

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



**Agenda of:** January 9, 2014  
**Item No.:** 9  
**Staff:** Lillian MacLeod

## TENTATIVE MAP

**FILE NUMBER:** TM13-1512/Promontory Village Center, Lot D1

**APPLICANT:** MJM Properties, LLC

**AGENTS:** Michael McDougall, Larry Ito

**REQUEST:**

- 1. Administrative Modification to the Specific Plan:** Change the commercial designation of Lot D to residential; change 3.0 acres of Village 7 at the northeast corner of Village 7 from residential to commercial; and revise the Village Center and Village 7 boundaries to include the proposed 3.0 acres of commercial in the Village Center and Lot C in Village 7 (Exhibit G);
- 2. Tentative Map:** A tentative subdivision map for Lot D1 creating 67 parcels consisting of 63 residential lots, three open space/landscape lots, and one roadway lot, ranging in size from 2,000 to 75,000 square feet on a proposed 8.01 acre site (Exhibits E through E5); and
- 3. Design Waiver requests to:**
  - a. Reduce internal right-of-ways to 36 and 24 feet; and
  - b. Increase concrete sidewalk width to 5.8 feet from curb face to back of sidewalk.

**LOCATION:** On the southeast sides of the intersections of Alexandra Drive and Sophia Parkway, in the El Dorado Hills area, Supervisorial District 1. (Exhibit A)

**APNs:** 124-070-62, 124-390-04, 124-390-06 (Exhibits B)

**ACREAGE:** 8.01 acres

**GENERAL PLAN:** Adopted Plan (AP) (Exhibit C)

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

**ENVIRONMENTAL DOCUMENT:** Statutorily Exempt pursuant to Section 15182 of the CEQA Guidelines (*Residential Projects Pursuant to a Specific Plan*).

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

1. Certify the project is Statutorily Exempt pursuant to Section 15182 of the CEQA Guidelines;
2. Revise the Village Center boundaries and *Table 2: Village Center Calculations (revised May 22, 2003, Planning Commission)*, as Errata Sheet 2 of the Promontory Specific Plan; and
3. Approve Tentative Map TM13-1512 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

## **STAFF ANALYSIS**

### **Village Center Revision/Reconfiguration:**

As shown in Exhibit G, the applicant proposes to revise the Village Center by changing the commercial designation of Lot D to residential; changing three acres of Village 7 at the northeast corner of Village 7 from residential to commercial; and revising the Village Center and Village 7 boundaries to include the proposed three acres of commercial in the Village Center and Lot C in Village 7.

### **Background:**

The Board of Supervisors approved The Promontory Specific Plan on November 4, 1997, and the amended Specific Plan on September 29, 1999. The amended plan provides for 1,100 total dwelling units to be created within eight residential villages designated as Villages 1 through 8, and a Village Center (Exhibit H). The Village Center, to be comprised of commercial, residential, and open space, covers 44.3 acres and has a requirement to develop 136 residential units. Lots C, D, and D1 are part of the Village Center.

Under Specific Plan Section 6.1, "Administrative Modification to the Specific Plan", modifications to the Specific Plan text or map do not require formal amendments and the Development Services Director has the authority to approve these modifications.

Under Specific Plan Section 6.2, "Boundary Adjustments", the Specific Plan allows for flexibility in moving uses within the general locations designated on its Land Use Plan (Exhibit

H). When consistent with the intent of both the General and Specific Plans, adjustments to the boundaries of land use designations do not require an amendment as long as the total number of units allowed within the Specific Plan is not increased.

Under Specific Plan Section 6.3, “Density Transfer”, a transfer of density is also allowed within the Village Center area between the proposed land uses identified in *Revision to Table 2: Village Center Calculations* (Exhibit I), providing the residential units do not exceed 136 and the gross density does not exceed 24 dwelling units per acre.

**Analysis:**

Currently, under *Revision to Table 2: Village Center Calculations*, Lot D is to be developed commercially while Lot D1 to its east is to be developed residentially as 37 units of either multi-family apartments, single-family detached units, small-lot single family detached units, or a combination of the three. The applicant is proposing to relocate Lot D 1/3 mile south to an area in Village 7 at the southeast corner of Sophia Parkway and Alexandra Way. Lot D1 will be developed as 63 residential units on the expanded 8.01 acre site (Exhibit E).

