

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



Agenda of: January 7, 2009
Item No.: 4.a.
Staff: Tom Dougherty

TENTATIVE PARCEL MAP

FILE NUMBER: P08-0031

APPLICANT: Earl Burkett

REQUEST: Tentative parcel map to create four parcels ranging in size from 1.0 to 9.92 acres.

LOCATION: West side of Salmon Falls Road approximately 1,000 feet south of the intersection with Rattlesnake Bar Road in the Pilot Hill area, Supervisorial District IV. (Exhibit A)

APN: 104-250-55 (Exhibit B1)

ACREAGE: 15.11 acres

GENERAL PLAN: Medium Density Residential (MDR) (Exhibit C)

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

ENVIRONMENTAL DOCUMENT: Negative Declaration

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 the Tentative Parcel Map P08-0031 subject to the Conditions of Approval in Attachment 1, based on the Findings in attachment 2.

BACKGROUND: The subject parcel was created from a three-parcel Parcel Map (PM 31-108) which was recorded November 19, 1982. The property was designated Medium Density

Residential by the current General Plan adopted July 19, 2004 and on the previous General Plan adopted July 19, 1996. The One-Acre Residential (R1A) zoning designation was established by the adoption of the Cool – Pilot Hill Area Plan on January 14, 1983.

The application was submitted on September 2, 2008 and deemed complete on September 22, 2008.

STAFF ANALYSIS

Project Description: Request to process a tentative parcel map to create four parcels ranging in size from 1.0 to 9.92 acres. All four parcels would be served by domestic water service meters and onsite septic wastewater systems. All four parcels would take access from an on-site road to be constructed along an existing driveway with an encroachment onto Salmon Falls Road.

Site Description: The project site is accessed by a 50-foot road and public utility easement. The 15.11-acre site is located between 1,160 to 1,240-foot elevation above sea level. The parcel contains a primary single-family residence, a second residential unit, and a temporary mobile home which are proposed to remain within Parcel 1. The parcel was the site of surface mining and there are numerous tailing piles lining the drainage swale on the northern end of proposed Parcels 2, 3, and 4. The western 1/3rd of the parcel is the site of the current development area and contains scattered oak trees. The eastern 2/3rds of the parcel contain solid stands of native oak trees and shrubs outside the proposed development areas. The proposed development areas for each parcel have previously been graded. The existing graded access driveway from Salmon Falls Road varies in width from 16 to 18 feet in width.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	R1A	MDR	Residential, single-family residence and accessory structures.
North	R1A	MDR	Residential, single-family residence and accessory structures. Three parcels from 0.870 to 8.97 acres.
South	R1A	MDR	Residential, single-family residence and accessory structures. Two parcels from 2.01 to 15.47 acres.
East	R1A	MDR/C	Residential, single-family residence and accessory structures. Three parcels from 0.870 to 1.47 acres.
West	RE-5	MDR	Residential, single-family residence and accessory structures. One 14.0-acre parcel.

Discussion: Exhibits A, B1 to B3, C1 to C3 and D illustrate that the general area consists of one to five-acre zones and land use designations ranging from the more intense areas to the northeast to less intense areas west and south of this property.

Project Issues: Discussion items for this project include access and road improvements, fire safety, grading, public services, septic system improvements, trails, and water supply.

Access and Road Improvements:

Primary access: Access to all four parcels is proposed to be from an encroachment onto Salmon Falls Road along an existing unnamed 60-foot road and public utility easement to the southeast parcel boundary. From that point to proposed Parcel 1, a 50-foot road and public utility easement would be required, ending in an emergency vehicle turnaround to the provisions of the DISM Standard Plan 114 or equivalent. The road surface would be improved to Standard Plan 101 C and minimum Fire Code requirements which include a 20-foot wide, all weather surface roadway capable of supporting a 75,000 pound load.

