

**EL DORADO COUNTY DEVELOPMENT SERVICES
ZONING ADMINISTRATOR
STAFF REPORT**



Agenda of:	February 20, 2008
Item No.:	4.a.
Staff:	Jonathan Fong

TENTATIVE PARCEL MAP

FILE NUMBER: P06-0017

APPLICANT: Chamy Lee

REQUEST: Tentative Parcel Map creating three parcels ranging in size from three to four acres (Exhibit B).

LOCATION: On the east side of Lake Hills Drive, southeast of the intersection with Lake Hills Court, in the El Dorado Hills area, Supervisorial District 1. (Exhibit A)

APN: 110-020-08

ACREAGE: 10.4 acres

GENERAL PLAN: Medium Density Residential (MDR) (Exhibit B)

ZONING: Single Family Three-Acre Residential (R3A) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Exempt pursuant to Section 15162(a) of the CEQA Guidelines

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND: The project was submitted on May 25, 2006 and included a request to rezone the parcel from Estate Residential Five-Acre (RE-5) to Single Family Three-Acre Residential (R3A) and a parcel map request to create three parcels ranging in size from three to four acres. The project was presented to the Planning Commission on April 26, 2007 and a motion was passed to forward a recommendation of approval to the Board of Supervisors. The project was presented to the Board of Supervisors on June 5, 2007 and a motion was passed to deny the project. The Board of Supervisors reconsidered the project on August 28, 2007 and approved the rezone request and remanded the

parcel map back to the Zoning Administrator for consideration. The Board provided staff with the direction to require the applicant to participate in a road maintenance agreement and during the review of the parcel map that an equestrian easement across the parcel be considered.

STAFF ANALYSIS: Staff has reviewed the project for compliance with the County’s regulations and requirements. An analysis of the permit requests and issues for Zoning Administrator consideration are provided in the following sections.

Project Description: The parcel map would create three parcels. The parcels would range in size from three acres to four acres. The Department of Transportation has requested that road improvements be required along the project frontage on Lake Hills Drive and Lake Hills Court. Lake Hills Drive would be widened to a half width of 20 feet pursuant to Standard Plan 101 B. Lake Hills Court would be widened to a half width of 12 feet pursuant to Standard Plan 101C. Individual driveways would be constructed to provide access to the parcels from Lake Hills Court. The project would be served by EID public water and sewer.

The Board of Supervisors requested that staff consider the requirement for trail easements to be required along Lake Hills Drive and Lake Hills Court. The trail easements would match the existing ten-foot wide easement located along Lake Hills Drive on the adjacent parcel to the south. The extension of the trail easement along Lake Hills Court would allow for future extension through to Salmon Falls Road through an adjacent parcel which has development applications currently in process.

Site Description: The ten-acre parcel is located within the El Dorado Hills Community Region. The project site is located at roughly a 650 foot elevation with mild slopes. A Biological Survey was performed on the project parcel on August 15, 2006. None of the Pine Hill rare plant species were identified on the project site. Vegetation onsite is primarily wild grasses. An arborist report prepared for the project site dated February 9, 2007, identified 92 oak trees. Oak species onsite are primarily Interior Live Oak (*Quercus wislizenii*) and Blue Oak (*Quercus douglasii*). The nearest riparian feature is New York Creek which is located offsite, approximately one-quarter mile to the east. The project site is currently undeveloped.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	RE-10	MDR	Undeveloped Residential Land
North	RE-10	MDR	Single Family Residential
South	RE-5	MDR	Single Family Residential
East	RE-10	MDR	Single Family Residential
West	R1	AP	Single Family Residential

The project parcel is bounded on all sides by residential development. The project would create three residential parcels in a residential setting, and the project would not create conflicts with the surrounding land uses.

General Plan: The project is located within the Medium Density Residential (MDR) land use designation which permits a minimum parcel size of one to five acres. The proposed three to four acre size parcels therefore are consistent with the MDR land use designation.

