

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



Agenda of: November 18, 2009
Item No.: 4.b.
Staff: Gina Hunter

PARCEL MAP

FILE NUMBER: P07-0017/Herrick

APPLICANT/AGENT: Joseph and Ingrid Herrick

ENGINEER: Lebeck-Young Engineering, Inc.

REQUEST: The application consists of the following requests:

1. Tentative Parcel Map creating two (2) parcels approximately one-acre in size on a 2.1-acre project site.
2. Design Waiver requests to:
 - a. Reduce the Design Improvement Standards Manual (DISM) 101B requirement of a roadway width from 24-feet; without curb, gutter and sidewalk to a 101C roadway standard that would have a roadway width of 18-feet and 1-foot shoulders on each side for an overall roadway width of 20-feet.

LOCATION: On the east side of Boulder Lane, approximately 157 feet south of the intersection with Cold Springs Road, in the Placerville area, Supervisorial District III (Exhibit A).

APN: 323-250-45 (Exhibit B)

ACREAGE: 2.01 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 Tentative Parcel Map Application P07-0017, subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2;
3. Approve the following Design Waiver as modified based on the findings in Attachment 2:

Reduce the Design Improvement Standards Manual (DISM) 101B requirement of a roadway width from 24-feet to a roadway width of 20-feet and 1-foot shoulders on each side for an overall roadway width of 22-feet in accordance with the 2007 CA Fire Code and the El Dorado County Design and Improvements Standards Manual Standard Plan 101B, as further defined below:.

- a. Boulder Lane from the northern boundary line to Cold Springs Road shall be widened to a 20-ft road width with 1-ft shoulders in accordance with the 2007 CA Fire Code and the El Dorado County DISM Standard Plan 101B without curb, gutter, and sidewalk.

STAFF ANALYSIS

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

Background: A Variance permit (V08-0004) was obtained in August 2008 to allow a shed/carport to have reduced rear and side yard setbacks. This structure had been built without permits, and this Variance permit was to legitimize the structure. On May 26, 2008, the existing single family residential structure was damaged by fire. A subsequent Variance permit (V08-0011) was obtained to allow a reduce rear yard setback for the replacement of an approximately 1,744 square-foot single-family residence and 572 square foot attached carport structure matching the roof line of the replaced residential structure. The structure has been rebuilt on the site and would be located on proposed Lot 1.

Project Description: The project request is for a Parcel Map. Discussed below are important project characteristics.

Tentative Parcel Map: Request to create two (2) parcels, one-acre in size, on a 2.1-acre site. The two proposed parcels would be served by public water and septic facilities. The project would be accessed by Boulder Lane, a private road.

Design waiver requests to:

- a. Reduce the Design Improvement Standards Manual (DISM) 101B requirement of a roadway width from 24-feet; without curb, gutter and sidewalk to a 101C roadway standard that would have a roadway width of 18-feet and 1-foot shoulders on each side for an overall roadway width of 20-feet.

Site Description: The project site is situated at an approximate elevation of 1,760 feet above mean sea level. The site slopes from east to west, from the rear of the parcel down toward the driveway encroachment. Existing improvements include a single-family residence (previously damaged by fire and recently reconstructed) gravel driveway access, including a gate, accessory structures include a shed/carport structure, several small agricultural structures, and hardscape and landscape features.

Soils on the site are classified as Boomer gravelly loam, 15-30 percent slopes (BhD). The soil surface runoff is medium and erosion hazard moderate. Soil limitations are severe for septic filter fields due to moderately rapid permeability, shallow soils, and 2-4 foot bedrock, therefore leach limitations exist (a percolation test has been provided for the site).

There is 0.661 acres of existing oak canopy (interior live oak and blue oak) on the project site. Dominant trees in this community are interior live oaks and blue oak.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	R1A	MDR	Developed with single-family residence
North	R1A	MDR	Developed with single-family residence
South	R1A	MDR	Developed with single-family residence
East	R1A	MDR	Developed with single-family residence
West	RE-5	MDR	Developed with single-family residence

Discussion: The project site is surrounded by residential development which consists of one acre and larger parcels. The majority of the parcels in the surrounding area are developed at this time. The project is located within a residential setting and would be consistent with surrounding densities. As such, the project would not create conflicts with the surrounding uses.

