

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



**Agenda of:** January 7, 2009  
**Item No.:** 4.c.  
**Staff:** Pat Kelly

**TENTATIVE PARCEL MAP**

**FILE NUMBER:** P07-0037

**OWNER:** Robert G. & Dolly A. Stondell

**APPLICANT:** Gene E. Thorne and Associates, Inc.

**ENGINEER:** Gene E. Thorne and Associates, Inc.

**REQUEST:** A Parcel Map creating two parcels of 10.00 and 10.40 acres in size on a 20.40 acre site.  
  
One Design Waiver has been requested to allow the creation of parcels with a length in excess of three times the width.

**LOCATION:** On the north side of Looking Glass Lane 500-feet east of the intersection with Shingle Springs Drive in the Shingle Springs area, Supervisorial District IV. (Exhibit A)

**APN:** 319-020-37(Exhibit B)

**ACREAGE:** 20.40 acres

**GENERAL PLAN:** Low-Density Residential – Important Biological Corridor (LDR-IBC) (Exhibit C)

**ZONING:** Estate Residential Ten-acre (RE-10) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Mitigated Negative Declaration

**BACKGROUND:** The subject parcel was created from a twelve parcel Parcel Map (PM 5-17) which was recorded January 18, 1974. An amended Parcel Map was re-recorded March 20, 1974 in Book 5 of Parcel Maps at page 79 (PM5-79). The subject Tentative Parcel Map application was submitted on July 27, 2007 and was deemed complete on August 22, 2007.

**STAFF ANALYSIS**

**Project Description:** The applicant is requesting approval of a Tentative Parcel Map to create two parcels to be 10.00 and 10.40 acres in size. The two proposed residential parcels would have individual septic systems and well water serving each home. An existing residence including three small sheds, well and septic system are located on the proposed Parcel No. 1. An existing approximate 600 square foot accessory building and well are located on the proposed Parcel No. 2. The two proposed parcels would utilize Shingle Springs Drive, and Looking Glass Lane which is not County maintained, as the primary access road.

**Site Description:** The project site has been developed with one residence, including four sheds, and two water wells. The site and surrounding properties are primarily rural residential housing and undeveloped land. An existing rural residence is located near the southwesterly portion of the property. Access to the existing residence would be from Looking Glass Lane. The project site has an open tree canopy dominated by foothill pine. Interior live oaks are also present in lesser abundance. Common shrubs present include chemise, manzanita, leather oak, yerba santa, and toyon. The project site is situated at an elevation range of approximately 1,120 to 1,240 feet and generally slopes from the west to the east. The site contains two soil types; Placer diggings (PrD) stony, cobbly, and gravelly material found in areas that have been placer mined and Serpentine rock land (SaF) rock outcrops and stones make up from 50 to 90 percent of the surface, and there is a thin mantel of soil. This land type is undulating to very steep.

**Adjacent Land Uses:**

	Zoning	General Plan	Land Use/Improvements
<b>Site</b>	RE-10	LDR-IBC	Residential, single-family dwellings
<b>North</b>	R2A	MDR	Residential, single-family dwellings
<b>South</b>	RE-5	LDR	Residential, single-family dwellings
<b>East</b>	RE-5	LDR	Residential, single-family dwelling
<b>West</b>	RE-5	LDR	Residential, single-family dwelling

**Project Issues:** Discussion items for this project include land use and zone compatibility, road improvements, water and sewer improvements, fire safety, existing site design for grading and improvements, and available public services.

**Water System Improvements and Fire Safety:** The proposed residential parcels would have

individual septic systems and well water serving each home. The septic systems and well water would require permits by the El Dorado County Department of Environmental Management, and would comply with the regulations of the Regional Water Quality Control Board. Septic systems designated and installed on-site would be required to comply with State and County Standards. Electric power would be available on the project site. The proposed parcels would be required to comply with the required fire flow needed for fire protection as determined by the Diamond Springs-El Dorado Fire Protection District. Pursuant to the Fire Department, these standards would include the installation of a fire sprinkler system pursuant to NFPA 13D, 2007 Edition, with 3,000 gallons of water storage for residential units. The applicant would be required to provide a deed restriction for a NFPA 13D residential sprinkler system with 3,000 gallons of water storage for each parcel. The driveways serving the residential units would be designed to the California Fire Safe Regulations minimum standards.

