field capability;*

Discussion: The proposed lots would be served by a public sewer system, no septic systems or leach fields are proposed.

9. *Groundwater capability to support wells;*

Discussion: The project will be served by El Dorado Irrigation District (EID) public water facilities. No wells are proposed.

10. *Critical flora and fauna habitat areas;*

Discussion: The County's General Plan designates areas within the County that have the potential to affect rare plants. The County's General Plan defines Rare Plant Mitigation Areas within the County, which designate lands potentially affecting rare plants that are subject to mitigation. The project site is within Rare Plant Mitigation Area 1. The applicant's consultant, Sycamore Environmental, Inc., has conducted a rare plant survey and identified a number of sensitive species that are part of the Pine Hill Plants. Sycamore Environmental also concluded that the site does provide habitat for the California horned lizard and potential nesting sites for bird species. Mitigation Measures have been incorporated into the project requiring a pre-construction survey to avoid taking any bird nests or California horned lizards. Other mitigation has been incorporated into the project to mitigate for the impacts to sensitive plant species. This mitigation includes payment of required in-lieu fees, preservation, transplantation and restoration of habitat, and long-term avoidance through preservation of onsite open space.

11. *Important timber production areas;*

Discussion: The project site does not contain or is adjacent to any important timber production areas.

12. *Important agricultural areas;*

Discussion: The project site is not located adjacent to any important agricultural areas. The project site and surrounding properties are designated for high-density residential development. There are no ongoing agricultural pursuits occurring within the project vicinity.

13. *Important mineral resource areas;*

Discussion: The project site does not contain nor is it located adjacent to any important mineral resource areas.

14. *Capacity of the transportation system serving the area;*

Discussion: The El Dorado County Department of Transportation reviewed the submitted traffic study and concluded that the recommended conditions of approval, including improvements to existing roadways, maintenance of adequate site distances, and implementation of traffic control measures, would sufficiently address traffic issues and ensure that the transportation system is adequate to serve the area. The El Dorado County Transit Authority has reviewed the project and had no specific conditions of approval regarding the project.

15. *Existing land use pattern;*

Discussion: The project site is surrounded by land designated and utilized for high density residential uses. The proposed rezone would be entirely consistent with that land use pattern.

16. *Proximity to perennial watercourse;*

Discussion: There are no perennial watercourses on or adjacent to the project site.

17. *Important historical/archeological sites;*

Discussion: A cultural resources investigation found no cultural resources on the project site.

18. *Seismic hazards and present of active faults;*

Discussion: As shown in the Division of Mines and Geology's publication Fault Rupture Hazard Zones in California, there are no Alquist-Priolo Special Studies Zones mapped in El

Dorado County. The impacts from fault ruptures, seismically induced ground shaking, or seismic ground failure, or liquefaction are considered to be less than significant. Any potential impact caused by locating buildings in the project area would be offset by the compliance with the Uniform Building Code earthquake standards.

19. *Consistency with existing Conditions, Covenants, and Restrictions;*

Discussion: The project parcels do not have any existing CC&Rs. CC&Rs would be required for the maintenance of the onsite roads and maintenance of the proposed open space lots. The CC&Rs would require review and approval from DOT and Planning Services.

Land Use: As previously discussed and shown in the Adjacent Land Use Table, the proposed residential project would be consistent with General Plan **Policy 2.2.5.21**. The project area is surrounded by existing and proposed medium to high-density residential uses that would be compatible with the proposed development.

Water Supply and Fire Flow: General Plan **Policy 5.2.1.2** requires that the applicant provide an adequate quantity and quality of water for all uses, including fire protection, and shall be provided for this development. The EID would provide an adequate water supply for the project site and the water system will have to be developed in accordance with Cameron Park Fire Department requirements.

Fire protection services would be provided for the proposed development as required under General Plan **Policy 5.7.1.1**. The Cameron Park Fire Department would provide fire service to the site upon annexation. The water flows and transportation infrastructure would be provided concurrent with development sufficient to meet District requirements for fire suppression. A Fire Safe Plan, minimum roadway widths, and fire hydrant placement have been required by the Fire Department to ensure adequate fire protection infrastructure.

