

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



**Agenda of:** July 2, 2008  
**Item No.:** 6.c.  
**Staff:** Jason R. Hade

## **TENTATIVE PARCEL MAP**

**FILE NUMBER:** P08-0011 / Santa Alina Villas

**APPLICANT:** Greg Drummond

**REQUEST:** Tentative parcel map to create four parcels ranging in size from one to six acres on a 10 acre site. The following design waivers have been requested: (1) Permit a dead-end street approximately 4,224 feet in length exceeding the maximum allowed length of 2,640 feet; and (2) Reduce the required on and off-site road improvements from Standard Plan 101B to Standard Plan 101C.

**LOCATION:** East side of Many Oaks Lane, 2,640 feet north of the intersection with Wild Chaparral Drive in the Shingle Springs area, Supervisorial District IV. (Exhibit A)

**APN:** 070-250-39

**ACREAGE:** 10 acres

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

**ZONING:** One-Acre Residential (R1A) (Exhibit C)

**ENVIRONMENTAL DOCUMENT:** Mitigated Negative Declaration prepared

**SUMMARY RECOMMENDATION:** Conditional Approval

**BACKGROUND:**

This project was initially submitted on October 5, 2007 as a nine lot tentative subdivision map to create nine lots ranging in size from 1 to 1.6 acres (TM07-1455). However, the applicant subsequently withdrew the application based on Department of Transportation (DOT) and El Dorado County Fire Protection District (EDCFPD) concerns raised at the Technical Advisory Committee

(TAC) meeting concerning a lack of sufficient secondary access to serve the proposed subdivision. The current application under review, P08-0011, was submitted on March 11, 2008.

### **STAFF ANALYSIS**

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

#### **Project Description**

Tentative parcel map to create four parcels ranging in size from one to six acres on a 10 acre site. The project also includes off-site road improvements consisting of the widening of Many Oaks Lane to 18 feet wide with one-foot shoulders (Standard Plan 101C) from the northern property line of the project southward to the intersection with Wild Chaparral Drive. The following design waivers have been requested: (1) Permit a dead-end street approximately 4,224 feet in length exceeding the maximum allowed length of 2,640 feet; and (2) Reduce the required on and off-site road improvements from Standard Plan 101B to Standard Plan 101C.

#### **Site Description**

The project site lies at an elevation of approximately 1,500 feet above mean sea level. The entire site has slopes of 10 percent or less. Blue Oak and Live Oak tree canopy present at the site consist of approximately 60 percent coverage. An existing single-family residence is located on proposed Parcel 1. The subject site is bordered by rural residential housing and ranchettes. A mobile home park is located immediately south of the property. Proposed project access would consist of the construction of Santa Alina Court to an 18-foot wide roadway with 1-foot wide shoulders.

#### **Adjacent Land Uses**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	R1A	MDR	Single-Family Residence
<b>North</b>	R1A	MDR	Single-Family Residences
<b>South</b>	MP	HDR	Oak Lane Mobile Home Park
<b>East</b>	R1A	MDR	Undeveloped
<b>West</b>	RE-5	MDR	Single-Family Residences

#### **Access**

The primary access to the project site would be from Santa Alina Court via Many Oaks Lane. Proposed project access would consist of the construction of Santa Alina Court to an 18-foot wide roadway with 1-foot wide shoulders. The proposed parcel map is consistent with General Plan Policy 6.2.3.2 as the EDCFPD and California Department of Forestry and Fire Protection have

reviewed the project and confirmed that the proposed access and onsite roadways are adequate for the development pursuant to a fire safe plan approved on February 21, 2008.

### **Air Quality**

The El Dorado County Air Quality Management District (AQMD) reviewed the project and determined that with the implementation of four standard County measures, the project would have a less than significant impact on the air quality. As part of the measures, an asbestos dust mitigation plan application must be prepared and submitted to the AQMD if naturally occurring asbestos is encountered during project construction. These measures are included as conditions of project approval within Attachment 1 of the staff report.

