

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



Agenda of: March 18, 2009
Item No.: 4.b.
Staff: Thomas A. Lloyd

PARCEL MAP

FILE NUMBER: P08-0023/Verzello Parcel Map

APPLICANT: Robert Verzello/Motherlode Orchards, LLC

AGENT: Lebeck Young Engineering

REQUEST: A tentative parcel map to create three lots, ranging in size from 20.01 to 21.21 acres and served by public water and private on-site septic systems, from an existing 61.24 acre parcel.

LOCATION: On the north side of North Canyon Road, 400 feet west of the intersection with Larsen Lane in the Camino area, Supervisorial District III. (Exhibit A)

APN: 100-060-02

ACREAGE: 61.24 acres

GENERAL PLAN: Agricultural Lands-Agricultural District overlay (AL-A) (Exhibit B)

ZONING: Select Agricultural (SA-10) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Negative Declaration

RECOMMENDATION:

1. Adopt the Negative Declaration based on the Initial Study (Exhibit F); and
2. Approve P08-0023 subject to the Conditions of Approval in Attachment 1 based on the Findings in Attachment 2.

BACKGROUND:

On September 14, 1988, a Special Use Permit was approved by the Zoning Administrator to allow the sale of wines, arts, crafts, jams and jellies, and cider, as well as the establishment of a bake shop in conjunction with the sales of agricultural products on the premises.

The last building permit issued and finalized on the parcel was for the construction of a commercial kitchen and storage in 1998. This permit legitimized many of the structures on the parcel, including the packing shed found immediately adjacent to North Canyon Road, on the south side of the parcel.

STAFF ANALYSIS

Project Description: The project is a tentative parcel map to create three lots, ranging in size from 20.01 to 21.21 acres and served by public water and private on-site septic systems, from an existing 61.24 acre parcel.

Site Description: The project site lies on the western slope of the central Sierra Nevada in the Camino area of El Dorado County, at an elevation of approximately 2,800 to 3,000 feet above mean sea level. The parcel is characterized by rolling topography with gentle, moderately steep slopes. An ephemeral drainage can be found in the far northern end of the property. No permanent water appears on the property. Roughly 90 percent of the parcel is under cultivation, producing fruit and fir (Christmas) trees. More than forty acres of the subject parcel are under irrigated cultivation with water supplied by pipes. Within and surrounding the property can be found yellow pine, incense cedar, black oak, interior live oak, blue oak, buckbrush, ceanothus, manzanita, poison oak, California blackberry, California buckeye, and perennial grasses. The subject parcel has been improved with a number of structures, as several acres are dedicated to ranch marketing activities. These include a packing shed, a commercial kitchen, numerous sheds and agricultural structures, and a small single family residence.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	SA-10	AL-A	Mother Lode Orchards/Agricultural. Production and Ranch Marketing
North	SA-10	AL-A	Crystal Mountains Tree Farm
East	SA-10	AL-A	Undeveloped/single-family residence
South	R2A	RR-A	Single-family residences
West	SA-10/R2A	AL-A/MDR-A	Single-family residence

General Plan: The County General Plan designates the subject parcel as Agricultural Lands-Agricultural District overlay (AL-A). This land use designation describes lands described in Policy 8.1.1.8, which mandates sufficient size to sustain agricultural use and requires possession of one or more of the following characteristics:

- A. Are currently under a Williamson Act or farmland Security Zone contract;
- B. Contain the characteristics of choice agricultural land (i.e., contain choice agricultural soils and/or contain Prime Farmland, farmland of Statewide Importance, unique farmland, or Locally Important Farmland); or
- C. Are under cultivation for commercial crop production or are identified as grazing land;

And one of the following:

- 1. Are located in the county's Rural Region; or
- 2. The County Department of Agriculture has determined that the land is well suited for agricultural production.