Oak Tree Canopy: As determined by an Arborist Report prepared by Phil Mosbacher, certified arborist, for Gene E. Thorne & Associates, Inc. (letter report dated December 8, 2008), the 20-acre project site contains approximately 0.719 acres of oak canopy. This includes all oak canopy, including dead and dying oaks. This canopy constitutes approximately 3.60% of the project site. The existing oak canopy would be impacted as part of road and infrastructure improvements and future residential development of the site. It is highly likely that all existing oak canopy would be impacted or removed as a result of this development, creating a potential inconsistency with General Plan Policy 7.4.4.4 that would be avoided with adherence to mitigation strategies included in the Oak Woodland Management Plan. Consistent with the Oak Woodland Management Plan which requires 10% retention for this project given the existing oak canopy coverage on the site, the applicant would be allowed to remove and mitigate (replace or payment of in-lieu fees) approximately 0.072 acres under “Option A” of the Oak Woodland Management Plan. Any oak canopy removal beyond 0.072 acres (the remaining 0.647 acres of oak canopy) would be required to be mitigated under “Option B” of the Oak Woodland Plan. Conditions of approval to be included in the staff report would require adherence to General Plan Policy 7.4.4.4 and the Oak Woodland Management Plan.

Mitigation Measures have been included in Attachment 1 of the Conditions of Approval requiring payment of the mitigation fee for removal of all existing oak canopy (0.72 acres) prior to issuance of any building and grading permits.

ZONING

The proposed subdivision contains 41 residential lots which are consistent with the development standards identified within the proposed zoning district, R1, outlined in Section 17.28.210 of the Zoning Ordinance, except for minimum lot size. Proposed lot sizes range from 6,000 square feet to 20,317 square feet with all of the lots meeting the minimum parcel size of 6,000 square feet for lots served by public water and sewer.

Development Standards: Section 17.28.040 A-E of the Zoning Ordinance establishes the requirements for development within the R1 Zone District:

- A. Minimum lot area, six thousand square feet when the lot is served with public water supply and sewage system; ten thousand 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; twenty thousand square feet when the proposed water supply is a well and the proposed sewage disposal system is a septic tank, both located on the lot;**

The project would create 41 residential lots ranging in size from 6,000 to 20,317 square feet. All of the parcels would be served by public water and sewer, and thus would meet the minimum lot area.

- B. Maximum lot coverage, thirty-five percent (including accessory buildings);**

Future development of the residential lots would include single-family residences and accessory structures which would be required to meet this standard at the time of issuance of building permits.

- C. Minimum Lot Width, sixty feet.**

The project request is for a clustered development, which would result in varying lot widths and dimensions. However, all proposed lots would have an average lot width in exceedance of 60 feet.

- D. Minimum yards: front, twenty feet; sides, five feet, except the side yard shall be increased one foot for each additional foot of building height in excess of twenty-five feet (25'); rear, fifteen feet (15'); (Ord. 4236, 1992)**

All future residences and accessory structures would be required to meet the setback requirements of the R1 Zone District at the time of building permit issuance.

E. Maximum building height, forty feet (40'). (Prior code §9411(c); Ord. 4236, 1992)

Future development on each lot would require compliance with the maximum height requirements of the R1 Zone District.

Conclusion: The proposed lots would be consistent with the Development Standards of the R1 Zone District. The Planned Development application allows for the reduction of the minimum parcel size of five acres in the Airport Safety Zone 3. The project would cluster the units in order to avoid impacts to rare plants and steep slopes on the project site. Clustering onsite would result in 40 percent of the site remaining in five open space lots. The project meets the requirements of a Development Plan; therefore Planning Services finds the project is consistent with the Zoning Ordinance. Planned Development Findings of Approval have been included in Attachment 2.

Tentative Subdivision Map

The Tentative Subdivision Map would create 41 individual parcels for each residential unit and five lettered open space lots as shown in Table 1. The Tentative Subdivision Map and Development Plan would create 41 residential lots ranging in size from 6,000 square feet to 20,317 square feet, and 5 lettered open space lots ranging in size from 0.08 acres to 4.91 acres, totaling 8.16 acres.

Design Waivers Discussion: As proposed, a Design Waiver has been requested to reduce sidewalk widths from 6 feet to 4 feet. DOT has accepted this design waiver request, as sidewalks would be consistent with sidewalks on adjacent development to the north.

Development Plan

The applicant has requested a Planned Development zoning overlay to be placed upon the project in order to allow for clustering of lots and reduced minimum parcel sizes through the submittal of a Development Plan. The purpose of the clustering is to avoid sensitive resources onsite, take into consideration topographical constraints, provide significant amount of open space, and comply with the requirements of the zoning ordinance which requires that property located within Airport Safety Zone 3 to submit a Planned Development application. Lots would remain consistent with development standards of the zone district with the exception of minimum lot size of five acres as required for lots within the Airport Safety Zone 3.