The project would create parcels less than five acres in size within the MDR land use designation. Pursuant to **General Plan Policy 5.2.1.3** and **5.3.1.2** require the project to connect to public water and sewer. The El Dorado Irrigation District (EID) submitted a Facilities Improvement Letter (FIL) to the applicants dated May 2, 2006. An eight inch water line exists beneath Lake Hills Court which is capable of providing water to the proposed residential parcels. The water line is capable of would sustain the required fire flow as required by the El Dorado Hills Fire Department. A six inch sewer pipe is located beneath Lake Hills Drive which can provide adequate wastewater service to the proposed residential parcels.

General Plan Policy 7.4.4.4 establishes retention and replacement provisions for impacted oak canopy. The arborist report and accompanying Oak/Canopy Site Assessment form identifies one oak tree that would be removed in conjunction with the project. The oak tree would require removal to allow development on Parcel 3.

A site evaluation determined that a total of 3.08 acres of oak canopy is located on the 10.99 acre site. The 28 percent canopy coverage requires 85 percent retention pursuant to General Plan Policy 7.4.4.4. Approximately .050 acres of canopy would be removed. Ninety-eight percent of the existing oak canopy would be retained which is consistent with the retention provisions of the policy. The project has been conditioned to prepare and implement a replacement plan for the replacement of the affected oak canopy (Condition No. 5).

The parcel map would create three residential parcels. The proposed parcel sizes are consistent within the MDR land use designation. As discussed above, adequate public services, infrastructure, and fire protection exist that would support the additional residential density. Staff finds the project is consistent with the General Plan.

Zoning: The project would rezone the current parcel from Estate Residential Ten-acre (RE-10) to Single-family Three-acre Residential (R3A). The project would create three residential parcels ranging in size from three to four acres. The proposed parcel sizes would comply with the minimum parcel size allowed within the R3A zone.

As shown on the parcel map (Exhibit E), building envelopes have been proposed with corresponding driveway accesses. The building envelopes would be setback at least thirty feet to comply with the Development Standards of the R3A zone and the Firesafe Regulations. As proposed, the parcels would be consistent with the minimum parcel size and development standards of the R3A Zone District.

Staff finds the project is consistent with the Zoning Ordinance.

ENVIRONMENTAL REVIEW

NOTE: Pursuant to Section 15162(a) of the CEQA Guidelines, once a Negative Declaration has been adopted for a project, no further environmental review is required. The Negative Declaration adopted by the Board of Supervisors analyzed the environmental impacts associated with the proposed parcel map. Therefore, no further environmental review is necessary.

Pursuant to Resolution No. 240-93, a \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption.

RECOMMENDATION

1. Certify the project is exempt pursuant to Section 15162(a) of the CEQA Guidelines; and
2. Approve P06-0017 as the required findings can be made as noted in Attachment 2 based on the analysis in the staff report and the conditions itemized in Attachment 1.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Vicinity Map
Exhibit B	General Plan Land Use Map
Exhibit C	Zoning Map
Exhibit D	Parcelization Map
Exhibit E	Tentative Parcel Map
Exhibit F	Environmental Checklist and Discussion of Impacts

ATTACHMENT 1

CONDITIONS OF APPROVAL

FILE NUMBER P06-0017
Zoning Administrator/January 16, 2008

Planning Services

1. This parcel map is based upon and limited to compliance with the project description, the Planning Commission hearing exhibit marked Exhibit E (tentative parcel map) dated January 16, 2008, and conditions of approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

The project would allow a three-lot parcel map. The parcel sizes are as follows: Parcel 1- 3 acres, Parcel 2- 3.3 acres, Parcel 3- 4.1 acres.

