

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



Agenda of:	November 14, 2013
Item No.:	9
Staff:	Tom Dougherty

PARCEL MAP REVISION

FILE NUMBER: P11-0005-R/Angles

APPLICANT: Michael Angles

REQUEST: Revised Parcel Map to add a Design Waiver of the Design Improvement Standards Manual Standard Plan 101-C requirement for the paving of roads for parcels located above the 3,000-foot elevation.

LOCATION: On the north side of Emerald Forest Drive, approximately 4,000 feet north of the intersection of Rainbow Trail and Sly Park Road, in the Pollock Pines area, Supervisorial District 2. (Exhibit A).

APN: 042-011-46

PARCEL SIZE: 50.57 acres

GENERAL PLAN: Low Density Residential (LDR) (Exhibit D-1)

ZONING: Estate Residential Ten-Acre (RE-10) (Exhibit E)

ENVIRONMENTAL DOCUMENT: Previously Adopted Negative Declaration

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

1. Find that pursuant to Section 15162 of the CEQA Guidelines, the previously approved Negative Declaration adequately analyzes the potential impacts of this revision and no subsequent Negative Declaration needs to be prepared for the project;
2. Approve the revisions to P11-0005 subject to the modified Conditions of Approval as listed in Attachment 1, based on the Findings listed in Attachment 2; and
3. Approve the Design Waiver request to allow an exception to Design Improvement Standards Manual Standard Plan 101-C to allow the on-site and off-site roads to be surfaced with a two-inch aggregate base instead of AC pavement.

PROJECT INFORMATION

Project Description: Design Waiver request to allow an exception to Design Improvement Standards Manual Standard Plan 101-C to allow the on-site and off-site roads to be surfaced with a two-inch aggregate base instead of AC pavement.

Site Description: The 50.57-acre parcel varies in elevation from 3,680 to 3,845 feet above sea level. The majority of the parcel is covered with native conifer trees and shrubs with some areas having the lower conifer branches removed for fire control. There is a drainage swale that drains northeast to southwest along the eastern portion. This is shown as an intermittent stream on the Sly Park U.S.G.S. Quadrangle but has no channel defined from water flow, nor does it have any wetland indicator plants present. The existing on-site roads shown on the tentative parcel map have all been previously graded and graveled.

Background: On October 10, 2013 the Planning Commission approved the following: 1. Tentative Parcel Map P11-00005 creating four single-family residential parcels, comprising 10.00, 10.01, 10.02 and 20.54 acres from a 50.57-acre parcel. 2. Design Waiver approval to allow a reduction of the surface widths of all on-site and off-site roads from 28 feet to 18 feet that included Mira Bella Drive, Emerald Forest Drive, and Bela Vista Drive; and 3. Special Use Permit to allow an access controlled gate, to be installed to El Dorado County Fire Protection District standards between the Bela Vista Drive cul-de-sac and the graveled road connector road to Mira Bella Drive.

Although there was discussion and assumptions at that hearing about the gravel roads, there was not a specific design waiver request to allow that exception. The approved conditions did not clearly call out the type of travel surface therefore the default would be paved per the Standard Plan, because the project is located above the 3,000-foot elevation. The notice for the Special Use Permit request for a gate identified the connector road as graveled, but did not address the on-site roads. The subject design waiver request seeks to clarify that all on-site and off-site roads may have travel surfaces that are all to be graveled (two-inch aggregate base).

Additionally, Condition 1.c is recommended to be modified to be equivalent to the change to Condition 45 about the emergency ingress/egress.

STAFF ANALYSIS

Design Waiver Request: The applicant is seeking to be allowed to have all on-site and off-site road surfaces be gravel. Standard Plan 101-C requires parcels located above the 3,000-foot elevation to have paved surfaces.

The following findings must be made by the approving authority for the requested Design Waiver:

1. There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.
2. Strict application of the design or improvement requirements will cause extraordinary and unnecessary hardship in developing the property.

- 3 The adjustment or waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.
- 4 The waiver 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 Fire Code requires these roads to have an all-weather surface capable of supporting 40,000 lbs. The El Dorado County Fire Protection District and Transportation Division required travel surface may be graveled (technically referred to as two-inch aggregate base). The primary concern would be snow removal and emergency access during snow conditions.