Other Issues:

Access/Circulation: Access to the proposed subdivision would be provided via two access points, one at Harvey Road and one at Kimberley Road. DOT requires stop signs at newly created intersections as well as maintenance of adequate sight distances.

Air Quality: The El Dorado County Air Quality Management District reviewed the submitted airquality analysis and have included standard conditions to reduce the impacts on the air quality. The standard conditions are required to be adhered to as a Condition of Approval.

Noise: The project, during construction and earthwork, may generate temporary and intermittent noise. There are residential units on parcels surrounding the project site and under the County's noise ordinance, construction activities and earthwork would be limited to certain hours of the day to minimize affects on nearby residences.

Rare Plants: The site contains a number of sensitive plant species as identified in the Mitigated Negative Declaration. These plants are part of the Pine Hill Plants. Project development has the potential to significantly impact these species as a result of grading and development activities. Mitigation requiring payment of in-lieu fees, preservation, transplantation and restoration of habitat, and long-term avoidance through preservation of onsite open space has been incorporated into the project Conditions of Approval.

Public Transit: The El Dorado County Transit District reviewed the proposed project and had no concerns or specific conditions of approval requested.

Surveyor's Office: The Surveyor's Office reviewed the proposed project and noted that survey monuments must be set and roads named through the Surveyor's Office prior to Final Map filing.

Utilities: Pacific Gas and Electric Company reviewed the proposal and had no comments.

Agency and Public Comments: Appropriate conditions from each reviewing agency are included in the project permit. The following agencies provided comments and/or conditions for this project:

- Cameron Park Fire Department (letter dated December 2, 2008)
- El Dorado Irrigation District (letter dated September 8, 2005)
- El Dorado County Environmental Management (letter dated August 13, 2007)
- El Dorado County Department of Transportation (letter dated December 8, 2008)
- Office of the County Surveyor (memo dated August 13, 2007)
- El Dorado Transit (letter dated July 20, 2007)
- El Dorado County Resource Conservation District (July 30, 2007)

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project has a significant effect on the environment. Based on the Initial Study, staff finds that the project could have a significant effect on air quality, biological resources, noise, and traffic. However, the project has been modified to incorporate the mitigation measures identified in the Initial Study that will reduce the impacts to a level considered to be less than significant. Therefore, a Mitigated Negative Declaration has been prepared.

NOTE: This project is located within or adjacent to an area that 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 \$1,933.00 after approval, but prior to the County filing the Notice of Determination on the project. This fee plus a \$50.⁰⁰ recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$1,933.00 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 recommend that the Boards of Supervisors take the following actions:

1. Adopt the Mitigated Negative Declaration based on the Initial Study reviewed by staff;
2. Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the conditions of approval and mitigation measures in Attachment 1;
3. Approve Rezone Z07-0027 based on the findings in Attachment 2;
4. Conditionally approve Planned Development application PD07-0017, Tentative Subdivision Map application TM96-1325E, and adopting the development plan as the official development plan, subject to the conditions in Attachment 1, based on the findings in Attachment 2.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Attachment 3	Other Standard Subdivision Requirements of Law
Exhibit A	Vicinity Map
Exhibit B	Assessor's Parcel Map
Exhibit C	General Plan Land Use Map
Exhibit D	Zoning Map
Exhibit E	Tentative Map
Exhibit F	Preliminary Grading & Drainage Plan
Exhibit G	Slopes Map
Exhibit H	Tentative Map with Aerial Image
Exhibit I	Mitigated Negative Declaration

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ATTACHMENT 1 CONDITIONS OF APPROVAL

FILE NUMBER Z 07-0027/PD 07-0017/TM 96-1325E

CONDITIONS OF APPROVAL

1. The project, as approved, consists of the following:

This rezone, planned development and tentative subdivision map are based upon and limited to compliance with the project description, the Planning Commission hearing exhibit marked Exhibits E-H (Rezone/Planned Development/Tentative Subdivision Map) dated February 12, 2009, 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.

Project Description: The project request includes a Rezone, Planned Development, and Tentative Subdivision Map. The zone change request would add the Planned Development (PD) overlay to project parcels currently zoned R1 as required for developments within Airport Safety Zone 3. The Tentative Map and Development Plan would create 41 residential lots ranging in size from 6,000 square feet to 20,317 square feet, and 5 lettered open space lots ranging in size from 0.08 acres to 4.91 acres, totaling 8.16 acres (See Table 1). The project requires annexation into the Cameron Park Community Services District (CSD) and Fire Department Boundaries. A Design Waiver has been proposed to allow sidewalk widths to be modified from 6 feet to 4 feet. Water and sewer would be provided by the El Dorado Irrigation District (EID). Access would be provided via an internal roadway system with points of access at Kimberly Road and Harvey Road.