### **Circulation**

The Department of Transportation (DOT) reviewed the proposed project and determined it would not trip the traffic impact threshold within the General Plan. Proposed project access would consist of the construction of Santa Alina Court to an 18-foot wide roadway with 1-foot wide shoulders. The project would also include off-site road improvements consisting of the widening of Many Oaks Lane to 18 feet wide with one-foot shoulders (Standard Plan 101C) from the northern property line of the project southward to the intersection with Wild Chaparral Drive.

The 2004 General Plan Policies TC-Xe and TX-Xf (which incorporate Measure Y) require that projects that “worsen” traffic by 2 percent, or 10 peak hour trips, or 100 average daily trips must construct (or ensure funding and programming) of any improvements required to meet Level of Service standards in the General Plan Transportation and Circulation Element. DOT reviewed the proposed project and determined that it would not trigger the threshold described above because of its limited size.

### **Design Waivers**

The following design waivers have been requested: (1) Permit a dead-end street approximately 4,224 feet in length exceeding the maximum allowed length of 2,640 feet; and (2) Reduce the required on and off-site road improvements from Standard Plan 101B to Standard Plan 101C. DOT and the EDCFPD reviewed the requested design waivers and support them. A fire safe plan was approved by the EDCFPD which includes measures, such as requiring fire sprinklers for future homes to be constructed on the proposed parcels, to address the lack of secondary access. Staff recommends approval of the design waiver requests based on the recommendations of DOT and the EDCFPD as well as supporting documentation submitted by the applicant (Exhibit I). Findings for approval are included within Attachment 2.

### **Fire**

The EDCFPD and California Department of Forestry and Fire Protection reviewed the project proposal and concluded that the project would not expose people to a significant risk of loss, injury or death involving wildland fires or wildland fires adjacent to or located in an urbanized area with the implementation of the fire safe plan approved on February 21, 2008. Fire safe plan provisions include the installation of two new fire hydrants, installation of fire sprinklers for each residence constructed, and the construction of Santa Alina Court to a width of 18-feet wide with one-foot shoulders and a 10-foot fuel treatment area on both sides of the roadway. No on street parking on

Santa Alina Court would be permitted. Fire issues are addressed within the project's conditions of approval.

### **Land Use Compatibility**

As discussed above, the subject site is bordered by rural residential housing and ranchettes. A mobile home park is located immediately south of the property. Therefore, the proposed parcel map is compatible within the context of these existing residential uses pursuant to General Plan Policy 2.2.5.21.

### **Oak Tree Canopy**

Existing oak tree canopy coverage at the subject site is estimated at 89 percent. Under General Plan Policy 7.4.4.4, Option A, 60 percent of the existing canopy must be retained. As proposed, the project would retain 60 percent of the oak tree canopy at the site consistent with General Plan Policy 7.4.4.4, Option A. As shown on the oak tree canopy replacement plan (Exhibit F), sufficient area is available on-site to replant at a 1:1 ratio.

However, since the proposed project has the potential to result in tree removal that is in excess of the required retention provisions of General Plan Policy 7.4.4.4, mitigation measures are included within the project's conditions of approval to address this issue.

### **Public Transit**

The El Dorado County Transit Authority reviewed the proposal and had no comments. No bus turnouts would be required for this tentative parcel map. No impacts would occur.

### **Special Setbacks**

The tentative parcel map provides the required 50-foot non-building buffer for intermittent drainage swales that exist on the property.

### **Wastewater**

Waste discharge area analysis was completed and submitted to the El Dorado County Environmental Management Department – Environmental Health Division for review and approval. The analysis was approved on April 7, 2008.

### **Water**

El Dorado Irrigation District provided a letter dated May 15, 2007 indicating that it has adequate water supplies to serve the project.