Policy 2.2.2.2 B outlines the criteria for parcels included in the Agricultural District (-A) overlay. This policy states that the minimum residential parcel size for lands containing choice agricultural soils within an Agricultural (-A) District shall be 20 acres or the minimum lot size established by the underlying land use designation, whichever is greater.

Discussion: At a minimum of 20 acres each, the proposed parcels created by this project would be consistent with both the underlying land use designation and the Agricultural District overlay.

The following General Plan policies also apply to this project:

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

Discussion: Other parcels in the vicinity are similarly developed with a mix of agricultural pursuits and some residential structures. The project parcel has been producing tree fruits and fir (Christmas) trees for many years, and as such, fits the character of the "Apple Hill" area. The two new parcels and their intended agricultural use with a limited residential element would be consistent with the intended development pattern of the General Plan.

Policies 5.2.3.5 and **5.3.1.2** prohibit the creation of parcels less than five acres when the parcels rely on both onsite sewage disposal systems and water wells.

Discussion: The parcel is currently served by an individual, permitted on-site septic system as well as public water from the El Dorado Irrigation District. The El Dorado County Environmental Management Department has reviewed the current application requests and determined that the requirements for demonstrating adequate sewage disposal for each of the proposed parcels have been satisfied. As such, Environmental Management offered no comments or conditions.

The proposed project (specifically the newly created parcels) would be required to connect to public water via the El Dorado Irrigation District. El Dorado County Irrigation District, Policy AR 9024 provides unique provisions for parcels connected to agricultural service meters. Pursuant to correspondence with the District, all parcels under common ownership will be allowed to "split" the current meter into separate services. County records show the parcel to be served by both an eight

inch water line at the southeast corner of the parcel, and a three inch line at the southwest corner. As such, the El Dorado Irrigation District has determined adequate public water services and required fire flow are available to serve the proposed project. As a condition of project approval, the applicant will be required to provide Planning Services with proof of meter award or similar assurance of adequate service for all parcels, prior to recordation of the map. At more than 20 acres each, the proposed parcels conform to all applicable waste disposal and on-site water production policies.

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

Discussion: The El Dorado County Fire Protection District has conditioned the project to assure the proposed access road will, at a minimum, meet current fire safe standards. Further, the Fire District is requiring the installation of two fire hydrants; one at the corner of North Canyon Road and the proposed map access road, and the second at the access road turn around. In place of the second hydrant to be located at the turnaround, the Fire District is providing the applicant with the option of installing NFPA 13D home sprinkler systems in all structures built on each parcel. Should the applicant choose this option, deed restrictions would be required. The Fire District is requiring the applicant to submit to them a Facilities Improvement Letter (FIL) from EID, showing that the existing service can meet fire flow. The project has been conditioned accordingly.

Policy 6.2.3.2 directs that the applicant must demonstrate adequate access or ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Discussion: The Department of Transportation (DOT) reviewed the proposed project and determined it would not trip the traffic impact threshold of the General Plan. Proposed project access would come from North Canyon Road at the southeast corner of the parcel where the applicant shall widen the on-site portion of the access road to an 18-foot wide roadway with one-foot shoulders on each side consistent with the provisions of the El Dorado County Design and Improvement Standards Manual (DISM), Design Standard Plan 101C. This improvement must continue to the point where the access only serves one parcel, at which point it would be considered a driveway, and could then be built to an acceptable minimum driveway width of 12 feet. The project would also include the construction of a roadway encroachment from the access roadway onto North Canyon Road to the provisions of County Design Standard Plan 103D, only after obtaining an encroachment permit from DOT.

The 2004 General Plan Policies TC-Xe and TX-Xf (which incorporate Measure Y) require projects that “worsen” traffic by two percent, or ten peak hour trips, or 100 average daily trips must construct (or ensure funding and programming) of any improvements required to meet Level of Service standards in the General Plan Transportation and Circulation Element. DOT has reviewed the proposed project and determined that it would not trigger the threshold described above because of its limited size. DOT has conditioned the project to address this General Plan consistency issue by requiring payment of traffic impact mitigation fees with each building permit.

