

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



Agenda of: May 7, 2008
Item No.: 4.d.
Staff: Pat Kelly

TENTATIVE PARCEL MAP TIME EXTENSION

FILE NO.: P03-0005E

APPLICANT: Albert E. Navarra

AGENT: Gene Thorne and Associates

REQUEST: Five (5) remaining one-year time extensions to an approved Tentative Parcel Map in accordance with Section 16.74.030 of the El Dorado County Subdivision Ordinance which would extend the expiration date of the map to October 3, 2010.

LOCATION: On the west side of El Dorado Hills Boulevard, south of Park Drive, and north of Arrowhead Drive in the El Dorado Hills area, Supervisorial District II. (Exhibit A)

APN: 120-690-06 and 120-690-05

ACREAGE: 7.17 acres

GENERAL PLAN: Commercial (C) (Exhibit B)

ZONING: Planned Commercial – Community Design Review (CP-DC) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Categorically Exempt pursuant to Section 15315 of the CEQA Guidelines

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND

The Tentative Parcel Map (P03-0005) would create four (4) numbered parcels, 0.94 acres in size. The four numbered parcels, owned by the applicant, would likely be used for commercial uses. The five (5) lettered parcels are owned by El Dorado County under a Final Order of Condemnation, dated July 20, 2006 are designated for open space or for right-of-way for the construction of the US Highway 50 / El Dorado Hills Boulevard-Latrobe Road Interchange Project. The five (5) lettered parcels are as follows: Parcel A – open space parcel consisting of 0.31 acres; Parcel B – future right-of-way consisting of 1.91 acres; Parcel C – landscape corridor consisting of 0.68 acres; Parcel D – future right-of-way consisting of 0.30 acres; Parcel E – future additional right-of-way for El Dorado Hills Boulevard (Exhibit D). Tentative Parcel Map P03-0005 was conditionally approved by the El Dorado County Board of Supervisors on November 25, 2003.

P03-0005 was approved with a three year expiration, which would have expired November 25, 2006. Prior to the expiration, a time extension request was filed by the applicant on August 11, 2006.

The applicant has expressed that a one-year time extension would not be sufficient to accomplish the required improvements, obtain the necessary permits or final the map. Therefore, this extension request would be for all five remaining one-year time extensions. If granted, P03-0005 would expire November 25, 2011.

The following table demonstrates the tentative map timeline:

Board of Supervisors Approval	11-25-2003
3 year term for approved map	11-25-2006
1 st . time extension	11-25-2007
2 nd . time extension	11-25-2008
3 rd . time extension	11-25-2009
4 th . time extension	11-25-2010
5 th . time extension	11-25-2011

STAFF ANALYSIS

Staff has reviewed the project for consistency with the County's regulations and requirements. An analysis of the proposal and issues for the Planning Commission consideration are provided in the following sections.

Project Description

The request would grant five (5) remaining one-year time extensions for an approved Tentative Parcel Map (P03-0005). P03-0005 was approved with a three year expiration, which would have expired November 25, 2006. Prior to the expiration date of November 25, 2006, a time extension request was filed by the applicant on August 11, 2006. P03-0005 would create four (4) numbered parcels, 0.94 acres in size and five (5) lettered parcels, 0.24 to 1.91 acres in size (nine total parcels) (Exhibit D). The four (4) numbered parcels, owned by the applicant, would likely be used for commercial uses. The five lettered parcels, owned by El Dorado County under a Final Order of Condemnation, dated July 20, 2006, are designated for open space or for right-of-way for the construction of the US Highway 50 / El Dorado Hills Boulevard-Latrobe Road Interchange Project. Access to the proposed parcels would be developed from the realigned Saratoga Way to be located along the western boundary of the subject project site. Each of the proposed parcels would have frontage along the realigned Saratoga Way and access to any proposed development on an individual parcel would be reviewed as part of any subsequent Design Review permit application.

Site Description

The project site is relatively level but is topographically higher in grade than the surrounding road grades. The subject property is located at an average elevation of 750 feet above mean sea level. No significant vegetation exists on the parcel other than scattered annual grasses and low-lying shrubs.