The gross and net lot area shall comply with Table 1 below:

Table 1. Lot Sizes					
Lot #	Gross Area(s.f.)	Net Area (s.f.)	Lot #	Gross Area(s.f.)	Net Area (s.f.)
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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 Plant Replacement Plans) must be submitted for review and approval and shall be implemented as approved by the County.

Conditions from the Mitigated Negative Declaration

The following mitigation measures are required as a means to reduce potentially significant environmental effects to a level of insignificance:

2. A pre-construction survey for California horned lizard shall be conducted not more than one hour prior to clearing or grubbing of vegetation. The preconstruction survey will be conducted at a time of day when the lizard is most likely to be found (basking behavior during mid-morning), determined by a qualified biologist, and most likely to result in detection and capture of California horned lizard if present. California horned lizards, if found, will be moved to an open space area on-site. **(MM BIO-1)**

Timing/Implementation: Prior to issuance of grading permits, a note shall be included on all grading plans which states the above measure. This measure shall be implemented prior to clearing, grubbing, or grading on the project site.

Enforcement/Monitoring: El Dorado County Planning Services

3. The Pine Hill Plants that are within the limits of grading shall be transplanted and/or propagated to designated open space areas. The transplanting and/or propagation shall be overseen by a qualified botanist, approved by the El Dorado County Planning Services. The botanist shall identify the location to receive the plants, identify the methods of transplantation and/or propagation, and oversee the work. **(MM BIO-2)**

Timing/Implementation: Prior to issuance of the grading permits, the applicant shall prepare a transplant/propagation plan for plants within the limits of grading areas. The applicant shall submit the plan with the qualifications of the botanist to El Dorado County Planning Services for review and approval. The Pine Hill Plants within the grading limits will be transplanted and/or propagated prior to issuance of a grading permit.

Enforcement/Monitoring: El Dorado County Planning Services

4. A deed restriction shall be placed on the project open space and incorporated into the CC&Rs except for a 25-foot buffer from limit of grading. The deed restriction shall restrict activities not compatible with long-term preservation of the Pine Hill Plants such as grading, plowing, or use of herbicides not specific to groups of plants that do not include any of the Pine Hill Plant species present on the site. The deed restriction shall allow activities compatible with the long-term preservation of the Pine Hill Plants such as large brush removal above the soil surface, and passive recreational uses such as a trail. The deed restriction shall be written in consultation with a qualified botanist, approved by El Dorado County Planning Services. **(MM BIO-3)**

Timing/Implementation: The deed restriction shall be recorded at the time of filing of the final map. This deed restriction shall be noted and incorporated into the project CC&Rs.

Enforcement/Monitoring: El Dorado County Planning Services

5. If construction begins outside the 1 February to 31 August breeding season, there will be no need to conduct a preconstruction survey for active nests. If a nest becomes active after construction has begun, then the bird is considered adapted to construction disturbance.
 - If construction is scheduled to begin between 1 February and 31 August, then a qualified biologist shall conduct a preconstruction survey for active nests in the construction footprint and within 250 ft of the construction footprint from publicly accessible areas within two weeks prior to construction. If no active nest of a bird of prey or Migratory Bird Treaty Act (MBTA) bird is found, then no further mitigation measures are necessary.
 - If an active nest of a bird of prey or MBTA bird is found, then the biologist shall flag a minimum 250-foot Environmentally Sensitive Area (ESA) around the nest if the nest is of a bird of prey, and a minimum 100-foot ESA around the nest if the nest is of an MBTA bird other than a bird of prey.
 - No construction activity shall be allowed in the ESA until the biologist determines that the nest is no longer active, or unless monitoring determines that a smaller buffer will protect the active nest.
 - The buffer may be reduced if the biologist monitors the construction activities and determines that no disturbance to the active nest is occurring. The size of suitable

buffers depends on the species of bird, the location of the nest relative to the project, project activities during the time the nest is active, and other situation specific conditions.(**MM BIO-4**)

Timing/Implementation: The above described measures shall be included as a note on all grading plans. El Dorado County Planning Services shall verify that this measure has been included as a note on grading plans prior to issuance of a grading permit. The applicant shall conduct the monitoring no more than two weeks prior to clearing and grubbing if construction begins during the nesting season (1 February – 31August).