Finally, The El Dorado County Fire Protection District has reviewed the project and has conditioned it to comply with “Fire Safe” requirements. As such, the project would not result in inadequate

emergency access. The conditions of approval required by the Department of Transportation and the El Dorado County Fire Protection District address the potential access problems related to public safety and would require that all improvements meet their respective specifications prior to filing the parcel map.

Policy 7.4.4.4 establishes native oak three canopy retention and replacement standards.

Discussion: As part of application submittal, the applicant was required to submit a tree canopy exhibit which has been confirmed with aerial photography. This exhibit identifies total oak canopy coverage of 22 percent over the entire 61.24 acre site. As shown in Table 1, this 22 percent of existing oak canopy coverage requires 85 percent retention pursuant to General Plan Policy 7.4.4.4. As each of the proposed parcels would have adequate developable area, no oak trees would be removed and no replacement would be required. At 100 percent, overall canopy retention shown in Table 1 exceeds the provisions of Policy 7.4.4.4, and is consistent with the El Dorado County Oak Woodland Management Plan, adopted May 2008.

TABLE 1: Tree Canopy Summary				
Proposed Parcel	Oak Canopy (%) Pre-Project	Oak Canopy (%) Post-Project	Proposed Project Retention (%)	7.4.4.4 Retention Standard (%)
Parent Parcel	22	22	100	85
Lot 1	14	14	100	90
Lot 2	19	19	100	90
Lot 3	34	34	100	85

Policy 7.5.1.3 requires that cultural resource studies be conducted prior to approval of discretionary projects.

Discussion: A pedestrian archeological survey was completed by Historic Resource Associates for this parcel. This survey found no significant prehistoric or archaeological sites, features, or artifacts, nor any historic buildings, structures, or objects in the project area. From this survey, it was determined that no further archival or field study is required.

Policy 8.1.3.1 mandates that Agriculturally zoned lands including Williamson Act Contract properties shall be buffered from increases in density on adjacent lands by requiring a minimum of ten acres for any parcel created adjacent to such lands.

Pursuant to **Policy 8.1.3.5**, on any parcel ten acres or larger identified as having an existing or potential agricultural use, the Agricultural Commission must consider and provide a recommendation on the agricultural use (except for parcels assigned urban or other non-agricultural uses by the land use map for the 1996 General Plan) or potential of that parcel and whether the request will diminish or impair the existing or potential use prior to any discretionary permit being approved.

Policy 8.1.4.1 requires review by the County Agricultural Commission of all discretionary development applications and the location of proposed public facilities involving lands zoned for or

designated agriculture. Before granting approval, a determination shall be made that the proposed use will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities, that the project will not create an island effect wherein agricultural lands located between the project site and other non-agricultural lands will be negatively affected, and that the project will not significantly reduce or destroy the buffering effects of existing large parcel sizes adjacent to agricultural lands.

Discussion: During a regularly scheduled meeting of the County Agricultural Commission, held July 9, 2008, the Commission voted 4-0 with one abstention to approve the project, as it was found consistent with the aforementioned General Plan policies (Exhibit F).

Conclusion: The project has been reviewed in accordance with the applicable El Dorado County 2004 General Plan policies and it has been determined that the project is consistent with the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

Zoning: The subject site is zoned Select Agricultural (SA-10), the purpose of which is to provide for the protection of orderly agricultural development of lands having sufficient area and conditions compatible to horticulture, husbandry, and other agricultural uses and to promote and encourage these pursuits by providing additional opportunities for the sale, packing, processing, and other related activities which tend to increase their economic viability. This zone district allows a minimum parcel size of ten acres. Further, all existing structures on the subject parcel have been appropriately and legally permitted pursuant to the development standards of Section 17.36.260 and the ranch marketing provisions of 17.14.180.

ENVIRONMENTAL REVIEW

Staff prepared an Initial Study (Exhibit G) to determine any project-related impacts on the environment. Based on the Initial Study, staff determined that this project would have a less than significant impact on the environment and a Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

NOTE: 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 processing fee, shall 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	Findings of Approval
Exhibit A.....	Vicinity Map
Exhibit B.....	General Plan Land Use Map
Exhibit C.....	Zoning Map
Exhibit D.....	Tentative Parcel Map
Exhibit E.....	Assessor's Map
Exhibit F.....	Memo from Ag. Commission, dated July 17, 2008
Exhibit G.....	Environmental Checklist and Discussion of Impacts

ATTACHMENT 1

CONDITIONS OF APPROVAL

File Number P08-0023 – Verzello/Lebeck Young Engineering Zoning Administrator Hearing, March 18, 2009

Planning Services

1. This parcel map is based upon and limited to compliance with the project description, the Zoning Administrator hearing exhibit marked Exhibit D (tentative parcel map) dated February 18, 2009, and the 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 parcel map creating three lots, ranging in size from 20.01 to 21.21 acres and served by public water and private on-site septic systems, from an existing 61.24 acre parcel.

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

2. 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.
3. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in *Section 66474.9(b)* of the *California Government Code*.

The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in *Section 66499.37*.

County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

4. In the event that previously unknown cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archeologist shall make recommendations on the measures to be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds, in accordance with § 15064.5 of the CEQA Guidelines. Cultural resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites.
5. If human remains are encountered during earth-disturbing activities within the project area, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. If the remains are determined to be Native American in origin, both the Native American Heritage Commission (NAHC) and any identified descendants shall be notified by the coroner and recommendations for treatment solicited (CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94 and 5097.98).
6. The applicant shall provide a meter award letter or similar document by the water purveyor to Planning Services for each parcel, prior to filing the parcel map.
7. The applicant shall submit to Planning Services a \$50.00 recording fee and a \$1,993.00 Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No permits shall be issued or parcel map filed until said fees are paid.

Department of Transportation

8. **On-site Access Improvements:** The applicant shall widen the on-site portion of the access road to an 18-foot wide roadway with one-foot shoulders on each side consistent with the provisions of the El Dorado County Design and Improvement Standards Manual (DISM), Design Standard Plan 101C. This improvement must be made up until the access way only serves one parcel, at which point it becomes a driveway and can be built to driveway width of 12 feet. 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.
9. **Roadway Slopes:** Pursuant to Design Standard Plan 101C, Note 4: Roads with Average Daily Trips (ADT) of less than 601 may have slopes exceeding 12 percent not to exceed 15 percent for lengths up to 600 feet if they are paved with a minimum of 2.5 inches aggregate concrete on 6 inch aggregate base. The roadway slopes exceeding 12 percent shall be indicated as proposed to be paved on the improvement plans and/or proposed map prior to filing.
10. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment from the access roadway onto North Canyon Road to the provisions of County Design Standard 103D. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.

11. Turnaround: The applicant shall provide a turn around at the end of the 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.
12. Vehicular Access Restriction: Prior to filing of the map, the applicant shall record a vehicular access restriction along the driveway fronting the southerly portion of Lot number three.
13. Offer of Dedication: The applicant shall irrevocably offer to dedicate, in fee, a 30 foot right of way along the entire frontage of North Canyon Road as determined by EDC DOT, prior to the filing of the map. This offer will be accepted by the County.
14. Sight Distance: (Mother Lode Orchards encroachment onto North Canyon Road). The sight distance from a vehicle parked at the edge of traveled way of North Canyon Road with the driver's eye no more than 15-ft from the edge of pavement, shall be a minimum of 10 times the posted speed limit (in feet) in either direction, consistent with Caltrans AASHTO standards. Sight distance easements, if necessary, must be obtained by the applicant and included on the map prior to filing.
15. Cut Slopes: Per the El Dorado County Grading Design Manual Sec B.6, the top of cut slopes shall not be made nearer a permit area boundary line than one fifth the vertical height of cut with a minimum of two (2) feet and a maximum of ten (10) feet. The setback may need to be increased for required interceptor drains. 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 final map.
16. Fill Slopes: Per the El Dorado County Grading Design Manual Sec B.6, the toe of the fill slope shall not be made nearer to the permit area boundary line than one half the height of the slope with a minimum of two (2) feet and a maximum of twenty (20) feet. Where a fill slope is to be located near the permit area boundary and the adjacent off-site property is developed, special precautions shall be incorporated in the work as the building official deems necessary to protect the adjoining property from damage as a result of such grading. 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 final 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 approval of the improvement plans.
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.

DOT STANDARD CONDITIONS

19. Easements: All applicable existing and proposed easements shall be shown on the project plans.
20. Road & Public Utility Easements: The applicant shall provide a 50 foot wide non-exclusive road and public utility easement for the on-site access roadways prior to the filing of the parcel map. Slope easements shall be included as necessary.
21. 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.
22. 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.
23. 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).
24. 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.
25. 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.
26. DISM Consistency: The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
27. Road Improvement Agreement & Security: The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map.

28. 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.
29. 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.
30. 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.
31. 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.
32. 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.
33. 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.

34. 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 map.
35. 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 map.
36. 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.
37. Off-site Improvements (Security): Prior to the filing of a final map or 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.

38. 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 map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any parcel map, the applicant shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20 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.

39. 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.
40. 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

41. Prior to filing the map, the applicant shall submit a review fee of \$120.00.
42. The applicant shall demonstrate required fire flow of 1,000 gallons per minute (GPM) at 20 pounds per square inch (PSI) for two hours to the satisfaction of the Fire District, prior to filing the parcel map.
43. Prior to filing the map, two fire hydrants shall be installed; one at north Canyon Road and the map access road, and the second at the access road turn around to the satisfaction of the Fire District

44. Prior to filing the map, the applicant shall provide to the Fire District proof from EID that the water system will meet fire flow requirements.
45. In place of the second hydrant discussed in condition 42 above, the applicant may use NFPA 13D home sprinkler systems in all structures built on each parcel. Should the applicant choose this option, deed restrictions will be required to be recorded for each parcel prior to parcel map filing.

Surveyor's Office

46. All survey monuments must be set prior to filing the parcel map.
47. The roads serving the development shall be named by filing a completed Road Name Petition with the County Surveyor's Office. Proof of any signage required by the Surveyor's Office must be provided prior to filing the Parcel Map.
48. 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 P08-0023 by (that agency) have been satisfied." The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.
49. Prior to filing the Parcel Map, the applicant shall provide a Parcel Map Guarantee, issued by a title company, showing proof of deeded access to a State or County maintained road as defined in County Code Section 16.44.120(B)(2) for any ingress or egress through any parcel not owned by the applicant.

Air Quality Management District

50. Prior to grading permit issuance, a Fugitive Dust Mitigation Plan (FDP) shall be submitted with appropriate fees to and approved by the Air Quality Management District (AQMD).
51. Burning of vegetative wastes that result from "Land Development Clearing" must be permitted through the District Rule 300 Open Burning. Only vegetative waste materials are permitted to be disposed of using an open outdoor fire.
52. The application of architectural coating shall adhere to District Rule 215 Architectural Coatings.
53. The applicant shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
54. The following measures shall be used to reduce impacts on air quality from equipment exhaust emissions:
 - Use low-emission on-site mobile construction equipment
 - Maintain equipment in tune per manufacturer specifications.
 - Retard diesel engine injection timing by two to four degrees.
 - Use electricity from power poles rather than temporary gasoline or diesel generators.

- Use reformulated low-emission diesel fuel.
- Use catalytic converters on gasoline-powered equipment.
- Substitute electric and gasoline-powered equipment for diesel powered equipment where feasible
- Do not leave inactive construction equipment idling for prolonged periods (i.e., more than two minutes).
- Schedule construction activities and material hauls that affect traffic flow to off-peak hours.
- Configure construction parking to minimize traffic interference.
- Develop a construction traffic management plan that includes, but is not limited to: Providing temporary traffic control during all phases of construction activities to improve traffic flow; Rerouting construction traffic off congested streets; and provide dedicated turn lanes for movements of construction trucks and equipment on and off site.