All parcels would take access via private driveways onto Lake Hills Court. A Fire Safe Regulation hammerhead turnaround would be constructed along the driveway access to Parcel 1 approximately 321 feet south of the intersection with Lake Hills Court. Lake Hills Drive would be improved to a half width of 20 feet pursuant to Standard Plan 101B. Lake Hills Court would be improved to 24 feet pursuant to Standard Plan 101C.

One oak tree would be removed on Parcel 3 within the proposed building location as shown on the parcel map. The project would be required to connect to public water and wastewater services.

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

2. During all grading and construction activities in the project area on the proposed parcels, an archaeologist or Historian approved by the Development Services Director shall be on-call. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent and/or future parcel owner shall ensure that all such activities cease within 50 feet of the discovery until

the on-call archaeologist can examine the find in place and determine its significance. If the find is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after appropriate measures are taken or the site is determined not to be of significance.

3. In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission.
4. The applicant shall be required to pay Park-in-Lieu fees of \$150.00 payable to El Dorado County, pursuant to El Dorado County Subdivision Ordinance Chapter 16.12.090.
5. The applicant shall replace the one removed oak tree with a 1:1 replacement ratio. Replacement trees shall be planted on site to the satisfaction of the Development Services Director. An agreement to the satisfaction of County Counsel and the Development Services Director shall be required to ensure the long term maintenance and preservation of the replacement trees. Maintenance shall be required for a 10-year period. Any trees that do not survive during this period shall be replaced. The replacement trees shall be planted prior to final inspection, and the maintenance agreement shall be provided to Planning Services prior to issuance of a building permit.
6. The applicant shall adhere to all oak protection measures enumerated in the February 15, 2007, *Tree Care Incorporated* letter on file with Planning Services.
7. The applicant shall provide a meter award letter or similar document from EID, prior to filing of the parcel map.
8. The applicant shall establish or enter into an agreement for the maintenance of Lake Hills Court. The applicant shall provide proof of the agreement prior to recordation of the parcel map.
9. The applicant shall establish a ten-foot wide trail easement along the project frontage on Lake Hills Drive and Lake Hills Court. Planning Services shall verify the placement of the trail easements prior to filing of the parcel map.

Department of Transportation

10. The applicant shall improve the property frontage along Lakehills Drive to a total half width of 20 feet from the existing roadway centerline according to El Dorado County Standard Plan 101B (without curb, gutter, and sidewalk). 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 the filing of the parcel map.
11. The applicant shall improve the property frontage along Lakehills Court to a total width of 24 feet according to El Dorado County Standard Plan 101C. 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 the filing of the parcel map.
12. The applicant shall irrevocably offer (or verify existing offer) to dedicate, in fee, 30 feet of right of way for the on-site portion of Lakehills Drive along the entire property frontage, prior to the filing of the map. This offer will be accepted by the County.
13. The applicant shall irrevocably offer (or verify existing offer) to dedicate, in fee, 30 feet of right of way for the on-site portion of Lakehills Court along the entire property frontage, prior to the filing of the map. This offer will be rejected by the County.
14. The applicant shall provide a 20 foot wide slope easement contiguous to the right of way along the entire front of Lakehills Drive, prior to filing of the parcel map.
15. The applicant shall irrevocably offer to dedicate, prior to the recordation of the map, a 30 foot wide road and public utilities easement along the entire eastern boundary line of Parcel 2 which is needed for access to Parcel 1. The offer will be rejected by the County.
16. A vehicular access restriction exists along the entire frontage of Lakehills Drive. Therefore, all parcels shall take access via Lakehills Court.
17. The applicant shall place a vehicular access restriction along the entire driveway access to Parcel 1, which shall be placed along the boundary between Parcel 2 and 3. The Department of Transportation shall verify the vehicular access restriction prior to filing of the parcel map.
18. The applicant shall adhere to all standard Department of Transportation conditions. The conditions shall be met prior to filing of the parcel map.
19. The applicant shall make applications and pay appropriate fees to the Department of Transportation for the request of installation of speed limit signage and intersection signage

in the project vicinity along Lakehills Drive. The application shall be made prior to filing of the parcel map.