Adjacent Land Uses

	Zoning	General Plan	Land Use/Improvements
Site	Planned Commercial (CP) Community Design Review (DC)	Commercial (C)	Undeveloped
North	Planned Commercial (CP)	Commercial (C)	Commercial office development
South	Planned Commercial (CP)	Commercial (C)	Vacant
East	Commercial (C)	Commercial (C)	Retail Commercial development
West	Limited Multifamily Residential District (R2)	Multifamily-Residential (MFR)	Townhomes

The Tentative Parcel Map would allow for commercial consistent with the development in the area. The Tentative Parcel Map would not be a detriment to the public health, safety and welfare, or injurious to the neighborhood.

General Plan

The project site is designated as Commercial (C). Policy 2.2.1.2 identifies this land use designation as those areas suitable for a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies and it has been determined that the project would be consistent with the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

Policy 2.2.1.5: The General Plan shall provide for the following building intensities in each land use designation as shown in Table 2-3:

Table 2-3 Building Intensities	
Land Use Designation	Floor Area Ratio*
Multifamily Residential	
High-Density Residential	
Medium-Density Residential	
Low-Density Residential	
Rural Residential	
Natural Resources	
Commercial	.85
Research & Development	.50
Industrial	.85
Open Space	
Public Facilities	
Tourist Recreational	
*Ratio of allowable floor area (square footage) to site area (square footage). The FAR can be calculated over an entire intergraded development rather than on a project-by-project basis under the following circumstances: 1) the aggregate average FAR within applicable land use designations does not exceed the General Plan maximum; or 2) satisfactory evidence is provided that demonstrates on a site-specific basis that measures will be imposed to keep traffic at levels associated with the applicable FAR threshold.	

Discussion: The above General Plan Policy applies to any discretionary project. Each of the resultant parcels created from the parent parcel located in the Planned Commercial zone district would be subject to the Community Design Review (DC). The DC overlay requires the submittal of a Design Review permit application. At this time General Plan Policy 2.2.1.5. would apply to any Design Review permit application. Policy 2.2.1.5 establishes a Floor Area Ratio (FAR) of eighty-five percent (85%) of the parcel square footage. Each proposed parcel is 0.94 acres in size or 40, 946 square feet. Any proposed building could

not exceed eighty-five percent (85%) of 40,946 square feet which totals 34,804 square feet of Floor Area (this includes all floors within a building).

Policy 2.2.5.2: Land Use Element Policy 2.2.5.2 requires all discretionary projects to be consistent with the applicable General Policy. The General Plan Land Use Map designates the project site as Commercial.

Discussion: The proposed time extension would extend the life of the map in order to record the map, sell, finance or develop the parcels. The proposed parcels are located in an area that has an available infrastructure in place to support future development, subject to a Design Review permit application.

Policy 2.5.2.1: Neighborhood commercial centers shall be oriented to serve the needs of the surrounding area, grouped as a clustered, contiguous center where possible, and should incorporate but not be limited to the following design concepts as further defined in the Zoning Ordinance:

- A. Maximum first floor building size should be sized to be suitable for the site;
- B. Residential use on second story;
- C. No outdoors sales or automotive repair faculties;
- D. Reduced setback with landscaping and walkways;
- E. Interior parking, or the use of parking structure;
- F. Bicycle access with safe and convenient bicycle storage area;
- G. On-street parking to reduce the amount of on-site parking;
- H. Community bulletin boards/computer kiosks;
- I. Outdoor artwork, statues, etc., in prominent places; and
- J. Pedestrian circulation to adjacent commercial centers.

Discussion: This policy would apply to any proposed development on the Tentative Parcel map. Each parcel would be subject to the Design Review permit application process as established in Chapter 17.74 of the County Code, and are also subject to the Planned Commercial (CP) development standards contained in Section 17.32.160 of the County Code.

Policy 2.5.2.2.: New commercial development should be located by existing commercial facilities to strengthen existing shopping locations and avoid strip commercial.

Discussion: The project site is located on the west side of El Dorado Hills Boulevard across the street from a large commercial retail development and is adjacent to residential areas. Commercial development on the parcels would be anticipated to serve both highway travelers and the adjacent residential areas. Existing commercial development is located on the east side of El Dorado Hills Boulevard, and on the south side of US Highway 50.