There are special circumstances for this project that would support this waiver due to the ten-plus acre sized parcels, the fact the existing graveled roads have served the existing parcels adequately, the rural nature of the surrounding area, as well as the absence of slopes over 12 percent grade within the areas proposed for the roads. Both the Fire District and Transportation have reviewed the waiver request and have determined, because of the factors listed above, and as conditioned for surface width, snow storage areas, turnaround requirements, as well as adherence to the approved Fire Safe Plan, that neither has any outstanding concerns with the applicant's Design Waiver request.

ENVIRONMENTAL REVIEW: Pursuant to CEQA Guidelines Section 15162, no subsequent Negative Declaration shall be prepared for the project as there has been no substantial change in the project based on the whole record that would cause a significant effect on the environment. This is a proposal to allow the project roads to be surfaced with two-inch aggregate base. The review of compliance with the conditions of approval for the tentative parcel map, remedial measures to be taken, including modifications to conditions, ensure compliance of the project proposal with the tentative parcel map and it can be seen with certainty that there is no possibility that these actions in question may have a significant effect on the environment. All conditions of approval, environmental commitments, and Best Standard Practices included in the previous Initial Study/Negative Declaration adopted on October 10, 2013, will continue be incorporated into this document for the entire project area. A \$50.00 processing fee is required by the County Recorder to file the Notice of Declaration.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Location Map
Exhibit B	Access Map
Exhibit C	Tentative Parcel Map; January 2011
Exhibit D	Adopted Negative Declaration and Initial Study

ATTACHMENT 1

CONDITIONS OF APPROVAL

Special Use Permit S12-0008/Parcel Map Revision P11-0005-R/Angles
Planning Commission/November 14, 2013

CONDITIONS OF APPROVAL

Project Description

1. This Tentative Parcel Map Revision and Special Use Permit are based upon and limited to compliance with the project description, the following hearing exhibit and Conditions of Approval set forth below:

Exhibit F Tentative Parcel Map, dated January 2011
Exhibit G Gate Location Plan

Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval would constitute a violation of permit approval.

The project approval shall include the following and applies to the parcel currently identified by Assessor's Parcel Number 042-011-46:

- a. Tentative Parcel Map creating four single-family residential parcels, comprising 10.00, 10.01, 10.02 and 20.54 acres from a 50.57-acre parcel as shown in Exhibit F. All four parcels shall be served by onsite septic wastewater systems and wells.
- b. Design Waiver approval to allow a reduction of the surface widths of all on-site and off-site roads from 28 feet to 18 feet. This would include Mira Bella Drive, Emerald Forest Drive, and Bela Vista Drive.
- c. Design Waiver approval to allow an exception to Standard Plan 101-C permitting all on-site and off-site roads to be surfaced with a two-inch aggregate base. This would include Mira Bella Drive, Emerald Forest Drive, and Bela Vista Drive.
- e.d. Special Use Permit allowing an access controlled ~~electric gate with coded entrance~~ ~~that automatically opens for exiting purposes~~, to be installed to El Dorado County Fire Protection District standards between the Bela Vista Drive cul-de-sac and the graveled road connector road to Mira Bella Drive, at the location shown in Exhibit G.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, and parking 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 must be submitted for review and approval and shall be implemented as approved by the County.

Planning Services

2. **Map Time Limits:** The map shall remain in effect for three years from the date of approval. If the map has not been filed within this timeframe, an extension may be requested prior to expiration of the map. Appropriate fees shall be paid to process the time extension.
3. **CA Fish and Wildlife Fee:** The applicant shall submit to Planning Services a \$50.00 recording fee and a \$2,156.25 Department of Fish and Wildlife fee prior to filing of the Notice of Determination by the County. No permits shall be issued or Parcel Map filed until said fees are paid.
4. **Park In-Lieu Fee:** The applicant shall submit a request for Park-in-Lieu fee appraisal to Planning Services, with a check for \$150.00 made out to the El Dorado County Assessor. Upon completion of appraisal, the applicant shall pay the park fee to the Development Services Division.
5. **Archeological Resources:** The following shall be incorporated as a note on the grading/improvement plans:

In the event archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a “unique archeological resource”, contingency funding and a time allotment sufficient to allow recovering an archeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archeological mitigation takes place.

If the find is determined to be a “unique archeological resource”, the archaeologist shall determine the proper method(s) for handling the resource or item in accordance with Section 21083.2(b-k). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken or the site is determined a “nonunique archeological resource”.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit

6. **Human Remains:** The following shall be incorporated as a note on the grading/improvement plans:

In the event of the discovery of human remains, all work shall cease and the County coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the

excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

7. **Hold Harmless Agreement:** In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action.

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

Transportation Division

8. **Offsite Improvements:** The applicant shall improve the extension of Bella Vista Drive to Mira Bella Drive and the connector between Mira Bella Drive to Golden Street, in accordance with the DISM Standard Plan 101C and the current Fire Code, with a 20-foot wide all weather surface roadway capable of supporting 40,000 pounds, (~~18-foot travel two-inch aggregate base~~ surface with 1-foot shoulders on each side). The connector road from Mira Bella Drive to Golden Street shall provide snow storage areas on the improvement plans. The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved Improvement Agreement with security, prior to the filing of the Parcel Map.
9. **Onsite Improvements:** The applicant shall improve Mira Bella Drive, and Emerald Forest Drive in accordance with the DISM Standard Plan 101C and the current Fire Code with a

20-foot wide all weather surface, roadway capable of supporting 40,000 pounds (18-foot ~~travel~~ two-inch aggregate base surface with 1-foot shoulders on each side). The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved Improvement Agreement with security, prior to the filing of the Parcel Map.

10. **Turnaround:** The applicant shall provide a turn around at the end of both Emerald Forrest Drive and Mira Bella Drive to the provisions of County Standard Plan 114 or approved equivalent by local fire district. The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved Improvement Agreement with security, prior to the filing of the Parcel Map.
11. **Encroachment:** The applicant shall obtain an encroachment permit and construct the encroachment from Mira Bella Drive onto Golden Street and the extension of Bella Vista Drive to the provisions of County Design Std 103C. The structural section shall be at least 2.5" AC over 6" AB. The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved Improvement Agreement with security, prior to the filing of the Parcel Map.
12. **Secondary Emergency Access Gate:** All gates shall be designed and constructed with turnarounds acceptable to the Transportation Division and the El Dorado County Fire Protection District. Additionally, gate entrances can be placed at the property line and shall be at least two feet wider than the width of the traffic lane(s) serving that gate. The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved Improvement Agreement with security, prior to the filing of the Parcel Map.
13. **Maintenance Entity:** All shared or common public or private roads, parking facilities, landscaping, signs, gates and drainage facilities associated with this Parcel Map shall participate in an entity for the purpose of maintenance. If there is an existing entity, the owner shall join such entity. If the existing entity does not cover all of the above mentioned facilities, that entity shall either:
 - a. Modify the existing entity to include all of the above mentioned facilities; or
 - b. Create a new entity that includes all of the above mentioned facilities.

The Transportation Division shall review and approve the document modifying or forming the entity to ensure the provisions are adequate, prior to filing of the Parcel Map.

14. **Easements:** All applicable existing and proposed easements shall be shown on the Parcel Map.
15. **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" sign as required by the Transportation Division prior to the filing of the Parcel Map. The signing and striping shall be designed and constructed per the latest version of the California Manual Uniform Traffic Control Devices (MUTCD).

16. **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.
17. **DISM Consistency:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (as may be modified by these Conditions of Approval or by approved Design Waivers) from the Transportation Division, and pay all applicable fees prior to filing of the Parcel Map.
18. **Parcel Map Improvement Agreement & Security:** If the required improvements are not completed prior to filing of the map or if the Engineer's Estimate is \$100,000 or greater for the required improvements, the developer shall enter into a Parcel Map Improvement Agreement (PMIA) with the Transportation Division for onsite roadway, drainage infrastructure, grading, etc. The developer shall also provide a security to guarantee performance of the PMIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map. The improvements shall be installed to the satisfaction of the Transportation Division prior to filing of the parcel map.
19. **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.
20. **Grading Permit / Plan:** If more than 250 cubic yards of earth movement are required for improvements, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Transportation Division for design 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 fees shall be paid at the time of submittal of improvement plans. All applicable inspection fees shall be paid prior to issuance of a permit. The improvements and grading shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved Improvement Agreement with security, prior to the filing of the Parcel Map.
21. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Transportation Division. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Transportation Division 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.
22. **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 Transportation Division. The Transportation Division shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.

23. **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 Transportation Division. 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.
24. **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 Transportation Division.

The Drainage Study must demonstrate that the subject property has adequate storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:

- a. The site can be adequately drained;
- b. The development of the site will not cause problems to nearby properties, particularly downstream sites;
- c. 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 the applicant shall demonstrate that there are no downstream impacts.
- d. The ultimate drainage outfall of the project.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. A Scoping Meeting for the required drainage study between County staff and the engineer shall occur prior to the first submittal of improvement plans. The engineer shall bring a watershed map and any other existing drainage system information to the Scoping Meeting.

25. **Drainage (Cross-Lot):** Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easement and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer. 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/private roadway. The site

plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the final map.

26. **Drainage Easements:** Pursuant to Section 4.D of the DISM, the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and / or on the final map.
27. **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.
28. **Storm Water Drainage BMPs:** Storm drainage from on-site and off-site impervious surfaces (including roads) shall be collected and routed through specially designed water quality treatment facilities (BMPs) for removal of pollutants of concern (e.g. sediment, oil/grease, etc.), as approved by the Transportation Division. This project is located within the area covered by El Dorado County’s municipal storm water quality permit, pursuant to the National Pollutant Discharge Eliminated System (NPDES) Phase II program. Project related storm water discharges are subject to all applicable requirements of said permit. BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) storm water runoff in accordance with “Attachment 4’ of El Dorado County’s NPDES Municipal Storm water Permit (State Water Resources Control Board NPDES General Permit No. CAS000004. With the Improvement Plans, the applicant shall verify that the proposed BMPs are appropriate to treat the pollutants of concern from this project. A maintenance entity of these facilities shall be provided by the project applicant. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the Final Map.
29. **Off-site Improvements (Security):** Prior to the filing of a Parcel Map, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required offsite improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in the amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.
30. **Off-site Improvements (Acquisition):** As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant 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 applicant’s expense and within 120 days of filing the Parcel 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 Parcel Map, the applicant shall submit the following to the Transportation Division 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 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 applicant 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.

31. **Electronic Documentation:** Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the owner will provide a CD to the Transportation Division with the drainage report, any structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
32. **TIM Fees:** The applicant shall pay the Traffic Impact Mitigation (TIM) fees at issuance of building permit.

Environmental Health Division

33. **Water Source (potable):** Prior to recording the parcel map, each parcel shall have a well that provides a safe and reliable water source. These wells require at a minimum, four hour production testing in compliance with EDC Policy 800-02.

El Dorado County Air Quality Management District

34. **Fugitive Dust:** The project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM10) in the form of dust. AQMD Rules 223 and 223.1, which address the regulations and mitigation measures for fugitive dust emissions mitigation, shall be adhered to during the construction process. In addition, a Fugitive Dust Mitigation Plan (DMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction.
35. **Paving:** Project construction shall adhere to AQMD Rule 224 Cutback and Emulsified Asphalt Paving Materials.
36. **Open Burning:** Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only vegetative waste materials may be disposed of using an open outdoor fire (Rule 300 Open Burning).

37. **Construction Emissions:** The AQMD's goal is to achieve and maintain ambient air quality standards established by the U.S. Environmental Protection Agency and the California Air Resources Board and to minimize public exposure to toxic or hazardous air pollutants and odors. The following measures should be used to reduce impacts on air quality from equipment exhaust emissions:
- a. Use low-emission on-site mobile construction equipment.
 - b. Maintain equipment in tune per manufacturer specifications.
 - c. Retard diesel engine injection timing by two to four degrees.
 - d. Use electricity from power poles rather than temporary gasoline or diesel generators.
 - e. Use reformulated low-emission diesel fuel.
 - f. Use catalytic converters on gasoline-powered equipment.
 - g. Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.
 - h. Do not leave inactive construction equipment idling for prolonged periods (i.e., more than two minutes).
 - i. Schedule construction activities and material hauls that affect traffic flow to off-peak hours.
 - j. Configure construction parking to minimize traffic interference.
 - k. Develop a construction traffic management plan that includes, but is not limited to: Providing temporary traffic control during all phases of construction activities to improve traffic flow; Rerouting construction trucks off congested streets; and provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
38. **New Point Source:** Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, emergency standby engine, etc.), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors. (Rule 501.3.A)
39. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be permitted by the California Air Resources Board (CARB). A copy of the current portable equipment permit shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, daily hours of operations of each piece of equipment.

El Dorado County Fire Protection District

40. **Site Plan Review Fee:** The applicant shall submit a site plan review fee of \$150.00 prior to the filing of the parcel map.
41. **Emergency Water Storage:** An enforceable agreement with the El Dorado County Fire Protection District indicating that no occupancy of any structures shall occur prior to installation of Emergency Water Storage as provided per NFPA 1142 "Water Supplies for Suburban and Rural Firefighting" as defined by the El Dorado County Fire Prevention Officers Standard, "Residential Water Supplies Without a Purveyor", to meet the fire flow

requirement as established by Title 14, Fire Safe Regulations. As authorized under section 66411.1 of the Subdivision Map Act, a Notice of Restriction (NOR) shall be recorded requiring that this condition be satisfied. The NOR shall be reviewed and approved by the District prior to the recordation and shall occur prior to filing of the parcel map.