### **GENERAL PLAN**

The project has been reviewed in accordance with the applicable El Dorado County 2004 General Plan policies, including 2.2.5.21, TC-Xe, TX-Xf, 5.3.1.2, 5.7.1.1, 6.2.3.2, 7.1.2.1, 7.3.3.4, and 7.4.4.4 concerning land use compatibility, traffic, wastewater capacity, fire safe access, grading on slopes in excess of 30 percent, intermittent drainage setbacks, and tree canopy retention standards and it has been determined that the project is consistent with the General Plan.

As proposed, the project zoning of One-Acre Residential (R1A) and respective parcel sizes of one to six acres are compatible with the General Plan, but would provide development below the densities contemplated by the General Plan. General Plan Policy 2.2.5.19 states that “where property bears a General Plan designation intended to satisfy the County’s obligation to provide land sufficient to meet its fair share of affordable housing, the County shall not grant development approvals that would undermine the County’s ability to fulfill that obligation.” The subject site bears a General Plan land use designation of MDR which is not intended to satisfy the County’s obligation to provide sufficient land for affordable housing. As such, the project is consistent with the General Plan.

Although the proposed parcels are one to six acres, General Plan Policy 2.2.5.16 requires that the appropriate level of planning for land divisions be based on the current land use designation that applies to the project area. In this case, the land division has been planned in a manner that would not preclude the ultimate potential density of MDR which is one dwelling unit per one to five acres because of proposed road improvements and connection to public water. As discussed above, the applicant initially proposed a nine lot tentative subdivision map consistent with the MDR land use designation density, but was unable to provide an adequate secondary access to the subject site.

Findings of consistency with the General Plan are provided in Attachment 2.

### **ZONING**

The proposed parcel map contains four parcels which are consistent with the development standards identified with Section 17.28.080 of the Zoning Ordinance, including a minimum parcel size of one acre. The existing residential use at the subject site is permitted by right under Section 17.28.060.

Findings for approval are provided in Attachment 2.

### **ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study (Exhibit J) to assess project-related environmental impacts. Based on the Initial Study, staff finds that the project could have a significant effect on air quality, biological resources, cultural resources, and hazards and hazardous materials. However, the project has been modified to incorporate the mitigation measures identified in the Initial Study which will reduce the impacts to a level considered to be less than significant. Therefore, a Mitigated Negative Declaration has been prepared.

This project is 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 \$1,926.75 after approval, but prior to the County filing the Notice of Determination on the project. This fee, less a \$50.00 recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$1,876.75 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the States fish and wildlife resources.

**RECOMMENDATION**

Staff recommends that the Zoning Administrator take the following actions:

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
2. Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the conditions of approval and mitigation measures in Attachment 1;
3. Approve Tentative Parcel Map P08-0011 based on the findings in Attachment 2 subject to the conditions in Attachment 1; and
4. Approve the following design waivers since appropriate findings have been made as noted in Attachment 2:
  - (1) Permit a dead-end street approximately 4,224 feet in length exceeding the maximum allowed length of 2,640 feet; and
  - (2) Reduce the required on and off-site road improvements from Standard Plan 101B to Standard Plan 101C.

**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 .....	Assessor’s Parcel Map Page
Exhibit E .....	Tentative Parcel Map
Exhibit F .....	Oak Canopy Replacement Plan
Exhibit G .....	Soils Map
Exhibit H .....	Fire Safe Plan
Exhibit I .....	Applicant’s Design Waiver Request
Exhibit J .....	Environmental Checklist and Discussion of Impacts

# **ATTACHMENT 1**

## **CONDITIONS OF APPROVAL**

Tentative Parcel Map  
File Number P08-0011 / Santa Alina Villas  
July 2, 2008 Zoning Administrator Hearing

### **I. PROJECT DESCRIPTION**

1. This tentative parcel map is based upon and limited to compliance with the project description, the Zoning Administrator hearing exhibits marked Exhibit E, Tentative Parcel Map, Exhibit F, Oak Canopy Replacement Plan, Exhibit H, Fire Safe Plan, dated July 2, 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:

P08-0011 consists of a tentative parcel map to create four parcels ranging in size from one to six acres on a 10 acre site. Water will be provided to the parcels by the El Dorado Irrigation District and sewage disposal will be provided by individual on-site septic systems. Project access will consist of the construction of Santa Alina Court to an 18-foot wide roadway with 1-foot wide shoulders. The project also includes off-site road improvements consisting of the widening of Many Oaks Lane to 18 feet wide with one-foot shoulders (Standard Plan 101C) from the northern property line of the project southward to the intersection with Wild Chaparral Drive

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.

### **II. MITIGATED NEGATIVE DECLARATION CONDITIONS OF APPROVAL**

2. To further reduce impacts to the Layne's ragwort, a 25-foot radius non-building setback shall be included around the Layne's ragwort plant location in the northeast corner of proposed parcel three, as shown on the tentative parcel map.

*Timing/Implementation: Prior to parcel map filing*

*Enforcement/Monitoring: El Dorado County Planning*

3. If construction begins outside the February 1 to August 31 breeding season, there will be no need to conduct a preconstruction survey for active nests. If a nest becomes active after construction has started, then the bird is considered adapted to construction disturbance.

If construction is scheduled to begin between February 1 to August 31 August, then a qualified biologist shall conduct a preconstruction survey for active nests at the construction site and within 250 feet of the construction site from publicly accessible areas within 30 days prior to construction. If no active nest of a bird of prey or Migratory Bird Treaty Act (MBTA) bird is found, then no further mitigation measures are necessary.

If an active nest of a bird of prey or MBTA bird is found, then the biologist shall flag a minimum 250-foot Environmentally Sensitive Area (ESA) around the nest if the nest is of a bird of prey, and a minimum 100-foot ESA around the nest if the nest is of an MBTA bird other than a bird of prey.

The ESA shall be maintained until the nest is no longer active, that is, when the nest no longer contains eggs and the young have fledged. No disturbance shall occur within the ESA until a qualified biologist determines that the nest is no longer active.

*Timing/Implementation: If construction begins during the nesting season (February 1 to August 31), the preconstruction survey shall be conducted no more than 30 days prior to clearing and grubbing and submitted prior to grading permit issuance.*

*Enforcement/Monitoring: El Dorado County Planning*

4. Any oak trees removed from the site shall be mitigated as specified in the Interim Interpretive Guidelines for El Dorado County as adopted by the County on November 9, 2006. Mitigation for loss of tree canopy shall be implemented to reduce impacts from oak tree loss. Fulfillment of anyone of the following options will reduce impacts to a less than significant level:
  - a. For tree replacement under Policy 7.4.4.4, Option A, of the General Plan, oak trees shall be replanted at a rate of 200 tree saplings per acre, or 600 acorns per acre, whether on-site or off-site. A tree planting and preservation plan is required prior to issuance of a grading permit. If the applicant chooses to replace removed trees off-site, an easement for off-site replacement must be obtained prior to the recordation of the tentative map. A letter from the certified project arborist or qualified biologist verifying the replacement of trees and a contract for intensive to moderate maintenance and monitoring shall be required for a minimum of 15 years after planting. The survival rate shall be 90 percent. Any trees that do not

survive during this period of time shall be replaced by the property owner. The arborist or biologist contract, planting and maintenance plan, and all compliance documents necessary to meet the Oak Woodlands Interim Interpretive Guidelines shall be provided to Planning Services prior to issuance of a grading permit.

- b. In lieu of the replanting and monitoring requirements set forth above, the applicant may mitigate the impacts to oak woodland by complying with the oak conservation in-lieu fee requirements (Option B) of the Oak Woodland Management Plan, adopted by the Board of Supervisors on May 6, 2008, if an application for a permit for the improvements required by this map is filed after the effective date of the plan and its implementing ordinance.

*Timing/Implementation: Prior to issuance of grading and building permits*

*Enforcement/Monitoring: El Dorado County Planning*

5. If Option A above is utilized, the applicant shall provide an update letter to be prepared by a qualified professional about the health and progress of the re-planted oak saplings and/or oak acorns for this project.