Secondary Access: All projects require secondary access pursuant to the requirements of the Design and Improvement Standards Manual (DISM). DISM Section 3.A.9 indicates that a Minor Land Division may be approved with one access street of adequate capacity to accommodate the proposed increase in traffic if a future street route or acceptable alternative is prepared and approved. Conditions 11 and 12 have been added to the project to address both on and off-site access requirements. Given that the proposed project has an approved Fire Safe Plan (Draper, 2008), and that the project is within the allowed 1,320-foot dead-end road length per the Fire Safe Guides (Fire Safe Regulations) for parcels 1 to 4.99 acres in size, DOT has stated support of waiving this requirement. Both El Dorado County Fire Protection District and Cal Fire have also stated support of the proposed project's secondary access requirement, upon fulfillment of recommended Conditions of Approval 40 to 47 and the approved Wildfire Fire Safe Plan.

Dead End Road Length: The proposed single access roadway is just under 1,000 feet in length. The DISM Section 3.A.12 allows a dead-end road to exceed 500 feet (but not more than 2,640 feet) and requires the shoulder width be increased to 10 feet on both sides of the roadway. The DISM allows a reduction of the shoulder width if there is a favorable recommendation by the responsible Fire District. This requirement is reflected in recommended Conditions of Approval 11 and 12. California Fire Code Appendix D requires dead end roads exceeding 750 feet to obtain Fire District approval. Both El Dorado County Fire Protection District and Cal Fire have stated support of the proposed project's dead end road length, upon fulfillment of recommended Conditions 40 to 47 and the approved Wildfire Fire Safe Plan.

Road width: The proposed project plans indicate construction of an access roadway of 18 feet in width with one-foot shoulders. Although this meets the minimum standard of the DISM, it does not meet the 2007 California Fire Code minimum requirements. The Fire Code requires all access roadways to be constructed to a width of 20 feet and capable of sustaining loads of up to 75,000 pounds. Therefore, recommended Condition of Approval 14 reflects the 20-foot road width with a variable road shoulder width pending Fire District approval.

Right-of-way width: The project plans indicate a right-of-way of varying widths from 85 feet to 40-feet in width. The minimum right of way width pursuant to the DISM is 50 feet. This is reflected in Condition of Approval 13.

Fire Safety: The El Dorado County Fire Protection District (Fire District) would require the project parcels to meet the minimum fire flow which is 1,000 gallons per minute (gpm) at 20 pounds per square inch (psi) for a period of 2 hours. In lieu of fire flow, the applicant may

choose an approved residential sprinkler system with deed restrictions for a NFPA 13D residential sprinkler system for all new structures. The project is required to comply with the *Burkett Wildland Fire Safe Plan* dated June 22, 2007 and *Amendment A* for said plan dated October 27, 2008 which has been approved by the Fire District and Cal Fire. The Plan requires the formation of a Homeowner's Association for the purpose of road and fuel treatment (maintenance) zone. As designed and with fulfillment of the recommended Conditions 40 to 47, this project would meet the minimum Fire Safe requirements.

Grading: The proposed project proposes minor grading to the onsite access road. The applicant has stated no oak trees are proposed to be removed.

Public Services: The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. The fees would be paid to the Georgetown Divide Recreation District prior to filing the parcel map.

Black Oak Mine Unified School District provides schools for residents. School impact fees would be assessed during the review of building permits to address any school impacts that may be created with the approval of this project.

Septic System Improvements: Public sewer service is not available in the Pilot Hill Area. The applicant provided an onsite wastewater treatment system feasibility report that studied the potential for one septic system for each of the four parcels which was reviewed and approved by the El Dorado County Environmental Health Division.

Trails: The Georgetown Divide Recreation District recommended a condition that states *the applicant and/or his agent or assigns shall make an investigation as to whether or not there are existing or proposed trail systems that may be impacted by this project. Should this investigation reveal that said trail systems do in fact exist; the request is hereby made for a trail easement to be dedicated along the roadway frontage of said project. Said easement is to be located and designed so as to be consistent with the El Dorado County General Plan.* The El Dorado County *Hiking and Equestrian Trails Plan* does not show trails adjacent to the project site. During the Pre-Application Meeting August 4, 2006, trails were discussed with the applicant and he was given a copy of the *Uniting Community Through Trails* to review for potential options and benefits of incorporating equestrian and hiking trails through the project site. Planning further discussed trail options as well as during a site visit and subsequent Technical Advisory Committee meeting in November of 2008. Although General Plan policy strongly supports incorporating non-motorized trails into discretionary projects trail dedication would only occur on a voluntary basis with this particular application.

