

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



Agenda of: December 3, 2008
Item No.: 4.a.
Staff: Jason R. Hade

TENTATIVE PARCEL MAP

FILE NUMBERS: P08-0018/Stripe Parcel Map

APPLICANT: Carlton Engineering/Jim Willson

PROPERTY OWNER: John Stripe

REQUEST: Tentative parcel map to create three parcels ranging in size from 1 to 1.35 acres on a 3.35 acre site.

The following design waiver has been requested:

(1) Permit the project to proceed without the improvement of Sky Lane to Standard Plan 101B as required by the El Dorado County Design and Improvement Standards Manual (DISM).

LOCATION: On the north side of Rosebud Drive, approximately 600 feet south of the intersection with Meder Road in the Shingle Springs area, Supervisorial District IV. (Exhibit A)

APN: 070-062-20 (Exhibit D)

ACREAGE: 3.35 acres

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

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

ENVIRONMENTAL DOCUMENT: Negative Declaration

SUMMARY RECOMMENDATION: Conditional approval

STAFF ANALYSIS

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

Project Description

Tentative parcel map to create three parcels ranging in size from 1 to 1.35 acres on a 3.35 acre site. The following design waiver has been requested: (1) Permit the project to proceed without the improvement of Sky Lane to Standard Plan 101B as required by the *El Dorado County Design and Improvement Standards Manual*. As conditioned by the Department of Transportation, the project would include the improvement of Sky Lane and Rosebud Drive along the project frontage to a width of 28 paved feet with four-foot wide aggregate base shoulders on both sides of the roadway.

Site Description

The project site is located between 1,540 and 1,640 feet above mean sea level on a northerly slope ranging from four to 12 percent. A seasonal drainage flows from south to north across proposed parcels 1 and 2. A smaller drainage joins it from the west, draining the eastern portion of proposed parcel 1, and a similar small channel drains the northern portion of proposed parcel 3. Water from the drainage channels eventually discharges into Deer Creek south of Cameron Park Lake approximately 1.7 miles northwest of the project site. The project site includes approximately two acres of oak woodland habitat. Improvements on the subject site consist of an existing residence and swimming pool on proposed parcel 1. The subject site is bordered by single-family residential land uses on all sides. Proposed project access would be via Sky Lane and Rosebud Drive.

Adjacent Land Uses

	Zoning	General Plan	Land Use/Improvements
Site	R1A	MDR	Residential
North	R1A	MDR	Residential
South	R1A	MDR	Residential
East	R1A	MDR	Residential
West	R1A	MDR	Residential

Access

The El Dorado County Fire Protection District reviewed the project proposal and concluded that the project would not result in inadequate emergency access to any potential residential structure with the implementation of the conditions of approval included in 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 be via Sky Lane and Rosebud 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 Waiver

A design waiver has been requested to permit the project to proceed without the improvement of Sky Lane to Standard Plan 101B as required by the *El Dorado County Design and Improvement Standards Manual*. Design waiver justification submitted by the applicant is included as Exhibit H. In their response, included as Exhibit I, DOT notes that the additional traffic generated by the two proposed parcels would not impact traffic on Sky Lane. Additionally, Sky Lane meets minimum fire standards of 20 feet in width and is adequate to serve the existing nine parcels. For this reason, DOT is supportive of the design waiver request. No objections were received from the El Dorado County Fire Protection District. The necessary findings for approval of the request are listed in Attachment 2 of the staff report.

Fire

The El Dorado County Fire Protection District reviewed the proposed project and would require sufficient fire flow documentation or the installation of a home fire sprinkler system as well as an approved fire safe plan. Fire issues are addressed within the project’s conditions of approval.

Land Use Compatibility

As discussed above, the subject site is surrounded by residential uses. The proposed project would create two additional residential parcels from an existing parcel within an existing residential area. The proposed project density is consistent with surrounding residential densities. Therefore, the proposed project is compatible within the context of the surrounding land uses pursuant to General Plan Policy 2.2.5.21.

Oak Tree Canopy

Existing project oak tree canopy coverage is estimated at 51 percent. (*Tree Canopy Analysis for Tentative Parcel Map, Carlton Engineering, Inc., April 2008*) Under General Plan Policy 7.4.4.4, Option A, 80 percent of the existing canopy must be retained. As proposed, the project would retain 100 percent of the oak tree canopy at the site consistent with General Plan Policy 7.4.4.4, Option A because minimal grading for road widening and no parcel development is proposed. Future development of the proposed parcels would have the option of complying with either Option A or Option B of Policy 7.4.4.4.

Wastewater

The proposed septic system for the project was reviewed and approved by the Environmental Management Department on June 30, 2008. As such, the project would be consistent with General Plan Policy 5.3.1.2 regarding the creation of parcels less than five acres in size in medium-residential areas relying on on-site septic systems when public water is available.

Water

Public water service would be provided to the project site by EID. El Dorado Irrigation District provided a letter dated April 23, 2008 indicating that it has adequate water supplies to serve the project. Therefore, no new or expanded offsite water facilities would be necessary to serve the proposed project. Based on this information, the project would be consistent with General Plan Policy 5.2.1.4 regarding availability of reliable water supply.

GENERAL PLAN

This project is consistent with the policies of the adopted 2004 El Dorado County General Plan. Findings for consistency with the General Plan are provided in Attachment 2. The policies and issues that affect this project are discussed below:

Policy 2.1.1.7 directs that *development be limited in some cases until such time as adequate roadways, utilities, and other public service infrastructure becomes available and wildfire hazards are mitigated*. As discussed above, the existing and proposed improvements would be adequate to serve the proposed parcel map.

Policy 2.2.1.2: states that the medium-density residential land use designation *establishes areas suitable for detached single-family residences with larger lot sizes which will enable limited agricultural land management activities. Parcel sizes shall range from 1.00 to 5.00 acres*. The proposed project density is consistent with the density permitted under the MDR land use designation.

Policy 2.2.5.21 directs that new development be compatible with the surrounding neighborhood. The two new parcels would be in keeping with the General Plan intended development pattern expected in lands designated as Medium Density Residential and would be consistent with the surrounding residential densities in the project vicinity.

Policy 5.2.1.4 directs that subdivision approvals in Community Regions or other areas dependent on public water supply shall be subject to the availability of a permanent and reliable water supply. As discussed above, public water service would be provided to the project site by EID. El Dorado Irrigation District provided a letter dated April 23, 2008 indicating that it has adequate water supplies to serve the project. Based on this information, the project would be consistent with General Plan Policy 5.2.1.4 regarding availability of reliable water supply.

Policy 5.3.1.2 prohibits the creation of lots less than five acres in size in medium-residential areas relying on on-site septic systems if a public water supply is not available. El Dorado Irrigation

District provided a letter dated April 23, 2008 indicating that it has adequate water supplies to serve the project. As such, the project would be consistent with General Plan Policy 5.3.1.2.

Policy 5.7.1.1 directs that the applicant demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or would be provided concurrent with development. The project would be conditioned by the El Dorado County Department of Transportation to meet the minimum State Responsibility Area (SRA) Fire Safe Regulations for road surface and road width. The project would be required to meet the required minimum fire flow requirements of the El Dorado County Fire Protection District which would be reviewed and approved by them prior to filing the parcel map and all the water conveyance facilities would further need to meet the approval of EID.

Policy 6.2.3.2 directs that the applicant demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area. As conditioned, and discussed under Access section above, the project would meet the intent of this policy. The El Dorado County Fire Protection District has no objections to the design waiver request.

Policy 7.4.4.4 establishes the native oak tree canopy retention and replacement standards. Existing project oak tree canopy coverage is estimated at 51 percent. (*Tree Canopy Analysis for Tentative Parcel Map, Carlton Engineering, Inc., April 2008*) Under General Plan Policy 7.4.4.4, Option A, 80 percent of the existing canopy must be retained. As proposed, the project would retain 100 percent of the oak tree canopy at the site consistent with General Plan Policy 7.4.4.4, Option A because minimal grading for road widening and no parcel development is proposed. Future development of the proposed parcels would have the option of complying with either Option A or Option B of Policy 7.4.4.4.

ZONING

The subject site is currently zoned One-Acre Residential (R1A) which permits a minimum parcel area of one acre. The proposed 1 to 1.35 acre parcels would conform to existing zoning and the development standards in Section 17.28.080 for minimum lot width of 100 feet, minimum parcel area of one acre, building setback requirements of 30/15/30 (front/side/rear) feet from parcel boundaries and road easements, as well having the space to comply with the parking requirements of two spaces not in tandem per dwelling unit pursuant to Section 17.18.060.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Exhibit J) to assess project-related environmental impacts. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment. Therefore, a 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 the Zoning Administrator take the following actions:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff;
2. Approve P08-0018 subject to the conditions of approval in Attachment 1, based on the Findings in Attachment 2.
3. Approve the following design waiver since appropriate findings have been made as noted in Attachment 2:

(1) Permit the project to proceed without the improvement of Sky Lane to Standard Plan 101B as required by the El Dorado County Design and Improvement Standards Manual (DISM).

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1Conditions of Approval
Attachment 2Findings

Exhibit AVicinity Map
Exhibit BGeneral Plan Land Use Map
Exhibit CZoning Map
Exhibit DAssessor’s Parcel Map Page
Exhibit ETentative Parcel Map
Exhibit FSlope Analysis
Exhibit GSoils Map
Exhibit HApplicant’s Design Waiver Request
Exhibit IDOT Response to Design Waiver Request.
Exhibit JEnvironmental Checklist & Discussion of Impacts

ATTACHMENT 1
CONDITIONS OF APPROVAL

FILE NUMBER P08-0018

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 Exhibits A-J, approved December 3, 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:

Tentative parcel map creating three parcels, comprising 1, 1, and 1.35 acres, on a 3.35-acre site. Public water will be provided by the El Dorado Irrigation District and each parcel will utilize individual septic facilities. Primary site access will be provided via Sky Lane and Rosebud 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. PROJECT CONDITIONS OF APPROVAL

Planning Services

2. 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.

3. 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).
4. The applicant shall provide a meter award letter or similar document by the water purveyor to Planning Services prior to filing the parcel map.
5. The applicant shall pay a park-in-lieu fee of \$150.00 payable to El Dorado County, pursuant to El Dorado County Subdivision Ordinance Chapter 16.12.090. The fee shall be submitted to the Facilities and Fleet Services Department, Park Recreation division. A receipt demonstrating compliance with this condition shall be submitted to Planning Services prior to filing of the parcel map.
6. This tentative parcel map shall expire within 36 months from date of approval unless a timely extension has been filed.
7. All fees associated with the tentative parcel map shall be paid prior to filing the parcel map.
8. 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 parcel map filed until said fees are paid.
9. 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

10. 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
11. Prior to grading permit issuance, a fugitive dust plan shall be submitted to the Air Quality Management District (AQMD) for review and approval.
 12. 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.
 13. The applicant shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.

Department of Transportation

14. The applicant shall construct/widen Rosebud Drive along the project frontage to an El Dorado County 101B standard with 28 foot paved width with 4 foot aggregate base shoulders on both sides conforming to the provisions of the El Dorado County Design and Improvements Manual (DISM) without curb, gutter, and sidewalk. Structural section to be 3 inches AC over 8 inches aggregate base. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.
15. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Subdivision Ordinance, prior to the filing of the parcel map.
16. If site improvements are to be made, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval for the frontage improvements. A second submittal of plans shall be made to the Department of Development Services for on-site improvements. The plans 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.

17. The applicant shall provide a soils report at time of improvement plan or grading permit application addressing, 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.
18. Any import, or export to be deposited within El Dorado County, shall require an additional grading permit for that offsite grading.
19. 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.
20. Projects that disturb more than one acre of land area (43,560 square feet). At the time that an application is submitted for improvement plans or a grading permit, 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 State of California. 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 SWRCB, with a duplicate copy submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
21. 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 approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.
22. The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.

El Dorado County Fire Protection District

23. A plan check fee of \$120.00 shall be submitted to the El Dorado County Fire Protection District (EDC FPD) prior to parcel map filing.
24. Prior to parcel map filing, documentation from EID shall be submitted to the EDC FPD demonstrating that the project will meet the required fire flow of 1,000 gpm at 20 psi for two hours. If this fire flow cannot be met, a NFPA 13D home sprinkler system shall be required. If a home sprinkler system is needed to address fire flow issues, a notice of restriction shall be recorded at time of parcel map filing stating that a NFPA 13D home sprinkler system shall be installed to the satisfaction of the EDC FPD prior to final building occupancy.

25. A fire safe management plan, acceptable to the EDC FPD and the California Department of Forestry and Fire Protection, shall be prepared and implemented. A letter of compliance with this condition shall be submitted by the fire district to Planning Services prior to filing the map.

Hazardous Materials

26. If any commercial, industrial, agricultural, mining or any other hazardous materials handling activities have taken place on the property in the past, the applicant must conduct a Phase I Environmental Site Assessment (ESA) prior to parcel map filing. The Phase I must be conducted in accordance with ASTM standard E 1527-00. All information developed in the Phase I process must be submitted to the Hazardous Materials Division (HMD) for review. If upon review of the Phase I information, HMD determines the property is a potentially impacted site, the applicant must apply for a permit, submit a workplan and conduct a Phase II ESA and any required site remediation activities prior to developing property.

Surveyor's Office

27. All survey monuments must be set prior to filing the parcel map.
28. Prior to filing the parcel map, the applicant shall 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) for the encroachment onto Sky Lane.
29. Prior to filing the parcel map, a letter will be required from all agencies that have placed conditions on the map stating that "all conditions placed on P08-0018 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**

FILE NUMBER P08-0018

FINDINGS FOR APPROVAL

1.0 CEQA Findings

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

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 by General Plan Policy 2.2.1.2, because this land use designation permits an allowable parcel size of one to five acres. The proposed project parcel sizes conform to the General Plan land use designation.
- 2.2 The proposal is consistent with all applicable Policies of the General Plan including 2.1.1.7 (adequate roadways, utilities, and other public services), 2.2.1.2 (land use density), 2.2.5.21 (compatibility with the surrounding neighborhood), 5.2.1.4 (adequate public water supply), 5.3.1.2 (wastewater capacity), 5.7.1.1 (availability of emergency water), 6.2.3.2 (adequate emergency access), and 7.4.4.4 (oak tree canopy retention). The project provides adequate access and site design that ensure compatibility with the surrounding permitted land uses, and is consistent with the General Plan policies identified above.

3.0 ZONING FINDINGS

- 3.1 The project, as proposed and conditioned, is consistent with the El Dorado County Zoning Ordinance Development Standards because the proposed parcels meet the development standards of the R1A zone district pursuant to section 17.28.080 for minimum parcel areas and lot widths, and to permit the yard setbacks required of future residential development.

4.0 ADMINISTRATIVE FINDINGS

4.1 Tentative Parcel Map

- 4.1.1 *The proposed tentative map, including design and improvements, is consistent with the General Plan and Specific Plan, where applicable.* As proposed, the tentative map conforms to the MDR General Plan land use designation and applicable General Plan policies concerning, adequate roadways, utilities and other public services, compatibility with the surrounding neighborhood, adequate public water supply, wastewater capacity, availability of emergency water, adequate emergency access, and oak tree canopy retention.
- 4.1.2 *The tentative map conforms to the applicable standards and requirements of the County's zoning regulations and Minor Land Division Ordinance.* The proposed parcel sizes of 1 to 1.35 acres conform to the one acre minimum parcel size of the R1A zone district. Additionally, the project conforms to the applicable provisions of the Minor Land Division Ordinance.
- 4.1.3 *The site is physically suitable for the proposed type and density of development.* The creation of two additional parcels at the 3.35 acre site is compatible with the surrounding existing residential land use densities and has been designed in a manner which avoids significant oak tree canopy and impacts to rare plants.
- 4.1.4 *The proposed subdivision is not likely to cause substantial environmental damage.* A negative declaration was prepared for the proposed tentative parcel map. Based on the initial study, it was determined that the project would not have a significant effect on the environment.

5.0 DESIGN WAIVER APPROVAL FINDINGS

5.1 Permit the project to proceed without the improvement of Sky Lane to Standard Plan 101B as required by the El Dorado County Design and Improvement Standards Manual (DISM).

- 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 proposed tentative parcel map will create two new parcels with new encroachments onto Rosebud Drive. The additional traffic generated by these two new parcels will not impact traffic on Sky Lane. Additionally, Sky Lane meets minimum fire standards of 20 feet in width and is adequate to serve the existing nine parcels. No objections were raised by DOT or the responsible Fire District.
- 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 will impose a financial hardship on the property owner as well as potentially generate additional environmental impacts from further oak tree canopy removal and grading. Improvement of Sky Lane to Standard Plan 101B will also force the relocation of existing landscaping at the subject site.

- 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 DOT and the responsible Fire District have determined that Sky Lane meets minimum fire standards of 20 feet in width and is adequate to serve the existing nine parcels. Additional traffic trips generated from the two parcels will be minimal.
- 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.