Policy 2.5.2.3: New community shopping centers should also contain the applicable design features of Policy 2.5.2.1.

Discussion: The design features/recommendations contained in General Plan Policy 2.5.2.1 would be applied to any proposed development on the project site as part of any future discretionary Design Review permit application process.

Policy 5.2.1.2: An adequate quantity and quality of water for all uses, including fire protection, shall be provided for with discretionary development.

Discussion: The El Dorado Irrigation District would provide water to the project site. According to the facility Improvement Letter (FIL) prepared by the El Dorado Irrigation District (EID) dated September 11, 2006, in terms of water supply, as of January 1, 2006; there were 95 Advanced Funding Agreement EDUs available in the El Dorado Hills Water Supply Region. The proposed project would require ten (10) EDUs of water supply. An 8-inch water line exists on Mammoth Way and a 10-inch water line in Arrowhead Drive. There is also a 6-inch water line with hydrants that extends through the northern portion of the project site. The El Dorado Hills Fire Department has determined that the minimum fire flow for this project is 1500 GPM for a 2-hour duration while maintaining a 20-psi residual pressure. In order to provide this fire flow the applicant must construct an onsite line extension looping the existing 6-inch water line back to either the 8-inch or the 10-inch water line. The hydraulic grade line for the existing water distribution facilities is 830 feet above mean sea level at static conditions and 793 feet above mean sea level during fire flow and maximum day demands.

Policy 5.2.1.3: All medium-density residential, high-density residential, multi-family residential, commercial, industrial and research and development projects shall be required to connect to public water systems when located within Community regions and to either a public water system or to an approved private water system in Rural Centers.

Discussion: The project site would be within the El Dorado Hills Community Region. As stated in the submitted EID Facility Improvement Letter, the project would connect to public water.

Policy 5.3.1.1: High-density and multifamily residential, commercial, and industrial projects shall be required to connect to public wastewater collection facilities as a condition of approval.

Discussion: The project site, as stated in the submitted EID Facility Improvement Letter, would connect with the public waste water.

Zoning

The project site would be within the Planned Commercial zone district with the Community Design Review overlay. (CP-DC). The Planned Commercial zone district, Section 17.32 of the Zoning Code, permits a range of commercial uses that normally require Site Plan approval as described in Section 17.32.140 of the zoning code. The project site would be subject to the Community Design Review (DC) overlay, and would be subject to the discretionary Design Review permit application process. The water

supply and sewage system service would be provided by the EID as conditioned in Attachment 1. The proposed four (4) numbered parcels, 0.94 acres in size, likely to be used for commercial uses, would be required to conform with Section 17.32.160 of the zoning code development standards.

Section 17.71.220 of the Zoning Code requires off-site mitigation or fee payment in lieu of ecological preserve mitigation on Mitigation Areas 1 and 2. The project would be located within the Ecological Preserve Mitigation Area 2 and would be required to pay a fee based on commercial building square footage.

Discussion: As discussed above, the project would meet the requirements set forth in the Planned Commercial (CP) Districts, Sections 17.32.130 through 17.32.160 of the Zoning Code.

Subdivision Ordinance

As detailed in Attachment 2, the proposed tentative Parcel map time extension request is found to be consistent with Section 16.12.030 of the El Dorado County Subdivision Zoning Ordinance.

Agency and Public Comments:

The project was circulated for review and comment to various affected agencies. The agencies specific topics are discussed below, and recommended conditions of approval are included in Attachment 1.

El Dorado County Department of Transportation: The County Department of Transportation (DOT) reviewed the project and has concluded that no additional conditions would be required for this project. The existing conditions, included in Attachment 1, as approved by the Zoning Administrator on October 15, 2005, are adequate for the extension of this Tentative Parcel Map P03-0005.

El Dorado Hills Community Services District: Since the approval of the Tentative Parcel Map P03-0005 these parcels have been included in the North Commercial Boulevard Landscaping Lighting Assessment district (LLAD) created and administered by the El Dorado Hills Community Service District in July 2006. The LLAD was formed to pay for ongoing operation and maintenance of the commercial streetscape, street lighting and sidewalks along El Dorado Hills Boulevard and Saratoga Way. The District supports the request for a time extension.