Project Issues:

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

Cultural Resources: A Cultural resource inventory report was completed by Historic Resource Associates, dated December 2008, for the project site. The report indicated that there were no significant prehistoric and historic-period cultural resources sites, artifacts, historic buildings, structures or objects found. Standard Conditions of Approval have been included to protect undiscovered sub-surface cultural resources.

Access: Access for the project site would be from Boulder Lane, a private road. In accordance with the Fire District and Department of Transportation DISM, the access road would be required to be improved to a 20-foot road width with 1-foot shoulders on each side in accordance with the 2007 CA Fire Code.

Public Water, Septic System and Fire Access: The project would be served by public water and septic disposal systems. The applicant provided a copy of a Facility Improvement Letter (FIL) dated March 18, 2009 issued by the El Dorado Irrigation District (EID). According to the District's hydraulic model, the existing system can deliver the required fire flow.

The project would be served by septic facilities. A report of percolation test was completed on February 21, 2006 by Wheeldon Geology and was received by the El Dorado County Environmental Management Department, Environmental Health Division. Five (5) holes were tested on the site. Based on the test hole stabilized percolation rate, the site has an average percolation rate of 128 minutes per inch. The Department would require permits to be obtained for the installation of septic facilities prior to issuance of building permits.

The El Dorado County Fire Protection District has determined that the minimum fire flow for this project would be 1,000 gallons per minute (GPM) for a 2-hour duration while maintaining 20-pounds per square inch (psi) residual pressure.

Pursuant to the District the access road must be a minimum road width of 20-feet per the California Fire Code. The road would need to be constructed with an approved all weather surface.

Park Land: This project would be required to pay a Park-in-Lieu fee for the acquisition of parklands.

Very High Wildland Fire Hazard: General Plan Policy 6.2.2.2 requires that *The county shall preclude development in areas of high and very high wildland fire hazard...unless such development can be adequately protected from wildland fire hazards, as demonstrated in a Fire Safe Plan prepared by a Registered Professional Forester (RPF) and approved by the local Fire Protection District and/or California Department of Forestry and Fire Protection.* The subject

parcel is located in the very high wildland fire hazard area. The project has been conditioned by El Dorado County Fire Protection District. A Fire Safe Plan would be required prior to filing the Parcel Map.

General Plan

The policies and issues that affect this project are discussed below:

The project site is located within the Placerville Community Region, and is designated as Medium-Density Residential (MDR) by the General Plan which establishes areas suitable for detached single-family residences with larger lot sizes enabling limited agricultural land management activities. The MDR designation is considered appropriate within Community Regions. Pursuant to General Plan **Policy 2.2.1.2**, the allowable density for the designation is one (1) dwelling unit per one (1.0) acre with parcel sizes ranging from one (1.0) to five (5.0) acres.

Discussion: The proposed two parcels would be in keeping with the General Plan intended development pattern expected in lands designated as MDR and would provide a similar and consistent residential density between existing residential development of similar lot sizes. Therefore, the proposed project would be compatible within the context of the surrounding land uses pursuant to **Policy 2.2.1.2**.

Policy 2.1.1.7 directs that development be limited in some cases until such time as adequate roadways, utilities, and other public service infrastructure becomes available and wildfire hazards are mitigated.

Discussion: Emergency road access would be conditioned to be improved to minimum fire access road standards. The project would be conditioned to meet Fire District fire safe requirements prior to filing the Parcel Map. Power and phone service is available. The project would be served by public water and sewer.

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

Discussion: Surrounding parcels in the immediate vicinity are developed with single-family residences on lot sizes consistent with the one (1) acre or greater parcels proposed. As such, the two (2) new parcels and their residential uses would be consistent with the intended development pattern.

Policy 2.3.2.1 states disturbance of slopes thirty (30) percent or greater shall be discouraged to minimize the visual impacts of grading and vegetation removal.

Discussion: Minimal grading is proposed for the on-site road improvements. Limits of grading for the project's proposed access driveway would be from Boulder Lane. The access driveway would transverse slopes 11 to over 30 percent slopes. The areas exceeding 30 percent slope to be disturbed would be minimal.