When the proposed 63 residential units are added to the nine units currently constructed in Lot A, the 64 units approved for Lot H, and the 45 units assigned to Lot C, the total number of dwelling units in the Village Center will exceed the 136 residential unit assignment under *Table 2*. In order to comply with this number, Lot C is proposed for removal from within the Village Center boundaries and its developable area incorporated into Village 7.

Lots D and D1. No net loss of commercial acreage from what was approved in the amended Specific Plan is being proposed, as the applicant’s stated outcome from the relocation is to increase the commercial potential of the site by improving circulation to it. In addition, the residential density proposed within the Village Center will result in five du’s/acre, consistent with Section 6.3 as a moderately affordable housing density.

Lot C. The applicant finds that the 5 to 20 percent slope topography of Lot C will prevent the development of its 45 assigned residential units and that its site characteristics are more consistent with the development plan of a Village 7 lot. Section 6.3 allows a density transfer that will “encourage the use of larger lots in hillside Villages without penalizing the project’s overall unit allowance.” Village 7 is considered a hillside Village. Future development of Village 7 including the addition of Lot C acreage will be required to conform to the Specific Plan for unit total, lot size, and housing type. (Exhibit K)

The following table represents the current *Revisions to Table 2: Village Center Calculations* (5/22/03) with an added column demonstrating the proposed revised assigned units for each Lot (Planning Area):

PLANNING AREA	DEVELOPMENT OPTIONS	AREA (AC)	ORIGINAL ASSIGNED UNITS	<u>REVISED ASSIGNED UNITS</u>	RESULTING AVERAGE DENSITY**
A	f	4.29	9	9	2.1
C	c,d,e	8.96	45	<b>0</b>	<b>0</b>
D	a,b	3.00***	0	0	0
D1	c,d,e	8.01***	37	<b>63</b>	<b>7.9</b>
E	g	10.00	0	0	0
F & F1	h	*	0	0	0
G	g	3.60	0	0	0
H	c,d,e	9.0	45	<b>64</b>	<b>5.0</b>
I	h	*	0	0	0
<b>Totals</b>		<b>44.30</b>	<b>136</b>	<b>136</b>	<b>5.0</b>

a = Commercial

b = Office

c = Multifamily

d = Single Family Attached

e = Small Lot Single Family Detached

f = Medium Lot Single Family

g = Community Park

h = Open Space

\* Open Space area is not included in this table, but is included in Table 1 of the Specific Plan.

\*\* Allowable density for individual projects is as provided in the specific Plan.

\*\*\* Areas subject to change; however, development options remain the same as shown.

The proposed revisions to Table 2 will be added to the Specific Plan as Errata Sheet 2 (Exhibit J), similar to the process of approval by the Planning Commission in 2003.

**Site Description:** The project site has been previously rough graded with overall site grades sloping gently to the west through a series of small terraces. The overall topography is at a similar elevation to Alexandra Parkway to the north and approximately 20 feet higher than the wetland/open space area to the south due to an existing fill slope. Vegetation consists of seasonal grasses. The surface of the site contains scattered piles of rock from previous grading operations (Exhibit E1). No native oak trees or wetland habitat exist on site as determined under the site analysis submitted by Foothill Associates April 3, 2013.

**Adjacent Land Uses:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	<b>PR-SP</b>	AP	Undeveloped
<b>North</b>	PR-SP	AP	Village 3, single-family residential
<b>South</b>	PR-SP	AP	Village Center, open space Village 7, undeveloped
<b>East</b>	PR-SP	AP	Village Center, parkland
<b>West</b>	PR-SP	AP	Village 1, single-family residential Sophia Parkway

**Tentative Map:**

**Specific Plan:** The proposed tentative map is consistent with all the applicable standards within the Specific Plan. Section 6.4 of the Specific Plan requires that the Promontory Architectural Review Committee (PARC) approve all development approvals. At this time the PARC is still under the control of the developer, but as required in the Specific Plan, the PARC has approved the tentative map in their letter dated October 21, 2013.

**Noise Barriers:** The applicant submitted a Traffic Noise Analysis that evaluated noise impacts on the proposed residential use from traffic on Sophia Parkway and night-time sporting events at the park. In both cases, noise level thresholds under General Plan Tables 6.1 and 6.2 would be exceeded. Mitigation in the form of six foot sound barriers was recommended to reduce noise levels effectively below these thresholds. The locations for the sound barriers are delineated on Exhibit F and will be included in the conditions of approval.