El Dorado Hills Community Services District: Since the approval of the Tentative Parcel Map P03-0005 the project site has been included into in the North Commercial Boulevard Landscaping Lighting Assessment District (LLAD) created and administrated by the El Dorado Hills Community Services District in July 2006. The LLAD was formed to pay for ongoing operation and maintenance of the commercial streetscape, street lighting

and sidewalks along El Dorado Hills Boulevard and Saratoga Way. The El Dorado Hills Community Services District supports the request for the time extension.

Office of County Surveyor: All survey monuments would be set prior to filing the Parcel Map. Prior to filing the Parcel map a letter will state that “all conditions placed on P03-0005 by (that agency) have been satisfied.” The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.

There were no objections to the requested time extension.

Copies of their written comments are available at the Planning Services office.

ENVIRONMENTAL REVIEW

On October 15, 2003 the Zoning Administrator certified that the Parcel Map (P03-0005) is Categorically Exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15315.

The Parcel Map Time Extension has been deemed Categorically Exempt pursuant to Section 15315 (Minor Land Division) of the CEQA Guidelines with regards to division residential, commercial, or industrial lands within urbanized areas in conformance with the El Dorado County general Plan and Zoning Ordinance.

This project is not located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plants 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 Department of Fish and Game Code Section 711.4 and Senate Bill 1535), the project is subject to a fee of \$1,876.75 after approval, but prior to the County filing the Notice of Determination on the project. This fee, plus a \$50.00 processing fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The total fee will be forwarded to the California Department of Fish and Game via the County Recorder’s Office and is used to help defray the cost of managing and protecting State fish and wildlife resources.

RECOMMENDATION

1. Certify the Categorical Exemption determination pursuant to Section 15315 of the California Environmental Quality Act (CEQA) Guidelines; and
2. Approve the Tentative Parcel Map Time Extension (P03-0005E) subject to the conditions in Attachment 1, based on the findings in Attachment 2.

SUPPORT INFORMATION

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 Approved Tentative Parcel Map

ATTACHMENT 1
CONDITIONS OF APPROVAL
File Number P03-0005E

Included as Attachment 1, the Tentative Parcel Map Time Extension is subject to the original conditions of approval. Additional agency conditions of approval from Planning Services have been incorporated and depicted with underlines. The numerical sequencing of the original conditions of approval are shown with a ~~strikethrough~~.

1. This Time Extension is based upon and limited to compliance with the project description, the Zoning Administrator hearing dated May 7, 2008, exhibit marked Exhibit D, 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 proposed project, as considered, is described as follows:

The project (P03-0005), consists of five (5) one-year time extensions that requires the map to record on or prior to November 25, 2011. The map would create four (4) numbered parcels, 0.94 acres in size and five (5) lettered parcels, 0.24 to 1.91 acres in size (nine total parcels) (Exhibit D). The four (4) numbered parcels, owned by the applicant, would likely be used for commercial uses. The five lettered parcels, owned by El Dorado County under a Final Order of Condemnation, dated July 20, 2006, are designated for open space or for right-of-way for the construction of the US Highway 50 / El Dorado Hills Boulevard-Latrobe Road Interchange Project. Access to the proposed parcels would be developed from the realigned Saratoga Way to be located along the western boundary of the subject project site. Each of the proposed parcels would have frontage along the realigned Saratoga Way and access to any proposed development on an individual parcel would be reviewed as part of any subsequent Design Review permit application.

The grading, development, use and maintenance of the property, the size, shape, arrangement, and location of structure, 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.

Department of Transportation

- 2.1. The applicant shall comply with all County requirements related to the Department of Transportation's review, including but not limited to the submittal of a site improvement/grading plan prepared by a professional civil engineer to the Department for review and approval. The plan(s) 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.
- 3.2. The applicant shall be subject to a grading permit fee commensurate with the scope of the proposed project prior to the commencement of any work.
- 4.3. The project shall be subject to the County's traffic impact mitigation fee programs. The fees shall be due upon issuance of a building permit. If prior to the application for a building permit for any of the parcels, revised fees are established, such revised amounts shall be paid.
- 5.4. At the time of grading permit application, the applicant shall provide a soils/geotechnical report to the Department of Transportation addressing at a minimum, grading practices, compaction, slope stability of existing and proposed cut and fills, erosion potential and pavement section based on TI and R values.
- 6.5. The final parcel map shall show all utility, road, and drainage easements per the recommendation of the utility purveyors and the County Engineer. Said easements shall be irrevocable offered to the County.
- 7.6. Drainage maintenance shall be the responsibility of the parcel owners. All easements for drainage facilities shall be first offered to the County of El Dorado for rejection, and simultaneously offered to the parcel owners association, with the filing of the parcel map.
- 8.7. The project drainage plan shall coordinate future surface and subsurface drainage of all developments with the proposed Saratoga Way and El Dorado Hills Boulevard drainage system to the satisfaction of the Department of Transportation.
9. 8. The developer shall place the following note on the final parcel map:

"The numbered parcels created by this map are for sale or financing purposes only. The lettered parcels are reserved for right-of-way or other purposes as designated on the map. No building permit or similar ministerial permit will be issued without the approvals required by Chapter 17.74 (Design Review Districts) of the County Code."
- 10.9. A note shall be placed on the final Parcel Map that access to Saratoga Way is

restricted and that access encroachment location(s) to said County road ~~would~~ will be determined through the approval of subsequent development applications for the parcels created by this parcel map. The Department of Transportation recommends that shared use of driveways, with driveway encroachment located in the southern portion of Parcel #3 and one driveway encroachment in the northern portion of Parcel #2 adjacent to the common property lines.

~~11.10.~~ The developer shall record mutual access easements on Parcels 1, 2, 3, and 4 for the purpose of internal circulation from parcel to parcel without the requirement of vehicles to enter the public right-of-way to move from one parcel to the other.

~~12.11.~~ ~~As provided by the El Dorado Hills Improvement fee program, the developer shall reserve the right of way for road and any and all public purposes, sufficient to accommodate the County's Capital Improvement Project known as the El Dorado Hills Boulevard Interchange Phase 1 project that includes 1) the realigned Saratoga Way to a new intersection with El Dorado Hills Boulevard at the existing intersection location of Park Drive, which incorporates a new intersection with existing Mammoth Way; 2) A widening with one additional travel lane of El Dorado Hills Boulevard across the frontage of the parcel map; 3) Installation of sound walls and landscaping along the westerly boundary of the parcel map, and; 4) Reconfiguration of the on-and off-ramps to U.S. Highway 50. Prior to filing the final Parcel Map the applicant shall execute a document providing for the right of entry that will allow construction of the road improvements as necessary by the County of El Dorado in order to advance a public project.~~

Pursuant to Policy 3.2.1.3 of the 1996 General Plan, the strip of land along the existing El Dorado Hills Boulevard that ~~would~~ will be necessary to widen El Dorado Hills Boulevard to three southbound lanes, together with the appropriate paved shoulders, concrete curb, gutter and sidewalk and slope easement, along the existing alignment of El Dorado Hills Boulevard shall be offered for dedication by the developer to the County. The County as part of the El Dorado Hills Interchange project right-of-way acquisition will acquire the balance of the reserved area described in the above paragraph.

~~13.12.~~ Traffic studies will be required of any future development proposals concerning the parcels created by this parcel map. Said individual traffic studies shall include an analysis of both on and off-site impacts from the proposed development of the parcels created by this parcel map. All applicants shall be required to mitigate any impacts identified in the traffic studies to the satisfaction of the Department of Transportation.

~~14.13.~~ A "Notice to property Owners" shall be recorded in the chain of title of each of the parcels created by this Parcel Map at the time the map is recorded. The Notice shall state:

- Any applicant submitting a development proposal for this property will be required to prepare a traffic study to evaluate the project's traffic impacts on the surrounding road network. Based on a Traffic Report by Prism Engineering dated June 26, 2003, there is currently a Level of Service "F" (LOS F) condition at El Dorado Hills Boulevard at the westbound Highway 50 onramp, and other intersections and road segments are nearing LOS F. Depending upon the LOS of the area roadways at the time of development is proposed and the level of traffic impacts caused by future development, development projects on this project may be conditioned in a manner consistent with Section 66001 of the State Planning Law to build infrastructure improvement requirements, restrict occupancy of development until traffic deficiencies are rectified, or take other measures to minimize degradation of traffic flow in the project vicinity to the satisfaction of the Department of Transportation.
- ~~15.14.~~ A vehicular access restriction for Parcels 1, 2, 3, and 4 along El Dorado Hills Boulevard shall be shown on the final Parcel Map.
- ~~15.~~ Parcel 'C' is described as a "landscape buffer" on the tentative parcel map (Note #9). The area of Parcel 'C' will also contain a proposed sound wall as part of Project #71318.
- ~~16.~~ The northwest area of Parcel 'B' contains a P.G. & E. transformer that is planned for relocation in Project 371318. This utility information is available from the County by request.
- ~~16.17.~~ Proposed County right-of-way does not include area for sidewalks along Saratoga Way. Future development of these parcels may be required to install sidewalks and/or pedestrian pathways.
- ~~17.18.~~ The Design Review permit application for "Westside Commercial Center", DR96-01 that was approved by the Planning Commission on November 15, 1996, must be revised or withdrawn to reflect the current project proposal prior to ~~recording~~ filing of the final parcel map.

El Dorado Hills Fire District

- ~~18.19.~~ The ~~is development~~ developer shall install Mueller Dry Barrel fire hydrants conforming 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 300-feet. The El Dorado Hills Fire Department shall determine the exact location of each hydrant.
- ~~19.20.~~ All access roadways and fire hydrant systems shall be installed and in service prior to the framing of any combustible members any of the proposed parcels as specified by El Dorado Hills Fire Department Standard 103.

~~20.~~21. All access and internal circulation roadways shall be deigned to provide a minimum of two access points for each parcel. All internal access roadways and fire lanes shall be designed with an inside turning radius of forty (40') feet and an outside turning radius of fifty-six (56') feet.

El Dorado Hills Community Service District

21. The applicant will participate with the established El Dorado Hills Community Services District Landscaping Lighting Assessment District (LLAD) for the ongoing operation and maintenance of the commercial streetscape, street lighting and sidewalks along El Dorado Hills Boulevard and Saratoga Way prior to filing the final map.

El Dorado County Environmental Management

22. The project shall comply with all El Dorado County Air Pollution District Rules and Regulations as determined by the District prior to issuance of grading or construction permits.

Surveyor's Office

23. All survey monuments must be set prior to filing the Parcel Map.

24. 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 P03-0005 by (the agency) have been satisfied." The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.

Planning Department

~~25.~~22. Domestic water shall be supplied the by a public entity, El Dorado Irrigation District (EID), with a minimum six-inch water line to the property being divided, and a water meter award letter or similar assurance from the water purveyor, guaranteeing water service upon demand to each of the parcels created, shall be submitted to the County Surveyor at the time of filing the parcel map.

~~26.~~23. Where the subdivider is required to make improvements on lands which neither the subdivider nor the County has sufficient title or interest to make such improvements, prior to filing of any parcel map, the subdivider shall submit the following to the Department of Transportation Director for approval:

- a. A legal description prepared by a civil engineer or land surveyor of the land necessary to be acquired to complete the off-site improvements;
- b. Improvement plans prepared by a civil engineer of the required off-site improvements; and

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

Prior to filing of a parcel 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.

27.24. Prior to the filing of a parcel 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 do one of the following: (a) Pay the assessment or bond in full; (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 that provisions have been made for the segregation of bond assessment responsibility, pursuant to Government Code Section 66493(d).

28.25. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent shall ensure that all such activities cease within 50 feet of the discovery until an 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.

29.26. In the event of 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 with 24 hours. The treatment and disposition of human remains shall be completed consistent with the Guidelines of the Native American Heritage Commission. The project grading plans shall include this mitigation in the plans. The Planning Department shall review the grading plans prior to issuance of a grading permit.

30. All Planning Services fees shall be paid prior to recordation of the final parcel map.

31. 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.

ATTACHMENT 2
FINDINGS
File Number P03-0005E

FINDINGS FOR APPROVAL

1.0 CEQA FINDING

- 1.1 The Parcel Map Time Extension has been deemed Categorically Exempt pursuant to Section 15315 (Minor land Division) of the California Environmental Quality Act (CEQA) Guidelines involving division of residential, commercial, or industrial lands within urbanized areas in conformance with the El Dorado County General Plan and Zoning Ordinance.