*Timing/Implementation: Prior to issuance of occupancy permits*

*Enforcement/Monitoring: El Dorado County Planning*

6. If Option A above is utilized, Covenants, Conditions, and Restrictions (CCRs) shall be established and recorded for this project that would, in part, ensure the survival of replanted oaks by requiring that each property owner share equally in the responsibility in the long term monitoring and maintenance of replanted oaks. The CCRs shall require that the property owners coordinate a one year, three years, five years, and ten year monitoring survey to be prepared by a qualified professional for both oak and saplings that would be replaced, as well as a similar fifteen year survey update for acorns. In the event that the replanted saplings or acorns not survive, they shall be replaced (at the sole and equally shared cost of each property owner) based on County adopted policies and standards, and based on the input of a qualified professional.

*Timing/Implementation: Prior to issuance of grading and building permits*

*Enforcement/Monitoring: El Dorado County Planning*

### **III. PROJECT CONDITIONS OF APPROVAL**

#### **Planning Services**

7. A meter award letter or similar document shall be provided to Planning Services by EID prior to filing the parcel map.

8. The applicant shall submit a request for Park-in-Lieu fee appraisal to Planning Services, with a check for \$150.00 made out to the El Dorado County Assessor; upon completion of appraisal, the applicant must pay the park fee, pursuant to Section 16.12.090 of the El Dorado County Subdivisions Ordinance, to the El Dorado County Parks and Recreation Department, and shall submit the receipt to the El Dorado County Office of the County Surveyor prior to filing of the parcel map.
9. In the event that previously unknown cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archeologist shall make recommendations on the measures to be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds, in accordance with § 15064.5 of the CEQA Guidelines. Cultural resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites.
10. In accordance with CEQA § 15064.5, should previously unidentified paleontological resources be discovered during construction, the project sponsor is required to cease work in the immediate area until a qualified paleontologist can assess the significance of the find and make mitigation recommendations, if warranted. To achieve this goal, the contractor shall ensure that all construction personnel understand the need for proper and timely reporting of such finds and the consequences of any failure to report them.
11. If human remains are encountered during earth-disturbing activities within the project area, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. If the remains are determined to be Native American in origin, both the Native American Heritage Commission (NAHC) and any identified descendants shall be notified by the coroner and recommendations for treatment solicited (CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94 and 5097.98).
12. This tentative parcel map shall expire within 36 months from date of approval unless a timely extension has been filed.
13. All fees associated with the tentative parcel map shall be paid prior to filing of the final parcel map
14. The applicant shall submit to Planning Services a \$50.00 recording fee and a \$1,876.75 Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No permits shall be issued or final map filed until said fees are paid.
15. 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 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.

### **Air Quality Management District**

16. During construction, all activities shall apply standard Best Management Practices (BMPs) to control dust during construction. These practices shall be incorporated into the project and include:
  - Application of water on disturbed soils and unpaved roadways a minimum of three times per day
  - Using track-out prevention devices at construction site access points
  - Stabilizing construction area exit points
  - Covering haul vehicles
  - Restricting vehicle speeds on unpaved roads to 15 miles per hour
  - Replanting disturbed areas as soon as practical and other measures as deemed appropriate to the site, to control fugitive dust
17. Prior to grading permit issuance, an Asbestos Dust Mitigation Plan (ADMP) shall be submitted with appropriate fees to and approved by the Air Quality Management District (AQMD).
18. Burning of vegetative wastes that result from “Land Development Clearing” must be permitted through the District Rule 300 Open Burning. Only vegetative waste materials are permitted to be disposed of using an open outdoor fire.
19. The application of architectural coating shall adhere to District Rule 215 Architectural Coatings.
20. The applicant shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
21. Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, boilers, internal combustion engines, etc.), authority to construction applications shall be submitted to the District. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors.