**Park Dedication:** Under Section 16.12.090 of the County Code, the overall parkland requirements for The Promontory Specific Plan equaled 18.15 acres (1100 du x 3.3 persons/du x 5 acres ÷ 1000). With the revision to the Village Center in 2003 increasing multi-family units to 127 in Lots C and H, parkland dedication was recalculated to require 17.38 acres. The Promontory has constructed and dedicated to the El Dorado Hills CSD a four-acre park within Village 6, Unit 1. The previous reconfiguration of the Village Center under TM02-1382 resulted in 13.7 acres of parkland for a total of 17.7 acres. The El Dorado Hills CSD determined that parkland dedication requirements in the Specific Plan were met. With the proposed revisions to Table 2 allowing the option of developing 127 multi-family units in Lots D and H, parkland dedication is unchanged. No further comments were received from the CSD regarding this project.

### **Design Waivers Discussion:**

The applicant is requesting design waivers to:

1. Reduce the right-of-ways within the subdivision to 36 and 24 feet (Exhibit L).

The roads are to be privately owned and maintained. Under Specific Plan Section 3.4, reductions in road widths of Class II standards, as defined in the Design and Improvements Standards Manual (DISM), shall be allowed subject to review and approval of the County Transportation Division and the El Dorado Hills Fire Department. Both agencies have given their conditional approval for the road width reductions.

2. The applicant is requesting a design waiver to construct concrete sidewalks of 5.8 feet in width from front of curb face to back of sidewalk.

The applicant is increasing the width of sidewalks from the standard four foot width required on both sides of a public road with parking on one side only shown under Specific Plan Figure 21. In order to provide pedestrian circulation both within the subdivision and as access to adjacent parkland and future commercial development in Lot D, the applicant is proposing a sidewalk on one side of certain roads within the subdivision. In lieu of wider roads, the El Dorado Hills Fire Department is requiring parking to be restricted to one side of the street opposite the sidewalk to allow emergency access that can, if necessary, utilize the wider roll-curbed sidewalk. The increased sidewalk width will better accommodate pedestrian use as an alternative to vehicle travel and increase public safety by enhancing emergency access. Both the El Dorado Hills Fire Department and the County Transportation Division have given their conditional approval for the increased sidewalk width.

**Conclusion:** This project conforms to all development requirements and design standards applicable to the project. Staff finds after review of the above policies that the project as proposed and conditioned conforms to the Promontory Specific Plan.

## ENVIRONMENTAL REVIEW

This project is categorically exempt from the requirements of CEQA pursuant to Section 15182 of the CEQA Guidelines stating that : “(a) Exemption: Where a public agency has prepared an EIR on a specific plan after January 1, 1980, no EIR or negative declaration need be prepared for a residential project undertaken pursuant to and in conformity to that specific plan if the project meets the requirements of this section. (b) Scope. Residential projects covered by this section include but are not limited to land subdivisions, zoning changes, and residential planned unit developments”. As discussed under the Village Center Reconfiguration and Specific Plan sections of this staff report, the proposed tentative map is in conformity with The Promontory Specific Plan. No impacts have been identified which were not discussed and mitigated in the Specific Plan EIR. The applicable mitigation measures of the EIR have been satisfied or incorporated into the tentative map conditions of approval (Attachment 1). In addition, there have been no new significant impacts identified since the certification of the Promontory EIR in November 1997. No further environmental analysis is necessary.

## SUPPORT INFORMATION

### Attachments to Staff Report:

Attachment 1 .....	Conditions of Approval
Attachment 2.....	Findings
Exhibit A.....	Location Map
Exhibits B.....	Assessor’s Parcel Maps (2)
Exhibit C .....	General Plan Land Use Map
Exhibit D.....	Zoning Map
Exhibit E .....	Tentative Subdivision Map
Exhibit E1 .....	Aerial Photo
Exhibit E2 .....	Slope Map
Exhibit E3 .....	Grading and Drainage Plan
Exhibit E4 .....	Utility Plan
Exhibit E5 .....	Preliminary Landscape Plan
Exhibit F.....	Noise Barrier Site Plan
Exhibit G.....	Village Center Boundaries: Current and Proposed
Exhibit H.....	The Promontory Specific Plan Land Use Plan
Exhibit I .....	The Promontory: Table 2 Current
Exhibit J .....	The Promontory: Table 2 Proposed
Exhibit K.....	Findings of Consistency, 10/4/13
Exhibit L .....	Design Waiver Findings of Consistency, 9/24/13

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

**Tentative Map TM13-1512/Promontory Village Center, Lot D1  
Planning Commission/January 9, 2014**

### CONDITIONS OF APPROVAL

#### **Community Development Agency – Planning Division:**

1. This Tentative Map approval is based upon and limited to compliance with the project description, hearing Exhibits E through F and J, 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 tentative map and/or further environmental review. Deviations without the above described approval will constitute a violation of tentative map approval.