Enforcement/Monitoring: El Dorado County Planning Services

6. Construction activities shall be limited to between the hours of 7:00 AM and 5:00 PM, Monday through Friday, and 8:00 AM and 5:00 PM on weekends and federally-recognized holidays.(**MM NOI-1**)

Timing/Implementation: All building and grading plans shall include a note reflecting the above referenced measure. El Dorado County Planning Services shall verify that this note has been included on all grading and building plans prior to issuance of grading and building permits.

Enforcement/Monitoring: El Dorado County Planning Services shall verify that the above measure has been incorporated on the building and grading plans prior to issuance of building and grading permits.

7. Any landscaping at the proposed Road “Z” intersection at Kimberly Road shall be limited to low lying landscaping no more than 3 feet in height and trees with canopies no lower than 10 feet from the ground. Sight triangles meeting County standards shall be maintained at this intersection.(**MM TRA-1**)

Timing/Implementation: Prior to issuance of grading and building permits the applicant shall include a note reflecting the above requirement on all building, landscaping and grading plans. DOT and El Dorado County Planning Services shall review plans to ensure that these measures have been included on all relevant plans.

Enforcement/Monitoring: El Dorado County Planning Services & DOT shall verify that the above measure has been incorporated on the plans prior to issuance of a building and/or grading permit.

CONDITIONS OF APPROVAL

Planning Services

8. All fees associated with the Tentative Subdivision Map shall be paid prior to filing the Final Subdivision Map.
9. The developer shall pay the mitigation in-lieu fee or provide a replacement plan for all oak canopy removed as part of project implementation (Total 0.72 acres). The mitigation fee shall be paid at a 1:1 ratio as required by the Oak Woodland Management Plan and shall be based on the fee established by the Board of Supervisors. Based on existing oak canopy coverage, the applicant shall mitigate at a 1:1 ratio for 0.072 acres, and a 2:1 ratio for 0.647 acres. The applicant shall provide to Planning Services proof of payment of the mitigation in-lieu fee or replacement plan, prepared by a licensed arborist, prior to issuance of a grading permit or removal of any oak trees.
10. Prior to issuance of a grading permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services if deemed necessary prior to issuance of a grading permit for verification of compliance with applicable conditions of approval.
11. 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.
12. 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).
13. Prior to approval of the final map by the Board of Supervisors, the subdivider shall be required to form a County Service Area Zone of Benefit, or other entity to fund the maintenance of drainage facilities 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.
14. At time of final map filing, CC&R's shall be submitted and reviewed by Planning Services.

15. At the time of map filing, all open space lots shall be dedicated to a Homeowner's Association or similar entity as open space with an appropriate maintenance program.
16. This Tentative Subdivision Map shall expire in 36 months from date of approval unless a time extension has been filed.
17. 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.
18. The location of fire hydrants and systems for fire flows are to meet the requirements of the Cameron Park CSD and the Cameron Park Fire Department. The location of hydrants shall be shown on the improvement plans which shall be subject to the approval of the fire protection district. If fire flows cannot be met, all habitable structures shall be sprinklered in accordance with Fire Department requirements. This condition shall be included in the CC&Rs for the project.
19. A fire safe management plan, acceptable to the Cameron Park Fire Department and the California Department of Forestry, 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.
20. A meter award letter or similar document shall be provided by the water purveyor prior to filing the final map.
21. 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.
22. 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.
23. Where the subdivider is required to make improvements on land which neither the subdivider nor the County has sufficient title or interest to make such improvements, prior to filing of any final map or parcel map, the subdivider shall submit to the Planning Director for approval:
 - a. A legal description prepared by a civil engineer or land surveyor of the land necessary to be acquired to complete the off-site improvements.
 - b. Improvement plans prepared by a civil engineer of the required off-site improvements.

- c. An appraisal prepared by a professional appraiser of the cost of land necessary to complete the off-site improvements.

Prior to the filing of the final map, the subdivider shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required off-site improvements including the full costs of acquiring any real property interests necessary to complete the required improvements.