2.0 GENERAL PLAN FINDINGS

2.1 The project is consistent with the General Plan

The General Plan Land Use Map designates the project site as Commercial. The proposed parcels are located in an area that has an available infrastructure in place to support future development, subject to a Design Review permit application process.

The proposal is consistent with all applicable General Plan Policies including 2.2.1.5., 2.2.5.2, 2.5.2.1., 2.5.2.2., 2.5.2.3., 5.2.1.2, 5.2.1.3, 5.7.1.1, concerning land use compatibility, building intensities, availability of infrastructure, adequate quantity and quality of water for all uses, including fire protection, and community wastewater systems. Because of the project's provision of adequate access, sufficient water and sewage disposal service systems and efforts to fit within the context of the surrounding land uses, it is consistent with the General Plan policies identified above.

3.0 ZONING FINDINGS

3.1 The project is consistent with the El Dorado County Zoning Ordinance

The subject site is zoned Planned Commercial/Community Design Review (CP-DC) which permits a minimum parcel size of five thousand square feet under Section 17.32.160(A) of the El Dorado County Zoning Ordinance. The project would be consistent with the Development Standards of the CP zone district.

4.0 SUBDIVISION ORDINANCE FINDINGS

4.1 The project is consistent with the El Dorado County Subdivision Ordinance

4.2 A. That the proposed map is consistent with applicable general and specific plans;

The proposed time extension to an approved Tentative Parcel Map will create commercial parcels consistent with the designated density under the 2004 El Dorado County General Plan.

4.3 B. That the design or improvement of the proposed division is consistent with applicable general and specific plans;

The Tentative Parcel Map has been designed in conformance with the General Plan policies and standards including protection of natural resource, circulation, land use, and public facilities.

4.4 C. That the site is physically suitable for the type of development;

The site is physically suitable for commercial development. The project site is relatively level but is topographically higher in grade than the surrounding road grades. No water bodies or streams are apparent. The project site is surrounded by commercial and multifamily residential development, US Highway 50, and existing public roads.

4.5 D. That the site is physically suitable for the proposed density of development;

The proposed project will create four (4) numbered parcels, 0.94 acres in size and five (5) lettered parcels, 0.24 to 1.91 acres in size (nine total parcels). The four (4) numbered parcels would likely be used for commercial uses. The five lettered parcels, owned by El Dorado County under a Final Order of Condemnation, dated July 20, 2006, are designated for open space or for right-of-way for the construction of the US Highway 50 / El Dorado Hills Boulevard-Latrobe Road Interchange Project. The project site is relatively level but is topographically higher in grade than the surrounding road grades. No water bodies or streams are apparent. Development of the site shall be further reviewed for proper design, layout and improvements in conformance with the applicable County and agency standards.

4.6 E. That the design of the division or the proposed improvements is not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;

Development of these four (4) commercial parcels is subject to the specific project conditions of approval. Prior to development of each parcel, individual construction and improvement plans shall be reviewed for conformance to applicable County Standards under the discretionary Design Review permit application process.

Therefore, the design of the subdivision is not likely to cause substantial environmental damage.

- 4.7 *F. That the design of the division or the type of improvements is not likely to cause serious public health hazards;*

The conditionally approved Tentative Parcel Map anticipates the development of four (4) commercial parcels. Overall development of the site shall be subject to subsequent permitting review in accordance with El Dorado County and affected agency standards to ensure orderly and safe development.

- 4.8 *G. That the design of the division or the improvements is suitable to allow for compliance of the requirements of Section 4291 of the Public Resources Code;*

The design of the Tentative Parcel Map conforms to the requirements of Section 4291 of the Public Resources Code involving brush and vegetation fire prevention. Future development permits for the site would be reviewed for conformance for on-site fire suppression and emergency access and circulation by the El Dorado Hills Fire Department.

- 4.9 *H. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection the approving authority may approve a map if it finds that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision. (Ord. 3805 §15, 1988: prior code §9702)*

Necessary utility easements are depicted on the Tentative Parcel Map and shall be further verified by the County Surveyor's Office at the time of filing of final map. Additional easements would be required during review of future discretionary development permit, as deemed necessary. Therefore, no conflicts with easements acquired by the public at large are anticipated.