The project description is as follows:

**Administrative Modification to the Specific Plan:** Change the commercial designation of Lot D to residential; change 3.0 acres of Village 7 at the northeast corner of Village 7 from residential to commercial; and revise the Village Center and Village 7 boundaries to include the proposed 3.0 acres of commercial in the Village Center and Lot C in Village 7. (Exhibit J).

**Tentative Map:** A tentative subdivision map for Lot D1 creating 67 parcels consisting of 63 residential lots, three open space/landscape lots, and one roadway lot, ranging in size from 2,000 to 75,000 square feet on a proposed 8.01 acre site (Exhibit E); and

#### **Design Waiver requests to:**

- a. Reduce internal right-of-ways to 36 and 24 feet; and
- b. Increase concrete sidewalk width to 5.8 feet from curb face to back of sidewalk.

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 (Tentative Subdivision Map, Slope Map, Preliminary Grading and Drainage, Utility, Noise Barrier, and Final Landscape Plans) must be submitted for review and approval and shall be implemented as approved by the County.



2. The final landscape plan prepared in compliance with the Model Water Efficient Landscape Ordinance, if applicable, shall be reviewed and approved by the Development Services Director or designee, prior to issuance of a building permit. Applicant shall install and maintain landscaping in accordance with the approved final landscaping plan in perpetuity or unless otherwise modified through any future permit.
3. Prior to final map recordation, 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.
4. 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, the subdivider shall submit to the Development Services Director or his designee 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.
5. 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.
6. If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and the Native American Heritage Commission shall be contacted per Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. If archaeological artifacts are discovered, the developer shall retain an archaeologist to make recommendations for the treatment of the artifacts. Treatment of Native American remains or archaeological artifacts shall be the responsibility of the developer and shall be subject to the review and approval of the County Development Services Director or his designee.
7. Prior to filing a final map, if the subject property is subject to liens for assessment or bonds, pursuant to the provisions of Government Code Section 66493, the owner or subdivider shall either:

- A. Pay the assessment or bond in full, or
  - B. File security with the Clerk of the Board of Supervisors, or
  - C. File with the Clerk of the Board of Supervisors the necessary certificate indicating provisions have been made for segregation of bond assessment responsibility pursuant to Government Code Section 66493 (d).
8. This Tentative Subdivision Map shall expire in 36 months from its date of approval unless a timely extension has been filed.
9. A water and sewer meter award letter or similar document shall be provided by the water purveyor prior to filing the final map, except for large lot phasing maps, consistent with Board of Supervisors Resolution 118-92.
10. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the California Government Code.

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 of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

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

**Transportation Division:**

11. The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM), and as shown in Table 1. 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 final map: (the requirements outlined in Table 1 are minimums)

<b>Table 1</b>				
<b>ROAD NAME</b>	<b>PROMONTORY REFERENCE</b>	<b>ROAD WIDTH* / SIDEWALK WIDTH</b>	<b>RIGHT OF WAY**</b>	<b>EXCEPTIONS/ NOTES</b>
Portion of Roads B, C, D & F	Section B	28ft / 5ft sidewalk on one side	36ft	Type 1 rolled curb & gutter. Sidewalk on frontage of lots 40-47 & 50-63.
Portion of Roads B, D & F and all of Road E.	Section A	21ft / no sidewalks	24ft	Type 1 rolled curb & gutter.
Road A	Section C	57ft max. / 4ft sidewalk on both sides	68ft max.	Type 1 rolled curb & gutter.
* Road widths are measured from curb face to curb face. Curb face for rolled curb and gutter is 6" from the back of the curb. ** Non-exclusive road and public easements included.				