Policies 5.1.2.1 and 5.1.2.2 require that prior to approval of any discretionary development a determination of the adequacy of the public services and utilities to be impacted shall be made, and the development shall not result in a reduction of services below minimum established standards.

Discussion: The project area would be served by public water. The El Dorado Irrigation District (EID) has reviewed available services and determined adequate water would be available to service the parcels included in the project area. The minimum fire flow for the project would be 1,500 gallons per minute for a two-hour duration while maintaining a 20-psi residual pressure. EID has determined that the existing system can deliver the required fire flow.

Policy **5.3.1.2** requires “the creation of lots less than five acres in size in Medium-Density Residential areas relying on septic system shall only occur when a public water supply is available for domestic use. If public water is not available, such lots shall not be less than five acres.”

Discussion: The project proposes the use of public water facilities from EID, therefore, the proposed parcel sizes can be less than five (5) acres in size. Also, General Plan Policy **5.3.1.7** states “In Community Regions, all new development shall connect to public wastewater treatment facilities. In Community Regions where public wastewater collection facilities do not exist project applicants must demonstrate that the proposed wastewater disposal system can accommodate the highest possible demand of the project.” Although the project site is located within the Placerville Community Region, public wastewater collection facilities are not immediately available to serve the project. As proposed, the development potential of the newly created parcel could be one (1) single-family residence.

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

Discussion: The project would be required to meet the required minimum fire flow requirements of the El Dorado County Fire Protection District which would be reviewed and approved prior to filing the Parcel Map.

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

Discussion: The project would be served by Boulder Lane. The road would be improved to the El Dorado County Fire Protection District, Cal Fire and Department of Transportation standards. The applicant would be required to prepare a Wildland Fire Safe Plan to be reviewed and approved by El Dorado County Fire Protection District and Cal Fire. The project would be conditioned to ensure that access roads would be constructed capable of accommodating and supporting the imposed load of fire apparatus.

Policy 7.4.4.4 establishes the native oak tree canopy retention and replacement standards. Existing project oak tree canopy coverage is estimated at 32.9 percent. (Arborist Report for Herrick Parcel Map, Philip R. Mosbacher, March 2009) Under General Plan Policy 7.4.4.4, Option A, 85 percent of

the existing canopy must be retained. Future development of the proposed parcels would have the option of complying with either Option A or Option B of Policy 7.4.4.4.

Project Site (acreage)	Oak Canopy Coverage (acreage)	Percentage of Required Retention	Proposed Oak Removal for road & infrastructure (acreage)	Percentage Retention Proposed
2	0.661 acres	85%	0	100%

Discussion: The proposed project would impact oak woodland habitat, which pursuant to **Policy 7.4.4.4** requires retention and replacement of the affected habitat. The project would result in varying degrees of disturbance to oaks and other woodland, depending on the scope of future improvements such as building pads and driveways. The project Arborist Report prepared by Philip R. Mosbacher dated March 3, 2009 states that of the 2-acre project site, healthy oak canopy covers 0.661-acres (32.9 percent). The proposed on-site development design does not require removal of oak canopy from the project site. For a project site of 2-acres and 0.661-acres of oak canopy area to qualify for Option A of **Policy 7.4.4.4**, 85 percent of the existing oak canopy must remain. Under Option A, the project would be required to replace woodland habitat at a 1:1 ratio. Of the existing oak canopy, 100% would remain; therefore an oak tree replacement plan is not required. If it were to be determined in the future that oak trees were to be impacted due to road improvements or lot development, the project site would be subject to the Oak Woodland Management Plan.

Policy TC-4i states within Community Regions and Rural Centers, all development shall include pedestrian/bike paths connecting to adjacent development and to schools, parks, commercial areas and other facilities where feasible. Presently sidewalks do not exist in the project area, nor along any other project vicinity roadways. DOT supports the applicant’s request not to provide pedestrian/bike paths. As discussed in this staff report, DOT supports the Design Waiver request to reduce the Design and Improvement Standards Manual Design Standard 101B requirement to a roadway width of 20-feet and 1-foot shoulders on each side for an overall roadway width of 22-feet and omit curbs, gutters and sidewalks. It is not feasible to require the applicant to provide pedestrian/bike paths.

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

Zoning

All future development for proposed Lot 2 would be required to adhere to the R1A Development Standards. Existing setbacks for structures on proposed Lot 1 have been provided on the Tentative Parcel Map (Exhibit E).

Discussion: As proposed the project would be consistent with the R1A zone district requirements. Findings of Consistency with the Zoning Ordinance are provided in Attachment 2.

Design Waivers

A Design Waiver has been requested for the project.

- a. Reduce the Design Improvement Standards Manual (DISM) 101B requirement of a roadway width from 24-feet; without curb, gutter and sidewalk to a 101C roadway standard that would have a roadway width of 18-feet and 1-foot shoulders on each side for an overall roadway width of 20-feet.

Discussion: The Design Waiver request to reduce the roadway width and omit curbs, gutters and sidewalks along the proposed on-site roadway is due to the level of development on surrounding properties. At present sidewalks do not exist in project area nor along any other project vicinity roadways. The proposed on-site roadway would have low traffic volume, serving 10 residential parcels upon approval of the Parcel Map. Requiring sidewalks, curbs, and gutters are not warranted due to the low projected traffic volume and low project density.

The Department of Transportation has reviewed the Design Waiver request and has recommended approval of the Design Waiver as modified as follows:

- b. Reduce the Design Improvement Standards Manual (DISM) 101B requirement of a roadway width from 24-feet to a roadway width of 20-feet and 1-foot shoulders on each side for an overall roadway width of 22-feet in accordance with the 2007 CA Fire Code and the El Dorado County Design and Improvements Standards Manual Standard Plan 101B, as further defined below:
 1. Boulder Lane from the northern boundary line to Cold Springs Road shall be widened to a 20-ft road width with 1-ft shoulders in accordance with the 2007 CA Fire Code and the El Dorado County DISM Standard Plan 101B without curb, gutter, and sidewalk.

Conclusion: Planning Staff recommends approval of the Design Waivers based on the recommendations of the Department of Transportation. Findings are contained within Attachment 2.

Agency and Public Comments: Appropriate conditions from each reviewing agency are included in Attachment 2. The following agencies provided comments and/or conditions for this project:

- El Dorado County Department of Transportation
- El Dorado County Environmental Management Department
- El Dorado County Air Quality Management District
- El Dorado County Resource Conservation District
- El Dorado County Transit Authority
- Office of the County Surveyor
- El Dorado County Fire Protection District

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (see Exhibit I) to assess project-related environmental impacts. Based on the Initial Study, it has been determined that there is no substantial evidence that the proposed project would have a significant effect on the environment. Therefore, a Negative Declaration has been prepared.

NOTE: This project is located within an area that has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened or 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 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 issued to defray the cost of managing and protecting the states fish and wildlife resources.

SUPPORT INFORMATION

Attachments:

- Attachment 1 Conditions of Approval
- Attachment 2 Findings

- Exhibit A Location Map
- Exhibit B Assessor's Parcel Map
- Exhibit C General Plan Land Use Map
- Exhibit D Zoning Map
- Exhibit E Tentative Parcel Map
- Exhibit F Slope Map
- Exhibit G Oak Canopy Exhibit
- Exhibit H Aerial Photo
- Exhibit I Environmental Checklist
- Exhibit J Facility Improvement Letter (FIL)

ATTACHMENT 1
CONDITIONS OF APPROVAL
Parcel Map P07-0017/Herrick Parcel Map

1. Project Description:

This Tentative Parcel Map is based upon and limited to compliance with the project description, staff report, hearing Exhibits A-J, and Conditions of Approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

The project description is as follows:

Tentative Parcel Map to create two parcels, one-acre in size, on a two-acre site. The two proposed parcels shall be served by public water and septic facilities. The project shall utilize Boulder Lane, a private road, as the primary access.

Lot 1: Shall be 1.01 acres in size and shall be developed with an existing single family residence, carport, and accessory structures, with setbacks varying from the R1A standards as determined by Variance Permit V08-0011.

Lot 2: Shall be 1.0 acres in size and shall be developed in compliance with the R1A standards.

Design Waiver to road standards shall include the following:

Reduce the Design Improvement Standards Manual (DISM) 101B requirement of a roadway width from 24-feet to a roadway width of 20-feet and 1-foot shoulders on each side for an overall roadway width of 22-feet in accordance with the 2007 CA Fire Code and the El Dorado County Design and Improvements Standards Manual Standard Plan 101B, as further defined below:.

- a. Boulder Lane from the northern boundary line to Cold Springs Road shall be widened to a 20-ft road width with 1-ft shoulders in accordance with the 2007 CA Fire Code and the El Dorado County DISM Standard Plan 101B without curb, gutter, and sidewalk.

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.

Planning Services

2. **Archeological Resources:** In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission.
3. **Park-in-Lieu Fees:** The applicant shall be required to pay a Park-in-Lieu fee of \$150.00 payable to El Dorado County, pursuant do El Dorado County Subdivision Ordinance Chapter 16.12.090. Check shall be submitted to the office of the Development Services Department. A receipt showing compliance with this condition shall be submitted by the applicant to the Planning Services prior to filing of the Parcel Map.
4. **Development Services Processing Fees:** The applicant shall make the actual and full payment of all Development Services processing fees for the Tentative Parcel Map application prior to filing the Parcel Map.
5. **Meter Award Letter:** A meter award letter or similar document shall be provided to Planning Services prior to filing the Parcel Map.
6. **Permit Time Limits:** This Tentative Parcel Map shall expire within 36 months from the date of approval unless a timely extension has been filed.
7. **Fish and Game Fee:** 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 final map filed until said fees are paid.
8. **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 weekends and holidays.
9. **Oak Woodland:** Any future El Dorado County native oak tree canopy removed for residential development shall be mitigated as specified in the Oak Woodland Management Plan, adopted by the Board of Supervisors on May 6, 2008, as amended.
10. **Fire Safe Plan:** A Fire Safe Management Plan, acceptable to the El Dorado County Fire Protection District and the California Department of Forestry, shall be prepared and

implemented. A letter of compliance with this condition shall be submitted by the appropriate agency to Planning Services prior to filing the Parcel Map.

11. **Hold Harmless:** 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 Parcel Map, 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.

El Dorado County Department of Transportation

12. **Road Design Standards:** The applicant shall improve Boulder Lane, from the northern boundary line to Cold Springs Road to a 20-ft road width with 1-ft shoulders in accordance with the 2007 CA Fire Code and the El Dorado County DISM Standard Plan 101B without curb, gutter, and sidewalk. The improvements shall be substantially completed, to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the Parcel Map.
13. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct a roadway encroachment from Boulder Lane onto Cold Springs Road to the provisions of the El Dorado County DISM Standard Plan 103C, prior to the filing of the Parcel Map.
14. **Offer of Dedication:** The applicant shall irrevocably offer to dedicate a 25 foot wide on-site road and public utility easement for the on-site portion of Boulder Lane, prior to the filing of the Parcel Map. This offer will be rejected by the County.
15. **Maintenance Entity:** The applicant shall form and/or verify the existence of an entity, to the satisfaction of DOT, for maintenance of all on-site roadway and drainage facilities, prior to the filing of the Parcel Map.
16. **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.

17. **Off-site Acquisition:** As specified in the Conditions of Approval, the subdivider is required to perform off-site improvements. If it is determined that the subdivider 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 subdivider's expense and within 120 days of filing the Final Map, acquire by negotiation or commencement 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 Final Map or Parcel Map, the subdivider shall submit the following to the Department of Transportation Right of Way Agent, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20% contingency:
- a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
 - b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
 - c. An appraisal prepared by a professional appraiser of the cost of land necessary to complete the off-site improvements.
18. **Parcel Map Improvement Agreement and Security:** The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Subdivision Ordinance, prior to the filing of the Parcel Map.
19. **Grading Permit/Plan:** If site improvements are to be made, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. 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.
20. **NPDES Permit:** This project disturbs more than one acre of land area (43,560 square feet). At the time that an application is submitted for improvement plans or a grading permit, the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the State of California. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the SWRCB, with a duplicate copy submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.

21. **Soils Report:** The applicant shall provide a soils report at time of improvement plan or grading permit application addressing, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
22. **Import/Export Grading Permit:** Any import, or export to be deposited within El Dorado County, shall require an additional grading permit for that offsite grading.
23. **Drainage Report:** 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.
24. **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 approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.
25. **TIM Fees:** The applicant shall pay the traffic impact fees in effect at the time a building permit application is deemed complete.

El Dorado County Fire Protection District

26. **Fees:** Prior to filing the Parcel Map, the applicant shall submit a review fee of \$120.00 to the Fire District.

El Dorado County Surveyor's Office

27. **Survey Monuments:** All survey monuments shall be set prior to filing the Parcel Map.
28. **Conditions of Approval:** Prior to filing the Parcel Map, a letter shall be required from all agencies that have placed conditions on the map. The letter shall state that "all conditions placed on P07-0017 by (that agency) have been satisfied." The letter is to be sent to the County Surveyor's and copied to the consultant and the applicant.
29. **Parcel Map Guarantee:** Prior to filing the Parcel Map, the applicant shall provide a Parcel Map Guarantee, issued by title company, showing proof of access to a State or County Maintained Road as defined in 16.44.120(B)(2) with the legal right to improve that access as required by the County Design Manual.

Air Quality Management District

30. **District Rule 223-1:** The applicant shall adhere to all district rules during project construction, as specified by the District prior to issuance of any permits associated with the project.
31. **Fugitive Dust Plan:** The applicant shall submit and pay appropriate fees for a Fugitive Dust Mitigation Plan. The District shall review and approve the Plan prior to issuance of a grading permit.

ATTACHMENT 2 FINDINGS FOR APPROVAL

**File Number P07-0017/Herrick
Zoning Administrator, November 18, 2009**

1.0 CEQA Findings

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667

2.0 GENERAL PLAN FINDINGS

- 2.1 As proposed, the project is consistent with the Medium-Density Residential (MDR) land use designation as defined within General Plan Policy 2.2.1.2 because the MDR land use designation permits residential uses on parcel sizes that range from 1.00 to 5.00 acres.
- 2.2 The proposal is consistent with General Plan policies, including 2.2.5.21 (land use compatibility), 5.3.1.2 (septic systems in MDR on parcels less than 5-acres), 5.3.1.7 (public wastewater facilities in Community Regions), 5.7.1.1 (emergency water supply), 6.2.2.2 (high wildland fire hazards), 6.2.3.2 (fire safe access). It has been determined that the project is consistent with the General Plan because the project provides adequate access, emergency water supply, connection to public water, complies with lot configuration standards and provides for septic disposal facilities. General Plan Transportation and Circulation Policy TC-4i seeks the inclusion of pedestrian/bike paths connecting to adjacent development and to schools, parks, commercial areas and other facilities in Community Regions where feasible. Application of Policy TC-4i has been determined to be infeasible based on the application submittal materials and the analysis presented in the staff report.

3.0 ZONING FINDINGS

- 3.1 The subject site is zoned One-Acre Residential (R1A) which permits the proposed parcel sizes of 1.0 to 1.01 acres under Section 17.28.080(A).

- 3.2 Lot 2, as proposed and conditioned, is consistent with the El Dorado County Zoning Ordinance Development Standards because the proposed lot will meet the development standards of the R1A zone district pursuant to Section 17.28.080 for minimum lot areas and lot widths. Yard setbacks will be complied with for future residential development.
- 3.3 The existing residential use on Lot 1 is permitted by right under Section 17.28.060(A). As proposed, the project meets all applicable development standards contained within Section 17.28.080 of the *El Dorado County Zoning Ordinance*, and as approved by Variance Permit V08-0011.

4.0 ADMINISTRATIVE FINDINGS

4.1 Parcel Map

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

5.0 DESIGN WAIVER APPROVAL FINDINGS

- 5.1 Reduce the Design Improvement Standards Manual (DISM) 101B requirement of a roadway width from 24-feet to a roadway width of 20-feet and 1-foot shoulders on each side for an overall roadway width of 22-feet in accordance with the 2007 CA Fire Code and the El Dorado County Design and Improvements Standards Manual Standard Plan 101B.

- 5.1.1 *There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.* The Department of Transportation reviewed the requested Design Waiver and supports the request in order to minimize oak tree canopy removal and grading in the semi-rural setting while providing sufficient road access to the project site
- 5.1.2 *Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.* