

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



Agenda of: April 2, 2008

Item No.: 4.a.

Staff: Robert Peters

PARCEL MAP

FILE NUMBER: P07-0045

APPLICANT: Dennis and Kathleen Slavin

AGENT: K.B. Foster Civil Engineering, Inc., Katie Goldammer

REQUEST: A tentative parcel map creating two 8,000 square-foot parcels from a 16,000 square-foot parcel.

LOCATION: On the southwest side of Rimrock Trail 0.33 miles south of the intersection of Marshall Trail and Pioneer Trail in the Lake Tahoe Basin area (Exhibit A), Supervisorial District V.

APN: 025-813-20 (Exhibit B)

PARCEL SIZE: 16,000 square feet

GENERAL PLAN: Adopted Plan, TRPA Regional Plan (Exhibit C and D)

ZONING: One-Family Residential (TR1) (Exhibit E)

ENVIRONMENTAL DOCUMENT: Negative Declaration

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND: The parcel map application was submitted October 23, 2007 by K.B. Foster Civil Engineering, Inc. Current parcel configuration is the result of a certificate of merge for lots 251 and 252 of the Montgomery Estates Unit 5 Subdivision (APN's 025-813-017 and 025-813-018) dated May 31, 1996 (Book 4711, page 597)(Exhibit F).

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 subdivide a 16,000 square-foot parcel into two 8,000 square foot parcels. The project would re-divide previously merged subdivision parcels. The existing and newly created parcel would access private driveways encroaching onto Rimrock Trail, a county maintained road.

Site Description: The project site lies at an approximate elevation of 6,340 feet above mean sea level with slope ranges of 66 percent from 0-10 percent slopes, 31 percent from 11-20 percent slopes, 0.7 percent from 21-29 percent slopes, and 2.3 in excess of a 30 percent slope range. The soil type on the project site is classified as Jabu course sandy loam (JaC) (*Soil Survey of El Dorado County Area, 1974*). According to the soil survey, this soil type is well drained to moderately well drained, the surface runoff is low, and the erosion hazard is light to moderate. The site is dominated by sub-alpine forest habitat. Proposed parcel one is improved with a 1,802 square-foot single-family residence with attached decking and a concrete driveway, and proposed parcel two is improved with a 124 square-foot shed.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	TR1, PAS 106*	AP (TRPA Regional Plan)	Improved Residential
North	TR1, PAS 106*	AP	Improved Residential
South	TR1, PAS 106*	AP	Improved Residential
East	TR1, PAS 106*	AP	Unimproved, Residentially Zoned
West	TR1, PAS 106*	AP	Improved Residential

The project parcel is bounded on three sides by residential uses, with the fourth lot to the east having potential for residential development. The project would create one residential parcel in a residential setting, and would not create conflicts with the surrounding land uses.

Project Issues: Discussion items for this project include Cultural Resources and Water and Wastewater Facility Availability. Each project issue is further discussed in detail below:

Cultural Resources: An archaeological records search was conducted by the North Central Information Center which identified a low to moderate possibility of identifying prehistoric archaeological sites, and a low to moderate possibility of finding historic-period cultural resources in the project area. Further archival and/or field study was recommended. An archaeological survey was completed by Peter M. Jensen, Phd, for the site. This survey indicated no identification of

prehistoric or historic cultural resources in the project area. Based on the archaeological survey results, it was determined that no further archival or field study is required.

Domestic Water and Wastewater Facility Availability: The project parcel is currently serviced for domestic water and wastewater by South Tahoe Public Utility District. The proposed parcels will continue to be served by South Tahoe Public Utility District water and wastewater systems. The South Tahoe Public Utility District has not indicated that there are not adequate facilities to serve the project.

General Plan: This project is consistent with the policies of the adopted 2004 El Dorado County General Plan. The County General Plan designates the subject parcel as Adopted Plan, which refers to the Tahoe Regional Planning Agency's Regional Plan. The parcel is located within TRPA Plan Area Statement (PAS) 106, Montgomery Estates, which is primarily residential use (Exhibits C and D).

The County General Plan provides broad deference to the TRPA Regional Plan, for the implementation of related General Plan policies and for the review of County discretionary projects. With regard to the Tahoe Basin, the primary goal of the County General Plan is to integrate the County's regulations with those of TRPA, to eliminate inconsistencies with the Regional Plan and to simplify the regulatory environment in the Tahoe Basin, as articulated in Goal 2.10 of the County General Plan and its associated policies.

Conclusion: As discussed above, staff finds that the parcel map, as proposed and conditioned, conforms to the County General Plan.

Tahoe Regional Planning Agency (TRPA): The 16,000 square-foot subject parcel is located within TRPA Plan Area Statement (PAS) 106, Montgomery Estates, an area designated to remain residential while maintaining the existing character of the neighborhood. The PAS allows single-family land uses by right at a density of 1 unit per parcel. The project, as proposed, would create one improved parcel which currently contains a single-family residential use, and one unimproved parcel for a future single-family residential land use. Both the existing and proposed land uses are consistent with the intent of the PAS and maintain the existing residential character of the neighborhood.

Conclusion: As discussed above, staff finds that the parcel map, as proposed and conditioned, conforms to the TRPA Regional Plan.

Zoning: The subject 16,000 square-foot parcel is zoned One-Family Residential (TR1) District, which permits a minimum parcel size of 7,000 square feet when the lot is served with public water supply and sewage system. The subject parcel is currently served by public water and wastewater systems by the South Tahoe Public Utility District. The proposed 8,000 square-foot parcels will continue to be served by South Tahoe Public Utility District water and wastewater systems and would meet the minimum lot area and minimum lot width for the zoning district. The newly created parcels provide adequate site area for current and/or future development. Any future development

on the proposed parcels would be established in conformance with the development standards required under the One-Family Residential (TR1) Zone District.

Proposed parcel one, which is currently developed with approximately 2,572 square feet of improvements, would not exceed the maximum allowable lot coverage of 35 percent. Proposed parcel two is improved with a 124 square-foot shed. Noncommercial accessory uses and buildings are permitted by right when accessory to a residential land use. At the time of subdivision, proposed parcel two would not have a residential land use on site and the existing 124 square-foot shed would be required to be removed (Attachment 2, condition 8).

Conclusion: As discussed above, staff finds that the parcel map, as proposed and conditioned, conforms to the One-Family Residential (TR1) Zone District.

Agency and Public Comments: Appropriate conditions from each reviewing agency are included in the project permit. The following agencies provided comments and/or conditions for this project:
South Tahoe Public Utility District
El Dorado County Department of Transportation
Office of the County Surveyor

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project may have a significant effect on the environment. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment, and a Negative Declaration has been prepared.

NOTE: This project is not located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1876.75 after approval, but prior to the County filing the Notice of Determination on the project. This fee, plus a \$50.⁰⁰ processing fee, shall be submitted to Planning Services and must be made payable to El Dorado County. The \$1876.75 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

RECOMMENDATION:

Staff recommends that the Zoning Administrator take the following actions:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff; and
2. Approve Tentative Parcel Map P07-0045 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Vicinity Map
Exhibit B	Assessor's Map
Exhibit C	General Plan Land Use Map
Exhibit D	Tahoe Regional Planning Agency Plan Area Map
Exhibit E	Zoning Map
Exhibit F	Tentative Parcel Map
Exhibit G	Environmental Checklist and Discussion of Impacts

ATTACHMENT 1

CONDITIONS OF APPROVAL

FILE NUMBER P07-0045
Slavin Parcel Map

Planning Services

1. This parcel map is based upon and limited to compliance with the project description, the Zoning Administrator hearing exhibit marked Exhibit F (Tentative Parcel Map) dated October 23, 2007, Exhibits A-E and G, 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 would constitute a violation of permit approval.

The project description is as follows:

Approval of this project allows the following: A tentative parcel map, creating two 8,000 square foot parcels from a 16,000 square-foot site. Both parcels would access private driveways encroaching onto Rimrock Trail, a county maintained road. Both parcels are to be served with public water and sewer service.

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 must be submitted for review and approval and shall be implemented as approved by the County.

2. 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 subdivider shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37. County shall notify the subdivider of any claim, action, or proceeding and County will cooperate fully in the defense.
3. Prior to filing the final map by the County Recorder, all Development Services processing fees for the tentative parcel map application shall be paid in full.

4. The tentative parcel map shall remain valid for a period of three years from the date of approval unless, prior to expiration of the map, the applicant files for a time extension.
5. Prior to filing the parcel map, the applicant shall provide Planning Services with a meter award letter or similar assurance from the South Tahoe Public Utility District.
6. 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.
7. Prior to filing the parcel map, 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.
8. Prior to filing the parcel map, the applicant shall remove the existing shed from proposed parcel 2.

South Tahoe Public Utility District

9. Prior to filing the parcel map, the applicant shall ensure that the South Tahoe Public Utility Districts 10-foot Utility Easement for the gravity sewer line shall be shown on the parcel map.

County Surveyors Office

10. All survey monuments shall be set prior to filing the Parcel Map.
11. 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 the map 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

FILE NUMBER P07-0045 Slavin Parcel Map

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 should be made:

FINDINGS FOR APPROVAL

1.0 CEQA Findings

- 1.1** El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2** No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3** The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 Parcel Map Findings

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

All necessary improvements have been considered by the reviewing disciplines in order to determine that this tentative parcel map is consistent with the policies of the General Plan, as described on page 2 of the staff report.

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

The proposed parcels provide adequate area to meet the development standards of the One-Family Residential (TR1) Zone District and conform to applicable requirements of El Dorado County Code Title 17, Zoning Ordinance. The parcels are served by adequate emergency and standard vehicular access, and public facilities and existing utilities to support the proposed residential uses. The proposed parcel map conforms to the requirements of El Dorado County Code Title 16 Article II, Minor Land Divisions.

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

The newly created parcels provide adequate site area for current and/or future development including minimum lot area and minimum lot width. The proposed 8,000 square-foot parcels will be served by public water and wastewater systems. Future development would be consistent with applicable General Plan policies and Zoning Ordinance requirements.

2.4 The design of the division or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;

No riparian features would be affected as a part of the project and no sensitive species would be impacted. The required emergency and standard vehicle access are currently in place for the project and no grading is required. The impacts from all other potential impacts have been analyzed in the Initial Study and, as conditioned, have been found to be less than significant and a Negative Declaration has been prepared by staff.