12. A vehicular access restriction shall be designated on the final map, on the frontage of Sophia Parkway and Alexandra Drive (specifically Lots 1 through 10, and 31 through 39).
13. The applicant shall obtain an encroachment permit from the Transportation Division and shall construct the encroachments from Road A and Road F onto Alexandra Drive in accordance to the Tentative Subdivision Map dated: July, 2013, prepared by CTA Engineering & Surveying. The improvements shall be substantially completed to the approval of the Transportation Division or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
14. The applicant shall construct a secondary emergency access gate at the Road F encroachment to Alexandra Drive. The gate shall be for egress only except for emergency services, where this would be a secondary access point. The gate shall meet fire department standards. The improvements shall be substantially completed to the approval of the Transportation Division or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
15. A final drainage report shall be prepared in accordance with the County of El Dorado Drainage Manual, the Promontory Master Drainage Study (July 1997, CTA) and the Willow-Humbug Creek Watershed Memorandum of Understanding between the County of El Dorado and the City of Folsom, subject to review and approval by the Transportation Division. Drainage facilities shall be designed and shown on the project improvement plans consistent with above referenced documents.

16. An irrevocable offer of dedication, in fee, for the required rights-of-way (R/W) as indicated above, shall be made for the proposed roads, with slope easements where necessary. Said offer may be rejected at the time of the final map, in which case a County Service Area Zone of Benefit or Homeowner's Association shall be established in order to provide for the long term maintenance of the roads.
17. All applicable existing and proposed easements shall be shown on the project plans.
18. The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Transportation Division prior to the filing of the map. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
19. All curb returns, at pedestrian crossing, will need to include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp.
20. The proposed project must form an entity for the maintenance of the private roads, parking facilities, landscaping, and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping and drainage facilities of the current project. The Transportation Division shall review the document forming the entity to ensure the provisions are adequate prior to filing of the final map.
21. 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).
22. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.
23. Construction 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 6:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends.
24. The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Transportation Division, and pay all applicable fees prior to filing of the final map.
25. The developer shall enter into a Subdivision Improvement Agreement (SIA) with the Transportation Division for all onsite roadway frontage improvements along Alexandra Drive, drainage infrastructure, grading, etc. The developer shall complete the

improvements to the satisfaction of the Transportation Division or provide security to guarantee performance of the SIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the final map.

26. Any import or export to be deposited or borrowed within El Dorado County shall require an additional grading permit for that offsite grading.
27. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Transportation Division for review and approval. The plan shall be in conformance with the County of El Dorado Design and Improvement Standards Manual, the Grading, Erosion and Sediment Control Ordinance, the Drainage Manual, the Off-Street Parking and Loading Ordinance, and the State of California Handicapped Accessibility Standards. All applicable plan check 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 prior to final occupancy.
28. 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.
29. 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.
30. At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report consistent with requirements in the El Dorado County Grading Ordinance and receive approval from the 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.

31. 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 the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:
- 1) The site can be adequately drained;
  - 2) The development of the site will not cause problems to nearby properties, particularly downstream sites;
  - 3) The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
  - 4) The ultimate drainage outfall of the project.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a State registered Civil Engineer. The improvements shall be completed to the approval of the Transportation Division prior to the filing of the final map or the applicant shall obtain an approved improvement agreement with security.

32. Cross lot drainage shall be avoided wherever possible. 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 easements and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association and/or in the CC&R's, 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 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.
33. 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.
34. 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.

35. Upon completion of the improvements required and prior to acceptance of the improvements by the County, the developer will provide a CD to the Transportation Division with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the full size record drawings in TIF format.
36. The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete

**El Dorado County Air Quality Management District:**

37. Current county records indicate this subject property is located within the Asbestos Review Area. An Asbestos Dust Mitigation Plan (ADMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to project construction. (Rules 223 and 223.2). The project shall adhere to the regulations and mitigation measures for fugitive dust emissions asbestos hazard mitigation during the construction process. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223 and 223.2.
38. Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).
39. 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).
40. During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at ARB's website here: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>. An applicability flow chart can be found here: [http://www.arb.ca.gov/msprog/ordiesel/faq/applicability\\_flow\\_chart.pdf](http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf). Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation.
41. All portable combustion engine equipment with a rating of 50 horsepower or greater shall be under permit from 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.
42. The installation of open hearth wood-burning fireplaces shall be prohibited in favor of more energy-efficient and less polluting heating devices using cleaner burning fuels such

as natural gas. If fireplaces are desired, AQMD recommends using “natural-gas only” fireplaces with flues/chimneys designed to only accommodate natural gas burning.