ATTACHMENT 2 **FINDINGS**

File Number P08-0023 – Verzello Parcel Map Zoning Administrator Hearing, March 18, 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 should be made:

FINDINGS FOR APPROVAL

1.0 CEQA Findings

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

2.0 GENERAL PLAN FINDINGS

- 2.1** As proposed, the project is consistent with the Agricultural Lands-Agricultural District overlay (AL-A) land use designation. The base land use designation describes lands described in Policy 8.1.1.8, which mandates sufficient size to sustain agricultural use. Further, the minimum residential parcel size for lands containing choice agricultural soils within an Agricultural (-A) District shall be 20 acres, or the minimum lot size established by the underlying land use designation, whichever is greater pursuant to Policy 2.2.2.2. B. At a minimum of 20 acres each, the proposed parcels created by this project would be consistent with both the underlying land use designation and the Agricultural District overlay.
- 2.2** The proposal, as conditioned, is consistent with the applicable policies of the General Plan, including: 2.2.5.21 (compatibility with surrounding uses), 5.2.3.5 and 5.3.1.2 (parcel size and services), 5.7.1.1 (fire protection), 6.2.3.2 (emergency access), 7.4.4.4 (oak canopy protection), and 7.5.1.3 (cultural resources study) as the division would be compatible with the base land use designation, adequate access and emergency protection will be provided and the parcels have existing permitted wells and septic systems, no oaks will be removed, nor will any important biological or cultural resources be disturbed as part of the project.
- 2.3** The El Dorado County Agricultural Commission has also found the proposal consistent with all applicable agricultural policies found in the General Plan, including 8.1.3.1 (ten acre minimum parcel), 8.1.3.5 (Agricultural Commission recommendation on use), and 8.1.4.1 (buffers and minimization of agricultural conflicts).

3.0 ZONING FINDINGS

- 3.1 The subject site is zoned Select Agricultural (SA-10) which permits the proposed parcel sizes of 20 to 21 acres each. This zone district allows a minimum parcel size of ten acres.
- 3.2 All existing structures on the subject parcel have been appropriately and legally permitted pursuant to the development standards of Section 17.36.260, and the ranch marketing provisions of 17.14.180 of the *El Dorado County Zoning Ordinance*.

4.0 ADMINISTRATIVE FINDINGS

- 4.1 *That the proposed parcel map is consistent with applicable general and specific plans;*

All necessary improvements have been considered by the reviewing disciplines in order to determine that this tentative parcel map is consistent with the policies of the General Plan, as described on pages 2 through 6 of the staff report.

- 4.2 *The proposal conforms to the County's zoning regulations and Minor Land Division Ordinance;*

The Department of Transportation and the El Dorado County Fire Protection District have reviewed the existing access road and have determined that the proposed improvements would provide adequate access. Further, the project has been conditioned such that adequate public water will be provided to each parcel prior to filing the map and a septic feasibility report has been analyzed to determine that each parcel has the capacity to be developed with permitted on-site septic systems. Finally, the proposed parcels meet the development standards of the SA-10 Zone District.

- 4.3 *The site is physically suitable for the proposed type and density of development;*

While each of the three proposed parcels contains some combination of oak canopy and slope, they are of sufficient size to allow development consistent with the intent of the General Plan and Zoning Ordinance, namely residential agriculture. Potential building sites have been tentatively shown on the parcel map exhibit and no oaks are slated for removal.

- 4.4 *The design of the division or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;*

The required road improvements and parcel development would not result in significant impacts to the environment or wildlife. No riparian features would be affected as a part of the project and no sensitive species would be impacted as determined by the Negative Declaration prepared by staff.