42. **Fire Flow:** The applicant shall install a fire hydrant connecting to the emergency water storage system within 500 feet of each new parcel which shall deliver a minimum Fire Flow of 1,000 gallons per minute at 20 pounds per square inch for two hours prior to filing of the parcel map.
43. **Roadways:** Roadways that serve more than one parcel shall have a minimum 20 foot width of travel surface, to the split where the roadway shall only serve one parcel. At that location the access will be considered a driveway with a minimum 12 foot width and meet Fire Safe specifications. All roadways shall be installed to the satisfaction of the District and CAL Fire prior to the filing of the Parcel Map.
44. **Wildland Fire Safe Plan:** The Wildland Fire Safe Plan dated July 23, 2012 is approved with the exception of the gate design. The applicant shall record a Notice of Restriction (NOR) that states that all four parcels shall adhere to the conditions of the Wildland Fire Safe Plan and have an attached copy of the approved Plan. The NOR shall be reviewed and approved by the El Dorado County Fire Protection District, and subsequently shall be recorded and a copy of the recorded document shall be received by Planning Services and the Fire District prior to filing the Parcel Map.
45. **Gated Emergency Ingress/Egress:** The secondary egress from Mira Bella Drive to Bela Vista Drive may be gated, provided that the gate can be opened for emergency egress purposes. Said gate shall be provided with a manual unlocking device and/or a breakaway mechanism. The gate shall be maintained by the entity required in Condition 13.

County Surveyor's Office

46. **Survey Monuments:** All survey monuments must be set prior to filing the Parcel Map.
47. **Parcel Map Guarantee:** Provide a Parcel Map Guarantee, issued by a title company, showing right to use of all effected roadways and proof of access from said roads to a State or County Maintained Road as defined in 16.44.120(B)(2).
48. **Condition Compliance Letter:** Prior to filing the Parcel Map, a letter will be required from all agencies that have placed conditions on the map. The letter will state that "all conditions placed on P11-0005 by (that agency) have been satisfied." The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.

ATTACHMENT 2

FINDINGS

Parcel Map Revision P11-0005-R/Angles Planning Commission/November 14, 2013

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:

1.0 CEQA FINDINGS

- 1.1 Pursuant to CEQA Guidelines Section 15162, no subsequent Negative Declaration need be prepared for the project as there has been no substantial change in the project that would cause a significant effect on the environment. This is a proposal to allow the project roads to be surfaced with two-inch aggregate base. The review of compliance with the conditions of approval for the tentative parcel map, remedial measures to be taken, including modifications to conditions, ensure compliance of the project proposal with the tentative parcel map and it can be seen with certainty that there is no possibility that these actions in question may have a significant effect on the environment. There are no changes in circumstances and no new information that identifies new or changes environmental affects.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Division - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 DESIGN WAIVER APPROVAL FINDINGS

- 2.1 Design Waiver approval to allow an exception to Standard Plan 101-C permitting the on-site and off-site road surfaces to be surfaced with two-inch aggregate base (A.B.).
 - 2.1.1 **There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.**

The surfacing is justified because of the ten-acre plus parcel sizes, because Average Daily Trips would be less than 601, and because the road areas do not exceed 12 percent grade. The El Dorado County Fire Protection District and the Transportation Division both found having an aggregate base surface will provide adequate access.

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

While constructing the paved road surface would not create a hardship, this design would be unnecessary due to the rural nature of the site and proposed development, the fact larger parcel sizes require longer roads, and strict application would result in excess and unnecessary grading for preparation of the roadways. The El Dorado County Fire Protection District and Transportation Division have determined that the two-inch aggregate base surface will provide an all-weather surface capable of supporting a 40,000 lb. load as

required by the Fire Code, and provide adequate emergency ingress/egress as required by the General Plan.

2.1.3 The adjustment or waiver(s) would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.

The project has been conditioned to include this roadway surfacing and will meet DISM and California Fire Code requirements. The two-inch aggregate base roadway has been determined to be adequate to provide a road surface capable of allowing snow removal capabilities, supporting a 40,000 lb. load, and by providing safe emergency ingress/egress in varied weather situations on an all-weather surface.

2.1.4 This waiver(s) would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.

Approval of the waiver provides for reasonable access and circulation for this rural development and satisfies the requirements of the Fire Safe Standards and other applicable ordinances.