Water Supply (domestic/potable): The subject parcel is within the service area boundary of the Georgetown Divide Public Utility District (GDPUD). There is an existing domestic metered water service account currently on the parcel. The resulting parcels would be required to establish separate domestic water service accounts prior to filing the parcel map.

General Plan: The General Plan currently designates the subject site as Medium Density Residential (MDR). *This land use designation establishes areas suitable for detached single-family residences with larger lot sizes which will enable limited agricultural land management activities. This designation shall be applied where the character of an area is single-family residences; where the absence or reduced level of infrastructure including roads, water lines, and sewer lines does not justify higher densities; where the topography poses a constraint to higher densities; and as a transitional land use between the more highly developed and the more rural areas of the County. The maximum allowable density shall be one dwelling unit per 1.0 acre. Parcel sizes shall range from 1.00 to 5.00 acres.*

Discussion: As conditioned and mitigated, this project would consistent with the policies of the General Plan because it proposes parcels ranging in size from 1.0 to 9.2 acres and the topography and lack of sewer facilities would prevent higher densities. Findings for consistency with the General Plan are provided in Attachment 2. The policies and issues that affect this project are discussed below:

Policy 2.1.2.1 established the Pilot Hill Rural Center boundary. The subject parcel is located within that boundary. **Policy 2.1.2.2** defines Rural Centers as *areas of higher intensity development throughout the rural areas of the County based on the availability of infrastructure, public services, existing uses, parcelization, impact on natural resources, etc.* **Policy 2.1.2.3** defines the purpose of Rural Centers as being areas intended to *meet the commercial and service needs of the residents of the Rural Centers and Rural Regions, the predominant land use type within Rural Centers shall be commercial and higher density residential development.*

Discussion: Planning has found that the subject proposal does meet the intent of these policies by providing higher density supported by appropriate infrastructure within the Rural Center Boundary.

Policy 2.1.1.7 directs that *development be limited in some cases until such time as adequate roadways, utilities, and other public service infrastructures become available and wildfire hazards are mitigated as required by an approved Wildfire Safe Plan.*

Discussion: As discussed above in the Project Issues section, and as conditioned and with strict adherence to County Code, the project would meet the criteria. The project would be conditioned to adhere to the approved Wildfire Safe Plan as well as provide that each parcel would have domestic water service from GDPUD prior to filing the parcel map.

Policy 2.2.5.21 directs that *new development be compatible with the surrounding neighborhood.*

Discussion: The project would be consistent with the planned development pattern anticipated on lands designated as Medium Density Residential and is compatible and consistent with the dominant pattern of parcel development for the area.

Policy 5.7.1.1 directs the applicant to *demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or will be provided concurrent with development.* **Policy 6.2.3.2** directs that the applicant must 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.

Discussion: As discussed above in the Project Issues section, upon fulfillment of the conditions and the requirements of the Wildfire Safe Plan, the proposed parcels would have adequate access and emergency evacuation capabilities.

Policy 7.4.4.4 establishes the native oak tree canopy retention and replacement standards and requires that 70 percent of the existing oak tree canopy coverage for the 15.11-acre project area be retained as a result findings of the *Woodland Assessment Map* and report by Sid Davis dated November 27, 2007, which shows an existing oak canopy coverage of approximately 75 percent of the of the parcel. The report determined that the proposed development areas are shown in previously disturbed areas, would not necessarily require tree canopy removal and thus would meet the General Plan retention standards. The full discussion of the project impacts in relation to Policy 7.4.4.4 is contained in section IV in the attached Draft Mitigated Negative Declaration.

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.

Zoning: The subject site is currently zoned Residential One-Acre (R1A). The proposed 1.0 to 9.92-acre lots have been shown to have sufficient room to conform to the zoning and the development standards in Section 17.28.080 for minimum lot width of 100 feet, minimum parcel size of one acre, building setback requirements of 30 feet within front yard parcel boundaries and road easements, 15 feet side yards and 30 feet rear yard setbacks. The proposed parcels have been shown to have adequate room to satisfy the parking requirements of two spaces not in tandem per dwelling unit pursuant to Section 17.18.060.

Conclusion: As discussed above, staff finds that the project can be found to conform with the intent of the Zoning Code and that the necessary findings can be made to support the request for a Tentative Parcel Map creating four parcels. The findings are contained in Attachment 2.

ENVIRONMENTAL REVIEW

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

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 \$1,993.00 after approval, but prior to the County filing the Notice of Determination on the project. This fee plus a \$50.00 recording fee, is to be submitted to Planning Services and must

be made payable to El Dorado County. The \$1,993.00 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Vicinity Map
Exhibits B1, B2, B3	Assessor's Parcel Maps
Exhibit C	General Plan Land Use Designations
Exhibit D	Pilot Hill Rural Center Boundary
Exhibit E	Zoning Designations Map
Exhibit F	Parcel Map 31 - 108
Exhibit G	Tentative Parcel Map Dated February 25, 2008
Exhibit H	Soils Map
Exhibit I1, I2, I3, I4	Site Visit Photos
Exhibits J1, J2	Aerial Photos
Exhibit K	Pilot Hill USGS Quadrangle
Exhibit L	Initial Study Checklist (CEQA)

ATTACHMENT 1

CONDITIONS OF APPROVAL AND MITIGATIONS

File Number P08-0031/Burkette Tentative Parcel Map
January 7, 2009 Zoning Administrator Hearing

CONDITIONS OF APPROVAL

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-L, 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:

The project would allow the creation of four parcels ranging in size from 1.0 to 9.92 acres on a 15.11-acre site. All four parcels will be served by domestic water service meters and onsite septic wastewater systems. All four parcels will take from an on-site road connecting to Salmon Falls Road.

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.

Planning Services Site Specific and Standard Conditions

2. The applicant shall submit to Planning Services the Department of Fish and Game filing fee and noticing fee prior to filing of the Notice of Determination by the County. No permits shall be issued or filing of the parcel map filed until said fees are paid.
3. The map shall remain in effect for three years from the date of approval. If the map has not been recorded within this timeframe, an extension may be requested prior to expiration of the map. Appropriate fees shall be paid to process the time extension.
4. The installation of any security gates along the access road shall require the approval of a special use permit.

5. A meter award letter or similar document to provide water service to each parcel by the Georgetown Divide Public Utility District shall be submitted to Planning Services for review and approval prior to filing the Parcel Map.
6. The location of fire hydrant and systems for fire flows are to meet the requirements of the responsible fire protection district. The location of hydrants shall be shown on the improvement plans which shall be subject to the approval of the fire protection district.
7. The applicant shall be required to pay Park-in-Lieu fee of \$150.00 payable to El Dorado County, pursuant to El Dorado County Subdivision Ordinance Section 16.12.090. 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 to the Georgetown Divide Recreation District. A receipt showing compliance with this condition shall be submitted by the applicant to the Planning Services prior to filing the parcel map.
8. The applicant shall make the actual and full payment of Development Services Department processing fees for the tentative parcel map application prior to filing the parcel map.
9. If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and Native American Heritage Commission shall be contacted per Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed. If archaeological sites or artifacts are discovered, the subdivider shall retain an archaeologist to evaluate the resource.

If the resource is determined to be important, as defined in Appendix K of the CEQA Guidelines, mitigation measures, as agreed to by the subdivider, archaeologist, and Planning Services shall be implemented. Treatment of Native American remains and/or archaeological artifacts shall be the responsibility of the subdivider and shall be subject to review and approval by Planning Services.

10. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the California Government Code.

The subdivider shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within

the time period provided for in Section 66499.37. County shall notify the subdivider of any claim, action, or proceeding and County will cooperate fully in the defense.

El Dorado County Department of Transportation

11. On-site Access Improvements: The applicant shall widen the on-site portion of the access roadway to a 20-foot wide roadway with 10-foot shoulders (pursuant to DISM Sec.3.A.12.a) on each side consistent with the provisions of the El Dorado County Design and Improvement Standards Manual (DISM), Standard Plan 101C and minimum Fire Code requirements. 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 Parcel Map. Pursuant to the DISM, the shoulder width may be reduced if there is favorable recommendation by the responsible fire agency.
12. Off-site Access Improvements: The applicant shall construct the off-site portion of the access roadway from the project boundary to Salmon Falls Road to the requirements of El Dorado County Standard Plan 101C and the Fire Code, a 20-foot roadway width with 10-foot wide shoulders on each side of the roadway (pursuant to DISM Sec.3.A.12.a). The applicant shall include on the site plans or provide an exhibit to the DOT, Planning, and the Fire District that shows the offsite access roadway complies with this condition. 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 Parcel Map. Pursuant to the DISM, the shoulder width may be reduced if there is favorable recommendation by the responsible fire agency.
13. Road & Public Utility Easements: The applicant shall provide a minimum 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.
14. Encroachment Permit: The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment from the proposed access road onto Salmon Falls Road to the provisions of County Design Std 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 the Parcel Map.
15. Gates, Turnarounds: All gates shall be designed and constructed with turnarounds acceptable to the Department of Transportation and the Fire District. 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 Parcel Map.
16. Turnaround: The applicant shall provide a turn around at the end of the access roadway to the provisions of County Standard Plan 114 or approved equivalent. 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 Parcel Map.

17. Off-site Easements: Applicant shall provide all necessary recorded easements for the drainage, slope and road improvements crossing the property line prior to the filing of the Parcel Map.
18. 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.
19. Easements: All applicable existing and proposed easements shall be shown on the project plans.
20. Signage: The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained 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 California Manual Uniform Traffic Control Devices (MUTCD).
21. 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.
22. 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).
23. 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.
24. 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.

25. **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.
26. **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.
27. **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.
28. **Grading Permit / Plan:** The proposed project may require a Grading Permit pursuant to the Grading Ordinance. 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 the DOT or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the Parcel Map.
29. **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.
30. **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.

31. **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.
32. **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.

33. **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.

34. 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.
35. 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.
36. 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.
37. 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 a 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 percent 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.

38. 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.
39. 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

40. Submit review fee of \$ 120.00.
41. Fire flow for this project is 1,000 gpm @ 20 psi for two hours.
42. A Hydrant is required for this map. Hydrant must be within 500 feet of each new parcel.
43. Show documentation from GPUD and the Fire District, that the water system will meet fire flow.
44. In place of fire flow the applicant may use a NFPA 13D home sprinkler systems in all structures built on each parcel. This will appear in the form of a deed restriction.
45. El Dorado County DOT standards will be met at a minimum and will supersede Fire District minimum requirements.
46. Pursuant to the *Burkett Wildland Fire Safe Plan and Amendment A of said Plan* dated June 22, 2007 and October 27, 2008 respectively, a Homeowner's Association (HOA) shall be formed that shall be responsible for enforcement of the Covenants Codes and Restrictions (CC&Rs) which shall be recorded for each parcel. Said CC&Rs shall, at a minimum, include the following provisions:
 - a. Implementation of all provisions of the *Burkett Wildland Fire Safe Plan and Amendment A of said Plan* dated June 22, 2007 and October 27, 2008.
 - b. Ongoing maintenance and monitoring of the shared roads.

The Covenants, Conditions and Restrictions (CC&Rs) shall be submitted to El Dorado County Fire Protection District for review, and subsequent approval, prior to filing of the

Parcel Map. Any future changes in the aforementioned provisions of the final District approved version of the CC&Rs shall require further District approval.

47. The above requirements to be completed prior to filing the Parcel Map.

El Dorado County Office of the County Surveyor

47. All survey monuments must be set prior to filing the Parcel Map.
48. 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).
49. The roads serving the development shall be named by filing a completed Road Name Petition, with the County Surveyors Office. Proof of any signage required by the Surveyor's Office must be provided to their office prior to filing the Parcel Map.
50. Prior to filing the Parcel Map, a letter will be required from all agencies that have placed conditions on the map. The letter will state that "all conditions placed on the map by (that agency) have been satisfied." The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.

Georgetown Divide Public Utility District (GDPUD)

51. Install all improvements to the existing treated water transmission and distribution system located adjacent to the subject parcel. The required improvements will be determined by the Georgetown Divide Public Utility District's standards, the applicant-submitted modeling study and by any comments received from any other agency pertinent to water supply and shall be completed prior to filing the Parcel Map.
52. All water meters required to serve the four parcels shall be paid for prior to filing the Parcel Map.
53. All redistribution fees shall be paid to the Georgetown Divide Public Utility District prior to filing the Parcel Map.
54. The Georgetown Divide Public Utility District shall be reimbursed for all its expenses associated with this proposed development prior to filing the Parcel Map.

ATTACHMENT 2 FINDINGS

File Number P08-0031/Burkette Tentative Parcel Map January 7, 2009 Zoning Administrator Hearing

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:

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 proposed project, as conditioned, will not have a significant effect on the environment. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA
- 1.2 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 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 density of one dwelling unit per one acre with parcel sizes from one to five acres, and establishes areas suitable for detached single-family residences with larger lot sizes which will enable limited agricultural land management activities. It is also intended for areas where the character is single-family residences; where the absence or reduced level of infrastructure including roads, water lines, and sewer lines does not justify higher densities. The proposed 1.0 to 9.92-acre parcels conform to the General Plan land use designation because of the parcel sizes, lack of public sewer facilities and the location within the Pilot Hill Rural Center.
- 2.2 As conditioned and with strict adherence to County Code, the proposal is consistent with all applicable Policies of the General Plan. As conditioned, the proposal is consistent with the intent of General Plan Policies 2.1.2.1 (Rural Center boundaries), 2.1.2.2 (Rural Center definition), 2.2.2.3 (Rural Center purpose), 2.2.5.2 (review for General Plan consistency), 2.2.5.21 (compatibility with surroundings), 5.1.2.1 (adequate utilities), 5.7.1.1 (adequate emergency water and related facilities), and 6.2.3.2 (adequate access). Because of the review for General Plan consistency, minimal impacts to visual qualities, noise, traffic, and on existing emergency response capabilities will occur. The project can be found to be compatible with the local community. It has been reviewed and conditioned by the El Dorado County Fire Protection District, department of Transportation, County Surveyor and the Georgetown Divide Public Utility District noting there are adequate available utilities such as water, power and solid waste facilities. 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 1.0 to 9.92-acre lots would conform to the new zoning and the development standards in Section 17.28.080 for minimum lot width of 100 feet, minimum parcel size of one acre, building setback requirements of 30 feet within front yard parcel boundaries and road easements, 15 feet side yards and 30 feet rear yard setbacks. The proposed parcels have been shown to have adequate room to satisfy the parking requirements of two spaces not in tandem per dwelling unit pursuant to Section 17.18.060.

4.0 Tentative Parcel Map Findings

- 4.1 **The proposal conforms to the County's zoning regulations and Minor Land Division Ordinance.** The proposed parcels are of adequate size for the One-Acre Residential (R1A) zone district. There is adequate emergency and standard vehicular access provided, and public facilities and existing utilities to support the residential uses. DOT, El Dorado County Fire Protection District, and Cal Fire have stated support of the project upon fulfillment of the Conditions of Approval and the approved Wildfire Fire Safe Plan.
- 4.2 **The site is physically suitable for the proposed type and density of development.** The parcels have existing facilities and utilities to support the residential uses on site or are conditioned to provide them prior to filing the parcel map.
- 4.3 **The proposed tentative map is not likely to cause substantial environmental damage.** The access roadways to all parcels will require minor modifications to the existing rough-graded roadway including surfacing and width improvements. The impacts from all other potential impacts have been analyzed in the Initial Study and have been found to be less than significant.