**Public Services:** There are a number of public amenities in the form of public parks and recreational opportunities within the County, and many are close to the area such as Folsom State Recreation Area which allows water recreational uses and provides camping and recreational day use facilities. This project would be required to pay a Park-in-Lieu fee for the acquisition of parklands.

**Water and Sewer:** The proposed project would create two, ten (10) acre parcels which would be served by individual septic systems and well water serving each home. Permits for septic systems and wells would be issued by the El Dorado County Department of Environmental Management, and under the regulations of the Regional Water Quality Control Board. The El Dorado County Department of Environmental Management would be responsible for protecting public health and safety environment from the potential adverse impacts associated with on-site, individual sewage disposal systems. The proposed project's septic system design would be reviewed by the Department to ensure compliance with County Ordinance, Chapter 15.32, Private Sewage Disposal System, as well as County Resolution No. 259-99, Design Standards for the Site Evaluation and Design of Sewage Disposal Systems. Review by the Department of Environmental Management and compliance with these existing regulations would ensure that all septic systems constructed as part of the project would function properly and would not violate any water quality standards or waste discharge requirements.

**Access:** The proposed project site would receive access off of Shingle Springs Drive, an existing public road, which would provide through access for the project. Road improvements would be required by the DOT and the Diamond Springs-El Dorado Fire Protection District to provide the road width and emergency vehicle load ratings pursuant to the fire safe regulations that are being placed upon the conditions of approvals for the project prior to filing of the Parcel Map. Based upon the required road improvements there would be no disruption of emergency access to and from the existing residences or those on surrounding parcels.

**General Plan:** The General Plan designates the subject site as Low-Density Residential (LDR), which permits an allowable density of one dwelling unit per five acres, parcel sizes from five to ten

acres, and establishes areas for single-family residences in a rural environment. The two proposed 10-acre parcels would conform to the General Plan land use designation. The following General Plan policies apply to this project:

**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 Low Density Residential (LDR) and would be consistent with the dominant pattern of parcel development for the areas to the west and south.

**Policy 5.7.2.1** 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 required to comply with the required minimum fire flow requirements of the El Dorado Hills Fire Department which would be reviewed and approved by the Department prior to filing the Parcel Map.

**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* in the Project Issues section, the project would comply with the intent of this policy.

**Policy 7.3.3.4** requires development projects to be set back at a minimum of 100 feet from all perennial streams, rivers, lakes and 50 feet from intermittent streams and wetlands. The Biological Resources Evaluation and Botanical Inventory (Biological Resources Evaluation), dated July, 2007 prepared by Sycamore Environmental Consultants, Inc. stated that the project site contains one intermittent channel and two ephemeral channels, which are potential waters of the U.S. The Biological Evaluation concluded that the project does not propose impacts to federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. The Tentative Parcel Map has been designed to observe the 50-foot required setback from the intermittent channel. Best Management Practices (BMPs) would be designed during the grading and improvement phase to limit the potential of surface run-off pre- and post-construction to comply with County and Regional Water Quality Control Board (RWQCB) standards. All grading, drainage and construction activities associated with this project, including those necessary to prepare and develop the off-site and on-site road access and turn-around, would be required to implement proper BMPs.

**Policy 7.4.2.9** identifies the Important Biological Corridor (IBC) overlay would apply to lands identified as having high wildlife values because of extent, habitat function, connectivity, and other factors. Lands located within the overlay district shall be subject to the following provisions except that where the overlay is applied to lands that are also subject to the Agricultural Lands (AL) designation, the land use restrictions associated with the IBC policies would not apply to the extent that the agricultural practices do not interfere with the purposes of the IBC overlay.