**El Dorado County Surveyor’s Office:**

43. All survey monuments must be set prior to the filing the Final Map 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 prior to the filing of the Final Map.
44. The roads serving the development shall be named by submitting a completed Road Name Petition, with the County Surveyors Office, prior to filing the Final Map with the Board of Supervisors. Proof of any signage required by the Surveyor’s Office must also be provided prior to filing the Final Map. All associated fees will be the responsibility of the applicant.

**El Dorado Hills Fire Department:**

45. Parking restrictions under El Dorado Hills County Water District Ordinance 35 shall be applied, as follows:
  - A. On Roads B, C, D, and F parking shall be on one side of the street only, and on the side of the street OPPOSITE the sidewalk. The side with no parking shall be signed every 25 feet “No Parking Fire Lane” and street curbs shall be marked red.
  - B. Road E, the terminal stubs of Roads B and D, and the secondary access portion of Road F between Road B and Alexandra Drive will have NO parking and the roadway shall be signed every 25 feet “No Parking Fire Lane.” All street curbs shall be marked red.
46. The potable water system with the purpose of fire protection for this residential development shall provide a minimum fire flow of 1,000 gallons per minute with a minimum residual pressure of 20 psi for a two-hour duration. This requirement is based on a single family dwelling 6,200 square feet or less in size. All homes shall be fire sprinklered in accordance with NFPA 13D and Fire Department requirements. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval.
47. This development shall install Mueller Dry Barrel fire hydrants, or any other hydrant which conforms to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 500 feet. The exact location of each hydrant shall be determined by the Fire Department. In order to enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and State Fire Safe Regulations.



48. In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to combustibles being brought onto the site as specified by the Fire Department, Standard B-003.
49. A Wildland Fire Safe Plan that is approved according to the State Fire Safe Regulations shall be submitted to the El Dorado County Fire District. Lots that back up to wildland open space shall be required to use non-combustible type fencing.
50. This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump section of roadway. Any gate shall meet the El Dorado Hills Fire Department Gate Standard B-002.

## **ATTACHMENT 2**

### **FINDINGS**

#### **Tentative Map TM13-1512/Promontory Village Center Lot D1 Planning Commission/January 9, 2014**

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 The project is categorically exempt from CEQA pursuant to Section 15182 stating that “(a) Exemption: Where a public agency has prepared an EIR on a specific plan after January 1, 1980, no EIR or negative declaration need be prepared for a residential project undertaken pursuant to and in conformity to that specific plan if the project meets the requirements of this section. (b) Scope. Residential projects covered by this section include but are not limited to land subdivisions, zoning changes, and residential planned unit developments”.
- 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 Community Development Agency – Development Services Division at 2850 Fairlane Court, Placerville, CA.

##### **2.0 TENTATIVE MAP**

- 2.1 The proposed tentative map, including design and improvements, is consistent with The Promontory Specific Plan and the applicable portion of the General Plan policies and land use map as defined in the Development Agreement.
- 2.2 The proposed tentative map conforms to the applicable design standards and requirements of The Promontory Specific Plan and the Major Land Division Ordinance.
- 2.3 The site is physically suitable for the proposed type and density of development because the tentative map, as conditioned, is consistent with the Zoning Ordinance, The Promontory Specific Plan, and all mitigation measures contained in the certified The Promontory Specific Plan EIR.
- 2.4 The proposed subdivision is not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

### **3.0 DESIGN WAIVERS**

- 3.1 There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver. The Promontory Specific Plan allows for privately maintained residential roads to be subject to Class II standards under the El Dorado County Design and Improvements Standards Manual and, as such can be reduced in width subject to approval by the County Transportation Division and El Dorado Hills Fire Department. Both agencies have conditionally approved the reductions.
- 3.2 Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property because wider road widths required for public roads would impact the design of the project to the extent that residential densities could not be attained consistent with The Promontory Specific Plan requirements for the Village Center.
- 3.3 The adjustment or waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public. Conditional approval of the road width reductions to insure emergency vehicle access by the El Dorado Hills Fire Department would ensure public safety. Increase in sidewalk width would encourage pedestrian access and circulation reducing the need for vehicle use, as well as enhancing emergency vehicle access, if necessary.
- 3.4 These waivers would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division. The waivers are consistent with the circulation plan required in Section 3.4 of the Specific Plan.