### **Department of Transportation (DOT)**

22. **Road Design Standards:** The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM), as shown in Table 1. The improvements shall be completed to the satisfaction of the Department of Transportation (DOT) 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>DESIGN STANDARD PLAN</b>	<b>ROAD WIDTH* / SHOULDER WIDTH</b>	<b>RIGHT OF WAY**</b>	<b>DESIGN SPEED</b>	<b>EXCEPTIONS /NOTES</b>
Alina Court (onsite)	Std Plan 101C  Std Plan 114 at cul-de-sac	18ft / 1ft	50ft	20 mph	No curb, gutter, or sidewalk, road width is measured Edge of Pavement(EP) to EP
Many Oaks Lane (onsite and offsite)	Std Plan 101C (From northern project boundary to intersection with Wild Chaparral Drive)	18ft / 1ft	40ft	40 mph	No curb, gutter, or sidewalk, road width is measured EP to EP.

\* Road widths in the preceding table are measured from edge of pavement to edge of pavement

\*\* Non-exclusive road and public utility easements included

23. **Maintenance Entity:** The proposed project must form an entity for the maintenance of the private roads 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 and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the parcel map.
24. **Offer of Dedication:** Because the project lies fully within an existing road maintenance Zone of Benefit, upon completion and County approval of the on-site road construction, the road right of way shall be Irrevocably Offered to the County of El Dorado. prior to the filing of the map. This offer will be rejected.
25. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachments from Alina Court onto Many Oaks Lane to the provisions of County Design Standard **103D**. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
26. **Drainage, Cross-Lot:** Cross lot drainage shall be avoided. When cross lot drainage does occur, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity

acceptable to the County. 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.

27. **Drainage Easements:** The site plans shall show drainage easements for all on-site drainage courses and facilities prior to filing of the map.
28. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
29. **Road & Public Utility Easements:** The applicant shall provide a 50 foot wide non-exclusive road and public utility easement for the on-site access roadway prior to the filing of the parcel map.
30. **Signage:** 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 Department of Transportation prior to the filing of the parcel 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.
31. **Common Fence/Wall Maintenance:** 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).
32. **Water Quality Stamp:** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.
33. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.
34. **DISM Consistency:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
35. **Road Improvement Agreement & Security:** The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map.

36. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
37. **Grading Permit / Plan:** If more than 50 cubic yards of earth movement is required for improvements, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation 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 and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of DOT prior to occupancy clearance.
38. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation 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.
39. **RCD Coordination:** The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
40. **Soils Report:** At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. 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.
41. **Drainage Study / SWMP Compliance:** The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage

Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.

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:

- The site can be adequately drained;
- The development of the site will not cause problems to nearby properties, particularly downstream sites;
- 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.
- The ultimate drainage outfall of the project.

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

42. **Drainage, Cross-Lot:** Cross lot drainage shall be avoided. When cross lot drainage does occur, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public 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 map.
43. **Drainage Easements:** 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 map.
44. **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a “Notice of Intent” (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the

County, prior to building permit issuance, and by state law must be done prior to commencing construction.

45. **CEQA Review:** All on and off-site road improvement requirements required as conditions of approval and/or mitigation measures shall be analyzed in the environmental document for this development project to the appropriate extent under CEQA . Any improvements that are not thoroughly analyzed shall include a discussion and justification under that particular impact analysis within the CEQA document as to the circumstances preventing such analysis along with a method and time frame for any future analysis. Mitigation measures that are included in the 5 year CIP must have the CEQA processing completed to fulfill this condition as funded and programmed per the 2004 General Plan Policy TC-Xf.
46. **Off-site Improvements (Security):** Prior to the filing of a parcel map, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required offsite improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in the amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.
47. **Off-site Improvements Agreement:** site improvements to existing roads within the boundaries Many Oaks Lane Zone of benefit (Many Oaks Lane) shall be completed under a contract with the County of El Dorado through a funding agreement between the property owner(s) and the County on behalf of the Zone. Where such improvements are required, the owner(s) shall place on deposit with the County adequate funds to cover the cost of the project, including necessary inspections and all associated administrative costs.
48. **Off-site Improvements (Acquisition):** As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the applicant's expense and within 120 days of filing the Final Map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any parcel map, the applicant shall submit the following to the Department of Transportation Right-of-Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20% contingency:
  - a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
  - b. Approved improvement plans and specifications of the required off-site

improvements, prepared by a civil engineer.