<b>Guideline</b>	<b>Project Design Feature</b>
Increased minimum parcel size	The project is consistent with the minimum parcel size of 10 acres designated by the RE-10 zone district.
Higher canopy-retention standards and/or different mitigation standards for oak woodlands	No trees are proposed to be removed as part of this project proposal.
Lower thresholds for grading permits	Grading would be locally minimized and balanced onsite. No post-project grading impacts are expected from the development of the building pad.
Higher wetlands/riparian retention standards and/or more stringent mitigation requirements for wetland/riparian habitat loss	No wetland/riparian habitat loss would occur as a result of the project.
Increased riparian corridor and wetland setbacks	Proposed construction activities are located well away from existing riparian corridors.
Greater protection for rare plants (e.g., no disturbance at all or disturbance only as recommended by U.S. Fish and Wildlife Service/California Dept. of Fish & Game).	The botanical inventory work for the project followed the guidelines set forth by the U.S. Fish and Wildlife Service and the California Department of Fish and Game. A population of Jepson's onion, a special-status plant was found in the Rare and Endangered Plants of California. The project is located within Mitigation Area 1 Section 17.71.220A of the County Zoning Code requires that projects within the Mitigation Area 1 pay the required fee in lieu of Ecological Preserve Mitigation
Standards for retention of contiguous area/large expanses of other (non-oak or non-sensitive) plant communities	The project footprint would not significantly reduce the area of existing plant communities.
Building permits discretionary or some other type of "site review" to ensure that canopy is retained	No building permits have been applied for by the applicant.
More stringent standards for lot coverage, floor area ratio (FAR) and building height	Given the parcel size (20.40 acres), and relatively small project footprint, more stringent standards are not required for this project.
No hindrances to wildlife movement (e.g., no fences that would restrict wildlife movement)	No fences are proposed as part of this project.

**Policy 7.4.4.4** establishes the native oak tree canopy retention and replacement standards. No trees are proposed to be removed as part of this project proposal. The road improvements would not require oak tree removal and the improvements are not anticipated to impact the adjacent oak trees.

**Conclusion:** 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 all applicable

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

**Zoning:** The subject site is located within the Estate Residential ten-acre (RE-10) Zone District. Included below is an analysis of the Development Standards of the RE-10 Zone District pursuant to **Section 17.70.110** of the Zoning Ordinance.

**A. Minimum lot area of ten acres;**

The two proposed 10 acre parcels would be consistent with the requirements of the RE-10 Zone District.

**B. No maximum building coverage;**

No development is proposed in conjunction with the project.

**C. Minimum lot width of 150 feet;**

The average lot width for the proposed parcels would be approximately 340 feet which would be consistent with this requirement.

**D. Minimum yard setbacks: front and rear, thirty (30) feet; sides, thirty (30) feet except the side yard shall be increase one foot for each additional foot of building height in excess of twenty-five feet;**

As shown on the Tentative Parcel Map, an existing residence, two small sheds and one small accessory building are located outside of the minimum yard setbacks described above. The Tentative Parcel Map identifies one small existing shed as being located twenty-nine (29) feet from a side setback of Parcel No. 1. No development is proposed in conjunction with the project. Prior to issuance of development permits on the future parcels, Planning Services would review the permits to determine consistency with this requirement.

**E. Minimum agriculture structural setbacks of fifty (50) feet on all yards;**

The existing residence, two small sheds and one small accessory building are located outside of the minimum agriculture structural setbacks of fifty (50) feet on all yards. The Tentative Parcel Map identifies one small existing shed as being located twenty-nine (29) feet from the side setback of Parcel No. 1. The project site contains a single family residence and no agricultural activities or operations exist on the site. No development is proposed in conjunction with the project. Prior to issuance of development permits on the future parcels, Planning Services would review the permits to determine consistency with this requirement.

**F. Maximum building height, forty-five (45) feet;**

As shown on the Tentative Parcel Map, a residence, three small sheds and one small accessory building exist on the site and are less than the maximum building height of forty-five (45) feet. No development is proposed in conjunction with the project. Prior to issuance of development permits on the future parcels, Planning Services would review the permits to determine consistency with this requirement.

**G. Minimum dwelling unit area, six hundred square feet of living areas is required. Minimum dwellings unit area provisions are not applicable to additions to existing dwellings.**

No development is proposed in conjunction with the project. Prior to issuance of development permits on the future parcels, Planning Services would review the permits to determine consistency with this requirement.

**H. Location of the parcel in relation to surrounding land use, the success and stability of agricultural enterprises can be profoundly influenced by the zoning and use of immediately adjacent lands. A buffer area of fifty (50) feet would be required on the inside of a boundary where land zoned estate residential ten acres abuts planned agricultural zone lands which are currently not in horticultural and timber production. Variances to the above would be considered upon recommendation of the agricultural commission. The development of a dwelling or noncompatible use shall be one hundred (100) feet from any existing horticultural or timber enterprises. Noncompatible uses are defined as, but not limited to:**

- 1. Residential structures,**
- 2. Nursing homes;**
- 3. Public and private schools;**
- 4. Playgrounds;**
- 5. Swimming Pools;**
- 6. Fish ponds.**

The project would be located within an established single-family residential neighborhood and all adjacent parcels are designated for single-family residential development. The project would not be adjacent to planned agricultural zone lands.

**Section 17.71.220(A)** requires off-site mitigation or fee payment in lieu of Ecological Preserve Mitigation in Mitigation Areas 1 and 2. Developments in Mitigation Areas 1 and 2 would mitigate impacts by exercising one of the following options: A. Pay the appropriate fee in lieu of Ecological Preserve Mitigation for the direct or indirect impacts caused by development on rare plants and rare plant habitat; or B. Participate in the Rare Plant Off-Site Mitigation Program.

The project site is located within rare plant Mitigation Area 1. The applicant would be required to pay the fee in lieu of Ecological Preserve Mitigation.

Conclusion: As discussed above, staff finds that the project can be found to conform with the intent of the El Dorado County Code.

**Request for Design Waiver:** One Design Waiver has been requested to allow the creation of parcels with lengths in excess of three times the width. The Parcel Map would create two ten (10) acre parcels with a 3 to 1 depth to width ratio. The *Design and Improvement Standards Manual* establishes that a deep parcel (a lot that exceeds the 3 to 1 lot width ratio) requires a Design Waiver.

As shown on the Parcel Map, the proposed parcels would exceed the required 3:1 ratio. Due to the location of the project site and the natural features there is no direct access from Green Valley Road. Access to the project site would be from Looking Glass Lane which would be adjacent to the frontage of the two proposed parcels. The proposed lot configuration avoids disturbance to sensitive environmental areas. Therefore, based on the existing parcel design, staff recommends approval of the Design Waiver.

**Agency and Public Comments:** Appropriate Conditions from each reviewing agency are included in the Conditions of Approval listed in Attachment 1. The following agencies provided comments and/or conditions for this project:

El Dorado County Planning Services  
Diamond Springs- El Dorado Fire Protection District  
El Dorado County Department of Transportation  
El Dorado County Surveyors Office  
El Dorado County Environmental Management  
El Dorado County Resource Conservation District  
El Dorado Transit Authority  
United States Department of the Interior – Fish and Wildlife Service

## **ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study (Environmental Checklist with Discussion) to determine if the project has a significant effect on the environment. Based on the Initial Study, staff finds that the project could not have a significant effect on biological and cultural resources. 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 \$2,043.00 after approval, but prior to the County filing the Notice of Determination on the project. This fee, includes a \$50.00 recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,043.00 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 Planning Commission take the following actions:



1. Adopt the Mitigated Negative Declaration, based on the Initial Study prepared by staff; and
2. Approve the Tentative Parcel Map P07-0037 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2; and
3. Approve the Design Waiver addressed in the staff report since appropriate findings have been made in Attachment 2

## **SUPPORT INFORMATION**

### **Attachments to Staff Report:**

Attachment 1 .....	Conditions of Approval
Attachment 2 .....	Findings
Exhibit A .....	Vicinity Map
Exhibit B .....	Zoning Map
Exhibit C .....	General Plan Land Use Map
Exhibit D .....	Assessor's Map
Exhibit E .....	Parent Parcel Map
Exhibit F .....	Tentative Parcel Map, September 8, 2008
Exhibit G .....	Slope Map
Exhibit H .....	Oak Canopy Preservation Plan
Exhibit I .....	Aerial Photo
Exhibit J .....	Preliminary Grading & Drainage Plan
Exhibit K .....	Initial Study/Environmental Checklist, Draft Negative Declaration

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

### Tentative Parcel Map File Number P07-0037/Robert & Dolly Stondell January 7, 2009, Zoning Administrator Hearing

1. This Tentative Parcel Map is based upon and limited to compliance with the project description, the Zoning Administrator hearing exhibits marked Exhibit F through H, dated January 7, 2009 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:

A Tentative Parcel Map to create two parcels to be 10.00 and 10.40 acres in size. The two proposed residential parcels shall have individual septic systems and well water serving each home. An existing residence including three small sheds, well and septic system are to be located on the proposed Parcel No. 1. An existing approximate 600 square foot accessory building and well are to be located on the proposed Parcel No. 2. The two proposed parcels shall utilize Shingle Springs Drive, and Looking Glass Lane which is not County maintained, as the primary access roads.

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

### **Condition from the Mitigated Negative Declaration**

The following mitigation measure is required as a means to reduce potential significant environmental effects to a level of insignificance:

2. If construction activities are scheduled to occur within the typical breeding season for raptors (March 1 through August 31), on-site pre-construction surveys for raptors and their nests shall be conducted by a qualified biologist no more than 30 days prior to initiation of the proposed development activities. The survey results shall be submitted to the California Department of Fish and Game (CDFG) and Planning Services prior to issuance of a grading permit. If active raptor nests are found on or immediately adjacent to the site, consultation must be initiated with CDFG to determine appropriate avoidance measures. The applicant

shall follow the appropriate avoidance measures issued by CDFG, and no construction activities shall occur on the project site until the avoidance measures are issued and implemented. If no active nests are found, then no further action is required, and construction activities may proceed upon approval by Planning Services (MM BIO-1).

**MONITORING:** Planning Services shall verify that the above mitigation measure has been incorporated on the plans prior to issuance of a grading permit. Development Services shall coordinate with the applicant and/or biologist, assess the pertinent surveys/studies, and conduct on-site verification for conformance with this measure.

### **Planning Services Site Specific and Standard Conditions**

3. During all grading and construction activities in the project area on the proposed parcels, an archaeologist or historian approved by the Development Services Director shall be on-call. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent and/or future parcel owner shall ensure that all such activities cease within fifty (50) feet of the discovery until the on-call archaeologist can examine the find in place and determine its significance. If the find is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after appropriate measures are taken or the site is determined not to be of significance.
4. In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission. Planning Services shall confirm the inclusion of this requirement prior to issuance of a grading permit.
5. Prior to filing of the Parcel Map, Planning Services shall verify that all Development Services fees shall be paid.
6. The subdivider shall be subject to a \$150.00 park in-lieu fee payable to the County Recreation Department. Planning Services shall verify that required fees have been paid prior to filing the Parcel Map.
7. 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 shall cooperate fully in the defense.

8. The Tentative Parcel Map shall expire in 36 months from date of approval unless a timely extension has been filed.
9. The applicant shall submit to Planning Services a \$50.00 recording fee and a \$1,993.00 California Department of Fish 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.

#### **Diamond Springs- El Dorado Fire Protection District**

10. The applicant shall be required to comply with the Fire District requirements prior to filing of the Parcel Map, which includes but are not limited to the following:  
Water Supply / Fire Hydrants
  - a. The minimum fire flow required is 1500-gpm @ 20-psi for two hours for a residential unit larger than 3600 square feet. If the square footage is below 3600 square feet, the minimum fire flow shall be 1000-gpm @ 20-psi for two hours.
  - b. Provide documentation from El Dorado Irrigation District (EID) to show that the system shall meet required fire flow for this project, prior to filing the Parcel Map.
  - c. NFPA 13D residential sprinkler system, with 3000 gallons of water storage may be installed when a project does not meet the required fire flow. The system shall be in lieu of the required fire flow and approved by the Diamond Springs-El Dorado FPD, prior to filing the Parcel Map.
  - d. In place of requirement 10. a., the applicant shall enter into a deed restriction for a NFPA 13D residential sprinkler system with 3,000 gallons of water storage for each parcel. This deed restriction shall be reviewed and approved by the Fire District prior to filing the Parcel Map.
  - e. If the parcels are served by the EID, additional hydrants shall be required for this project. The Fire District shall determine hydrant locations, prior to filing the Parcel Map.

Roadways and Driveways

- f. All driveways shall provide a minimum 12 foot traffic lane, with unobstructed horizontal clearance of 14 feet and unobstructed vertical clearance of 15 feet along its entire length and be capable of supporting a 40,000 pound load. The Fire District shall verify the driveway construction requirements prior to building permit issuance.
- g. Driveway grades exceeding 16% shall be of an all weather surface (pavement or asphalt) and shall be verified by the Fire District prior to building permit issuance.
- h. Driveways grades exceeding 20% shall be approved by the Diamond Springs-El Dorado FPD. Approval may include a deed restriction for a NFPA 13D residential sprinkler system with 3,000 gallons of dedicated on-site water storage for each parcel for fire protection and shall be verified by the Fire District prior to building permit issuance.
- i. Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet part and shall be verified by the Fire District prior to building permit issuance.
- j. All roadways will be a minimum of 20 feet wide, all weather surfaces, to El Dorado County Standards. If there will be parking on one side of the road, the road shall be 30 feet minimum width; parking on both sides of the road will require 40 feet minimum and shall be verified by the Fire District prior to filing the Parcel Map.
- k. A turnaround shall be provided to all buildings sites with driveways over 150 feet in length. Turnaround shall be within 50 feet of the building with a minimum turning radius of 40 feet from the center line of the road. The applicant may use a hammerhead "T", a modified "T" or a modified "Y" in lieu of a circular type turnaround, as per EL Dorado County DOT Standards. The Fire District shall verify the requirements for a turnaround prior to filing the Parcel Map.
- l. Any gates shall require Fire District approval and meet current El Dorado County Standards and shall be verified by the Fire District prior to building permit issuance.
- m. All roadways and driveways shall adhere to El Dorado County DOT requirements and shall be verified by the Fire District prior to filing the Parcel Map.
- n. The bridge on Shingle Springs Drive at Green Valley road shall meet El Dorado County DOT Standards and shall be verified by the Fire District prior to filing the Parcel Map.

## Defensible Space

- o. A person that owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining any mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or any land that is covered with flammable material, shall meet at all times the requirements for Public Resources Code Section 4291. The Fire District shall verify the requirements for Public Resources Code Section 4291 prior to building permit issuance.

## El Dorado County Department of Transportation

### Department of Transportation Specific Conditions

11. **On-site Improvements:** The applicant shall widen the on-site portion of Looking Glass Lane to the provisions of the Design and Improvement Standards Manual (DISM), Standard Plan 101C, an 18 foot wide roadway with 1 foot wide shoulders on each side of the roadway. The improvements shall be substantially completed, to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the Parcel Map.
12. **Off-site Improvements:** The applicant shall improve or confirm that the off-site portion of Looking Glass Lane and Shingle Springs Drive, from the western boundary of this project to Green Valley Road, shall adhere to the requirements of the DISM as required in Section 3 A) 2) c) ii, and Standard Plan 101C, an 18 foot wide roadway with 2 foot wide shoulders on each side of the roadway. The improvements from Shingle Springs Drive to Green Valley road 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 issuance of the Parcel Map. The improvements from Shingle Springs Drive to Green Valley Road shall be completed prior to the issuance of a building permit.
13. **Bridge Replacement:** The applicant shall improve the existing bridge crossing on Shingle Springs Drive, immediately south of Green Valley Road to the width of 24 feet per the requirements of the County Design and Improvements Standards Manual, and adhere to the provisions of AASHTO and the Caltrans Highway Design Manual. The improvements shall be substantially completed to the approval of the Department of Transportation prior to the issuance of a building permit.
14. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachments from Shingle Springs Drive onto Green Valley Road to the provisions of County Standard Plan **103D**, prior to the filing of the Parcel Map.
15. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachments from Shingle Springs Drive onto Green Valley Road to the provisions of County Standard Plan **103D**, prior to the filing of the Parcel Map.

16. **Looking Glass Lane Encroachment:** The applicant shall construct the roadway encroachment from Looking Glass Lane onto Shingle Springs Drive to the provisions of County Standard Plan 103C (unpaved), prior to the filing of the Parcel Map.
17. **Offer of Dedication (Green Valley):** The applicant shall irrevocably offer to dedicate, in fee, the 30 foot wide on-site road and public utility easement for the on-site portion of Green Valley Road, and shall be filed with the filing of the Parcel Map. This offer will be accepted by the County.
18. **Offer of Dedication (Looking Glass Lane):** The applicant shall irrevocably offer to dedicate, the 25 foot wide on-site road and public utility easement for the on-site portion of Looking Glass Lane, and shall be filed with the filing of the Parcel Map. This offer will be rejected by the County.
19. **Maintenance Entity:** The proposed project must form an entity for the maintenance of any shared or common: private roads, parking facilities, landscaping, signs 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, parking facilities, landscaping, signs, 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.

#### **Department of Transportation Standard Conditions**

20. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
21. **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. Slope easements shall be included as necessary.
22. **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.
23. **Vehicular Access Restriction:** Prior to filing of the Parcel Map, the applicant shall record a vehicular access restriction along the entire frontage of Green Valley Road, excluding the locations of the approved access encroachments.
24. **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).

25. **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.
26. **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.
27. **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 Parcel Map.
28. **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 Parcel Map.
29. **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.
30. **Grading Permit / Plan:** If more than 50 cubic yards of earth movement are 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.
31. **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.



32. **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.
33. **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.
34. **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 Parcel Map or the applicant shall obtain an approved improvement agreement with security.

35. **Drainage, Cross-Lot:** Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, 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 Parcel Map.

36. **Drainage Easements:** Pursuant to Section 4.D of the DISM, 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 Parcel Map.
37. **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.
38. **Off-site Improvements (Security):** Prior to the filing of the 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.
39. **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 Parcel 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 the 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.

40. **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.
41. **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 Office of the County Surveyor**

41. All survey monuments must be set prior to filing the Parcel Map.
42. 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 your encroachment on Looking Glass Lane.
43. The roads serving the development shall be named by filing a completed Road Name Petition with the County Surveyors Office prior to filing the Parcel Map.
44. Prior to filing the Parcel Map, a letter shall be required from all agencies that have placed conditions on the map. The letter shall state that “all conditions placed on the map by (that agency) have been satisfied.” The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.

#### **Department of Environmental Management– Air Quality Management District:**

45. The applicant shall adhere to all District rules during project construction, as specified by the District prior to issuance of any permits associated with this project.
46. The applicant shall provide proof that each parcel shall have a safe and reliable water source prior to filing the Parcel Map. Individual wells shall comply with the requirements necessary for construction permits.

**ATTACHMENT 2**  
**FINDINGS**  
**FILE NUMBER P07-0037, January 7, 2009**

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

**FINDINGS FOR APPROVAL**

**1.0 CEQA Findings**

- 1.1 El Dorado County has considered the 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 County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 The Initial Study identifies that this project proposes a less than significant impact on the environment with specific mitigation outlined within the Biological Resources category. By including mitigation for these categories, the effects on the Mandatory Findings of Significance section are also reduced below a level of significance for the project.
- 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-Planning Services Department at 2850 Fairlane Court, Placerville, CA.
- 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 Consistency Findings**

- 2.1 The proposed Tentative Parcel Map, as conditioned, is consistent with the Low Density Residential General Plan land use designation for parcel size, density and land use.
- 2.2 The proposal, as conditioned, is consistent with the intent of Policies, 2.2.5.21 (incompatibility with land uses), 5.7.2.1 (fire protection), 6.2.3.2 (adequate access), 7.3.3.4 (setbacks for streams and wetlands), 7.4.2.9 (Important Biological Corridor) and 7.4.4.4 (oak tree protection), because there are adequate roadways, utilities, and other public service infrastructure available. The project is consistent with the dominant lot pattern of development in the direct project vicinity and wildfire hazards have been addressed. Native oak tree canopy will not be impacted with the project.

### **3.0 Zoning Findings**

- 3.1 The project is zoned Estate Residential Ten-acre (RE-10) which establishes a minimum parcel size of ten acres. The project will create two parcels being 10.00 and 10.40-acres in size which is consistent within the RE-10 Zone District. The proposed parcels conform to existing zoning. The Design Waiver will allow both parcels to comply with the development standards in Section 17.28.210.

### **4.0 Tentative Map Findings**

- 4.1 **The proposal conforms to the County's zoning regulations and Minor Land Division Ordinance.** As proposed, the Tentative Parcel Map conforms to the development standards within the Estate Residential Ten-acre (RE-10) Zone District and Minor Land Division Ordinance.
- 4.2 **The site is physically suitable for the proposed type and density of development.** The project was designed in a manner which avoids significant disturbance of slopes in excess of 30 percent, excessive grading and oak tree canopy removal.
- 4.3 **The proposed tentative map is not likely to cause substantial environmental damage.** The proposed Tentative Parcel Map is not likely to cause substantial environmental damage as determined in the prepared environmental document.

### **5.0 Design Waiver Findings**

#### **5.1. Request to allow the creation of parcels with a length in excess of three times the width.**

- 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 special conditions or circumstances that are peculiar to this property relate to the shape and topography of the parent parcel. The parent parcel averages about 670-feet in width by about 1300-feet in length with the most logical development areas along Looking Glass Lane on the south. Dividing the project site to provide two parcels for future development constrains the proposed lot division to the creation of two parcels of approximately a 3.5 to 1 depth to width ratio.
- 5.1.2 *Strict application of the design or improvement requirements will cause extraordinary and unnecessary hardship in developing the property.* Not allowing the Design Waiver request deprives the applicant from subdividing the 20-acre project site, zoned RE-10 due to the project site dimensions/shape and environmental constraints which imposes an unnecessary hardship on the applicant, and results in the loss of reasonable use of the project site while adjoining properties have benefited from the RE-10, RE-5, R2A density zoning. The project

site is surrounded by three to four acre parcels to the north and ten acre parcels on the east, west and south.

- 5.1.3 *It can be found that the adjustment or waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.* The shape of the parcels will not be injurious to adjacent properties or detrimental to the public health, safety, convenience and welfare because the project has been conditioned to comply with all fire safety, environmental health, and access requirements.
- 5.1.4 *It can be found that this waiver 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 the County Code or any of the other applicable ordinances discussed within the staff report.