In addition to the agreement, the subdivider shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

24. The developer shall pay all applicable school fees at the time of issuance of building permits for individual lots.

Cameron Park Fire Department

25. Prior to recordation of the final map, the project shall annex into the Cameron Park CSD and Fire Department boundaries.
26. Prior to issuance of building permits, the applicant shall demonstrate to the satisfaction of the Cameron Park Fire Department that minimum fire flow requirements have been met as described herewith:
 - The minimum fire flow requirements for one and two family residential floor area, which does not exceed 3,600 sq ft shall be 1,000 gallon per minute. One and two family residential dwellings at are over 3,600 sq ft shall have a minimum fire flow of 1,500 gallons per minute. Fire flow shall meet Appendix B Table B105.1 and Cameron Park Fire Department amendments.
27. Prior to issuance of grading permits, the Cameron Park Fire Department shall review and approve plans for fire hydrants. Fire hydrant spacing shall not exceed 300 feet in residential area per Appendix C Table C105.1 and Cameron Park Fire Department amendments. All hydrants shall be on a loop system.
28. Prior to issuance of building permits, the Cameron Park Fire Department shall review plans to ensure that they meet fire department requirements for driveways and sprinklering. The driveways serving this project shall be designed to a maximum of 16% grade. Any driveway exceeding this requirement shall require installation of fire sprinklers per NFPA 13D within the dwelling unit.
29. Fire hydrants and roadways shall be completed before issuance of any building permits.

30. All roadway width shall meet California Fire Code Appendix D and Cameron Park Fire Department amendments. The Cameron Park Fire Department shall review and approve improvement plans prior to issuance of grading permits.
31. A fire safe management plan, acceptable to the Cameron Park Fire Department and the California Department of Forestry, shall be prepared and implemented. A letter of compliance with this condition shall be submitted by the Cameron Park Fire Department to Planning Services prior to filing the map.

El Dorado County Department of Transportation

Project Specific DOT Conditions

32. All roads shall be constructed in conformance with the El Dorado County Design and Improvements Standard Manual (DISM) with the following widths, and must be substantially complete, as determined by the Department of Transportation, prior to the filing of the final map:

ROAD NAME		ROAD WIDTH	EXCEPTIONS/NOTES
Harvey Road (offsite)			Type 1 rolled curb & gutter, 4-ft sidewalk
Road X,Y,Z (onsite)	StdPlan101B	36ft(50ft R/W)	Type 1 rolled curb & gutter, 4-ft sidewalk

Notes for Condition 1 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 the curb.

33. Prior to filing of the final map, an irrevocable offer of dedication for the required rights-of-way shall be made for all the proposed roads, with slope easements where necessary. Said offer may be rejected at the time of the final map.
34. Applicant shall install stop signs and striping on Harvey Road at the Berry Road intersections, and must be substantially complete, as determined by the Department of Transportation, prior to the filing of the final map.
35. **Off-site Improvements (Cambridge Rd & US 50):** The applicant shall provide an all way stop at the Cambridge Road/ US 50 eastbound on-off ramps, providing an all way stop. The signing and striping shall be designed and constructed per the latest version of the California Manual Uniform Traffic Control Devices (MUTCD). The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to filing of the final map. In addition, the applicant shall obtain an approved encroachment permit from Caltrans for the required improvements.

36. Applicant shall show sight distance triangles on the improvement plans, including a sight distance profile, at all intersections, especially at Road Z and Kimberly Road.
37. Per Section 3.B.6. of the DISM, a tangent at least one hundred feet long shall be introduced between reversed curves. A line and curve table should be introduced to demonstrate that street alignments meet County design criteria prior to filing the final map.
38. The applicant shall demonstrate to the County that this project has entitlements for use of the off-site roads and public utility easements along the northern, western, and southern boundaries of this project.
39. Prior to recordation of the final map, the applicant shall join and/or form an entity, satisfactory to the County, to maintain all roads not maintained by the County, both on-site and for those roads that are required for access to County or State maintained roads.
40. Prior to filing the final map, the applicant shall form a drainage zone of benefit (ZOB) or other appropriate entity to ensure that all storm water drainage facility maintenance requirements are met.
41. 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 incorporated if drainage increases more than the pre-development 10-year storm event, prior to the filing the final map
42. As specified in the 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 possession of the property. In such cases, prior to filing of any final map or parcel map, the subdivider shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to *Government Code Section 66462.5* and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a twenty-percent (20%) contingency:
 - a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
 - b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
 - c. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements

In addition to the agreement the subdivider shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of county counsel.