El Dorado Hills Fire Department

20. The potable water system for the purpose of the fire protection shall provide a minimum fire flow of 1,500 gallons per minute (gpm) with a minimum residual pressure of 20 psi for two-hour duration. This requirement is based on a single family dwelling 4,800 square feet or less in size. Any home larger than 4,800 square feet shall be required to provide the fire flow for the square footage of that dwelling or shall be 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. The Department shall review and approve the system prior to recordation of the parcel map.
21. The applicant shall extend a public water system to service the project. The location and quantity of fire hydrants shall be determined by the Fire Department. The Department shall review and approve the installation of the hydrants prior to recordation of the parcel map.
22. The applicant shall prepare a Wildland Fire Safe Plan. The Department shall review and approve the plan prior to recordation of the parcel map.
23. The driveways serving the new parcels shall be designed to a maximum grade slope of 20 percent. If the driveway exceeds 20 percent, the dwelling shall be conditioned to install a residential fire sprinkler system in accordance with Department requirements. The Department shall review and approve driveway design prior to issuance of a building permit.
24. Any future development shall provide a minimum setback of 30 feet as required by the State Fire Regulations.

Air Quality Management District

25. The applicant shall make applications and pay the appropriate fees for an Asbestos Dust Mitigation Plan. The District shall review and approve the plan prior to commencement of any construction.
26. The applicant shall comply with all District air quality rules during project construction.

El Dorado Hills Community Services District

27. Each parcel shall have the existing Covenants, Conditions, and Restrictions (CC&R's) recorded on the new parcels.

County Surveyor

28. All survey monuments shall be set prior to filing of the parcel map.
29. Prior to filing of the parcel map, a letter to the County Surveyor shall be required from all agencies that have conditions placed on the map. The letter shall state that all conditions placed on the map by that agency have been met.

ATTACHMENT 2 FINDINGS

**FILE NUMBER P06-0017
January 16, 2008**

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

FINDINGS FOR APPROVAL

1.0 CEQA Findings

- 1.1 El Dorado County has considered the previously prepared Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 The project will not affect wetlands, water courses, riparian lands, unique plant or animal life and habitats, or other terrestrial matters under the jurisdiction of the California Department of Fish and Game (CDFG). The project is subject to the CDFG environmental filing fee of \$1,800 and a \$50 El Dorado County processing fee based on CDFG Code Section 711.4 and Senate Bill 1535.
- 1.4 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.

2.0 General Plan Findings

2.1 That the proposed tentative parcel map is consistent with applicable general and specific plans;

The proposed rezone from Estate Residential Ten-acre (RE-10) to Single-family Three-acre Residential (R3A) is consistent with the General Plan which designates the parcel as Medium Density Residential (MDR) which allows for the proposed parcel sizes. The proposed R3A zoning is consistent within the El Dorado Hills Community Region.

3.0 Tentative Map Findings

3.1 The proposal conforms to the County's zoning regulations and Minor Land Division Ordinance;

The Department of Transportation and the El Dorado Hills Fire Department have reviewed the existing road conditions and have determined that the proposed improvements would provide adequate access. Adequate public water and sewer services exist that would be sufficient to serve the project.

The proposed parcels provide adequate area to meet the development standards of the R3A zone district.

3.2 The site is physically suitable for the proposed type and density of development;

As determined through a Cultural Resource Study, Biological Survey, and Arborist Report the project site does not contain any natural resources that would be significantly impacted through the proposed residential development of the project.

The project would require the removal of one oak tree. The project would be conditioned to replace the impacted oak as required by the General Plan.

3.3 The design of the division or the proposed improvements are likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;

The required site improvements will not cause significant impacts to the environment or wildlife. As determined by the Biological Survey and Arborist Reports, the project would not result in significant environmental impacts.