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

In addition to the agreement the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

49. The County of El Dorado will not acquire interest through possession of fee title of any right-of-way that lies within the boundaries of the Many Oaks Lane Zone of Benefit.
50. **Off-site Access Easements:** The applicant shall provide proof of access to the project site from a State or County maintained road. Said proof shall be provided by and through a “Parcel Map Guarantee” which shall be submitted to the County Surveyor’s Office with the first map check for the parcel map.
51. **Electronic Documentation:** Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
52. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.

#### **El Dorado County Fire Protection District**

53. Prior to improvement plan approval, the applicant shall submit a review fee of \$300.00 to the El Dorado County Fire Protection District (EDCFPD).
54. Two fire hydrants shall be shown on the improvement plans and installed prior to map filing subject to EDCFPD approval. One hydrant shall be located at the intersection with Santa Alina Court and Many Oaks Lane and another hydrant shall be located at the end of the Santa Alina Court cul-de-sac.
55. At the time of parcel map filing, a Facility Improvement Letter (FIL) from the El Dorado Irrigation District (EID) shall be submitted to the EDCFPD confirming that the fire protection system will meet the required fire flow for this project consisting of 1,000 gallons per minute at 20 pounds per square inch for two hours.
56. The approved fire safe plan, (Exhibit H), shall be fully implemented to the satisfaction of the EDCFPD and California Department of Forestry and Fire Protection. A deed restriction shall be placed on the final parcel map notifying each parcel owner that a fire safe plan has been development and shall be implemented.

57. No gates are permitted as part of the subject parcel map and any gates proposed in the future will require additional EDCFPD review and approval. Installation of entrance gates will require a County approved Special Use Permit.

**Surveyor's Office**

58. All survey monuments must be set prior to filing the parcel map.
59. Provide a parcel map guarantee, issued by a title company, showing proof of access to a State or County maintained road as defined in 16.44.120.B.2.
60. The road serving the development shall be named by filing a completed Road Name Petition with the County Surveyor's Office. Proof of any signage required by the Surveyor's Office must be provided to the Surveyor's Office prior to filing the parcel map.
61. Prior to filing the parcel map, a letter to the County Surveyor will be required from all agencies that have conditions placed on the map. The letter will state that "all conditions placed on P08-0011 by that agency have been satisfied." The letter is to be sent to the County Surveyor and copied to the Consultant and Applicant.

## **ATTACHMENT 2**

### **FINDINGS**

Tentative Parcel Map  
File Number P08-0011 – Santa Alina Villas  
July 2, 2008 Zoning Administrator Hearing

#### **1.0 CEQA FINDINGS**

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the Zoning Administrator and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 The County finds that through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 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, 95667.
- 1.4 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

#### **2.0 GENERAL PLAN FINDINGS**

- 2.1 As proposed, the project is consistent with the Medium-Density Residential (MDR) land use designation of the subject site as defined within General Plan Policy 2.2.1.2 because the MDR land use designation permits parcel sizes that range from 1.00 to 5.00 acres.
- 2.2 The proposal is consistent with General Plan Policies 2.2.5.16, 2.2.5.19, 2.2.5.21, TC-Xe, TX-Xf, 5.3.1.2, 5.7.1.1, 6.2.3.2, 7.1.2.1, 7.3.3.4, and 7.4.4.4 concerning land use density, land use compatibility, traffic, wastewater capacity, fire safe access, grading on slopes in excess of 30 percent, intermittent drainage setbacks, and tree canopy retention standards. Because of the project's provision of adequate access, connection to public water, lot configuration, and efforts to fit within the context of the surroundings land uses, it is consistent with the General Plan policies identified above.

### **3.0 ZONING FINDINGS**

- 3.1 The subject site is zoned One-Acre Residential (R1A) which permits the proposed parcel sizes of one to six acres under Section 17.28.080.A.
- 3.2 The existing residential use at the subject site is permitted by right under Section 17.28.060. As proposed, the project meets all applicable development standards contained within Section 17.28.080 of the *El Dorado County Zoning Ordinance*.

### **4.0 ADMINISTRATIVE FINDINGS**

- 4.1 *The proposed tentative map, including design and improvements, is consistent with the General Plan.* The proposed tentative parcel map, including design and improvements, is consistent with the General Plan and land use map. As proposed, the tentative map conforms to the Medium-Density Residential General Plan land use designation and applicable General Plan policies including access, oak tree canopy retention, public water service, grading, transportation, fire protection and wastewater disposal.
- 4.2 *The proposed tentative map conforms to the applicable standards and requirements of the County's zoning regulations and Minor Land Division Ordinance.* As proposed, the tentative map conforms to the development standards within the One-Acre Residential (R1A) Zone District and the Minor Land Division Ordinance.
- 4.3 *The site is physically suitable for the proposed type and density of development.* The site is physically suitable for the proposed type and density of development. The project was designed in a manner which avoids significant disturbances of slopes in excess of 30 percent, excessive grading and oak tree canopy removal.
- 4.4 *The proposed subdivision is not likely to cause substantial environmental damage.* The proposed parcel map is not likely to cause substantial environmental damage as determined in the prepared environmental document.

### **5.0 DESIGN WAIVER APPROVAL FINDINGS**

- 5.1 **Permit a dead-end street approximately 4,224 feet in length exceeding the maximum allowed length of 2,640 feet.**
  - 5.1.1 *There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.* The El Dorado County Fire Protection District and California Department of Forestry and Fire Protection have reviewed the project and confirmed that the proposed access and onsite roadways are adequate for the development pursuant to a fire safe plan approved on February 21, 2008. The approved fire safe plan requires installation of two new fire hydrants as well as a fire sprinkler system for future residences.

5.1.2 *Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.* Strict application of the design and improvement requirements would preclude approval of the tentative parcel map application although fire safe issues have been addressed to the satisfaction of the El Dorado County Fire Protection District and California Department of Forestry and Fire Protection. As stated in the staff report, the initial nine lot tentative subdivision map submittal was withdrawn and re-submitted as the current four parcel map application to address fire safe access issues.

5.1.3 *The adjustment or waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.* The waiver will not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public as the project will still include the widening of Many Oaks Lane to 18 feet wide with one-foot shoulders (Standard Plan 101C) from the northern property line of the project southward to the intersection with Wild Chaparral Drive. As such, improved site access will be provided.

5.1.4 *The 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 requested design waiver will not hinder the County's implementation of the Subdivision Map Act as outlined in Article II of Chapter 16 of County Code or any of the other applicable ordinances discussed within the staff report.

**5.2 Reduce the required on and off-site road improvements from Standard Plan 101B to Standard Plan 101C.**

5.2.1 *There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.* The Department of Transportation reviewed the requested design waiver and supports the request in order to minimize oak tree canopy removal and grading in the semi-rural setting while still providing sufficient road access to the subject site. The responsible fire agencies also support the design waiver request.

5.2.2 *Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.* The reduced road width will reduce potential project grading and oak tree canopy removal impacts.

5.2.3 *The adjustment or waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.* As stated above, the proposed reduced road width will minimize project grading and oak tree canopy removal impacts while still providing sufficient road access and maintaining the rural character of the surrounding community.

5.2.4 *The 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 requested

design waiver will not hinder the County's implementation of the Subdivision Map Act as outlined in Article II of Chapter 16 of County Code or any of the other applicable ordinances discussed within the staff report.