Standard DOT Conditions

43. 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 prior to filing of the final map.
44. 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, prior to filing the final map.
45. The construction of all required improvements shall be completed with the presentation of the final map to the Planning Director before presentation of the final map to the Board of Supervisors for its approval. For improvements not completed, the subdivider shall provide a 100 percent performance surety and a 50 percent labor and materialmen surety by separate bond, cash deposit, assignment, or letter of credit from a financial institution. For improvements which have been completed, the subdivider shall provide a ten percent maintenance surety in any of the above-mentioned forms. Verification of construction, or partial construction, and cost of completion shall be determined by the County Department of Transportation. The developer shall pay the traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.
46. All on and off-site road improvement requirements required as conditions of approval and/or mitigation measures shall be analyzed in the environmental document for this development project to the appropriate extent under CEQA . Any improvements that are not thoroughly analyzed shall include a discussion and justification under that particular impact analysis within the CEQA document as to the circumstances preventing such analysis along with a method and time frame for any future analysis.
47. An irrevocable offer of dedication, in fee, for the required rights-of-way shall be made for all the proposed roads, with slope easements where necessary. Said offer may be rejected at the time of the final map, in which case, a homeowner's agreement and association, or other entity, shall be established in order to provide for the long-term maintenance of the roads.
48. The final map shall show all utility, road and drainage easements per 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.
49. A final drainage study shall be prepared by the project proponent and submitted with the subdivision grading and improvement plans to the approval of the Department of

Transportation. All drainage facilities identified in the drainage study shall be included in the subdivision grading and improvement plans.

50. 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.
51. 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.
52. 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.
53. 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. The County shall issue no building permits until the Department of Transportation approves the final grading and erosion control plans and the grading is completed.
54. 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.
55. Subdivision improvements shall include rough grading of driveways for all lots with street cuts or fills along the frontage of six feet or more difference in elevation, or as found necessary for reasonable access by the County Engineer. Construction of said driveways shall conform to the Design and Improvements Standards Manual and the Encroachment Ordinance. As an alternative, a Notice of Restriction shall be filed against all downhill lots with fill in excess of 6 feet which allows structural driveway access only.
56. 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).

57. 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.
58. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer shall 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.
59. This project disturbs more than one acre of land area (43,560 square feet). The Developer 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 State of California. 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 SWRCB, with a duplicate copy submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.

El Dorado County Surveyor's Office

60. 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.
61. 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.

El Dorado County Environmental Management

Air Quality Management

62. The applicant shall adhere to all District rules and conditions during project construction, as specified by the District in their letter dated August 13, 2007 prior to issuance of any permits associated with this project.

Hazardous Materials

63. If any commercial, industrial, agricultural, mining or any other hazardous materials handling activities have taken place on the property in the past, the applicant must conduct a Phase I Environmental Site Assessment (ESA). The Phase I must be conducted in accordance with ASTM standard E 1527-00. All information developed in the Phase I process must be

submitted to the Hazardous Materials Division (HMD) for review. If upon review of the Phase I information, HMD determines the property is a potentially impacted site, the applicant must apply for a permit, submit a workplan and conduct a Phase II ESA and any required site remediation activities prior to developing property.

ATTACHMENT 2 FINDINGS

**FILE NUMBER Z 07-0027/PD 07-0017/TM 96-1325E
Planning Commission February 12, 2009**

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 pursuant to *Section 66472.1* of the *California Government Code*:

FINDINGS FOR APPROVAL

1.0 CEQA FINDINGS

- 1.1** El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2** The County finds that through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 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 at 2850 Fairlane Court, Placerville, CA, 95667.
- 1.4** Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 GENERAL PLAN FINDINGS

- 2.1** The proposed project is consistent with policies 2.1.5.1 regarding building densities, 2.2.5.21 regarding compatibility with adjoining land uses, 5.2.1.2 regarding adequate water supplies, 5.2.1.3 regarding connecting to a public water system, 5.7.1.1 regarding adequate water for fire protection, and 7.4.4.4 regarding oak woodland preservation and mitigation.
- 2.2** The proposed use and design conforms to the High Density General Plan Land Use Designation. The project area is located within a Community Region, the proposed use and development density are consistent with the land use designation. The project is consistent with all applicable policies including General Plan Policies 2.2.1.2 regarding land use

designations, 2.2.3.1 regarding planned developments, 2.2.1.5 regarding building intensities, 2.2.5.3 regarding general policies for evaluating zone changes, 2.2.5.21 regarding incompatibility with surrounding land uses, 5.2.1.2 regarding adequate water supply, 5.7.1.1 regarding fire protection, and 7.4.4.4 regarding oak woodlands.

- 2.3** In accordance with State law and pursuant to General Plan Policy 2.2.5.3, the County has evaluated the subject Zone Change request based on the requirements of the General Plan relating to minimum parcel size or maximum allowable density and to assess whether changes in conditions are present that would support a higher density Zone District. The 19 specific criteria found within General Plan Policy 2.2.5.3 have been analyzed with regards to the above-referenced Zone Change request. Based on this analysis and the conclusions reached in the staff report, the site is found to be suitable to support the proposed density.

3.0 ZONING FINDINGS

- 3.1** The subdivision contains 41 residential lots which are consistent with the development standards identified within the R1 zone district outlined in Sections 17.28.040 of the Zoning Ordinance. Proposed residential lot sizes range from 6,000 acres to 20,317 square feet.

4.0 ADMINISTRATIVE FINDINGS

4.1 Planned Development

- 4.1.2** *The Planned Development is consistent with the General Plan.* As outlined within the staff report and General Plan consistency findings above, the Planned Development is consistent with the applicable policies of the General Plan concerning land use, transportation and circulation, public services and utilities, public health, safety, and noise element, conservation and open space and parks and recreation.

- 4.1.3** *The proposed development is so designed to provide a desirable environment within its own boundaries.* The proposed development plan features approximately 8.16 acres of open space within natural setting. As such, the development is designed to provide a desirable environment within its own boundaries.

- 4.1.4** *Any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography.* The project does not require any deviations from the zoning regulations for the R1 zone district. The project does deviate from the required lot size of 5 acres in the Airport Safety Zone 3, but this is justified by the fact that the property is lower in elevation than surrounding residences and topography, and as such the proposed residential development does not create an air traffic hazard.

- 4.1.5** *The site is physically suited for the proposed use.* The 20.13-acre site contains sufficient developable areas to accommodate the proposed residential uses and density.

4.1.6 *Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities.* Public water and sewer will be provided to the project site by EID based upon their letter dated September 8, 2009. The Department of Transportation (DOT) has conditioned the project accordingly to ensure that all roads are developed to accommodate project traffic.

4.1.7 *The proposed uses do not significantly detract from the natural land and scenic values of the site.* The project will alter the character of the project site from its existing undeveloped, natural character; however, 40 percent of the site is to remain in open space, therefore, the project will maintain the character of the site over and above the high-density character of the surrounding neighborhood.

4.2 Tentative Subdivision Map

4.2.1 *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 access, public water and sewer service, grading, transportation, and fire protection.

4.2.2 *The site is physically suitable for the type and density of development proposed.* The site is physically suitable for the proposed type and density of development. Development avoids steep slopes, drainages, and sensitive vegetation to the maximum extent feasible.

4.2.3 *The design of the subdivision and proposed improvements as conditioned will not cause significant environmental damage or injure fish and wildlife habitat.* A Mitigated Negative Declaration (Exhibit I) was prepared to assess project-related environmental impacts. Based on the Initial Study, the Planning Commission finds that the project could have a significant effect on biological resources. However, the project has been modified to incorporate the mitigation measures identified in the Initial Study which will reduce the impacts to a level considered to be less than significant. Therefore, a Mitigated Negative Declaration has been prepared.

4.2.4 *The subdivision shall have adequate access to accommodate the proposed density.* The project will develop an internal public road system consistent with design standards of surrounding roadways. Access will be taken from Harvey Road and Kimberly Road, connecting the existing neighborhood and providing additional circulation throughout the area.

4.2.5 *The subdivision shall not create serious public health and safety problems or unacceptable fire risk to future occupants to adjoining properties.* The Cameron Park Fire Department has reviewed the proposed Tentative Subdivision Map and will require new fire hydrants for the site as well as road improvements as shown on the Tentative Subdivision Map and an approved fire safe plan. Fire issues are addressed within the project's conditions of approval.

5.0 DESIGN WAIVER APPROVAL FINDINGS

The applicant requested a Design Waiver to allow a reduction in sidewalks to a 4-foot width instead of the required 6-foot width.

5.1 There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.

The project has been proposed as a clustered development to avoid steep slopes and sensitive plant species. This clustering has resulted in reduced lot sizes and a tighter roadway system. This tighter development warrants the reduced sidewalk width. In addition, surrounding development which would connect to this project have 4-foot sidewalk widths.

5.2 Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.

Strict adherence to County design guidelines for sidewalk widths would result in an expanded development area which would result in reduced open space area, larger lots, and greater impacts to sensitive plant species.

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

The proposed Design Waiver would be consistent with sidewalk widths of adjacent development to the north. There are no sidewalks in the existing neighborhood to the south.

5.4 The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.

The proposed waiver is consistent with the design standards applied to other subdivisions in the area, including development to the north of the project site.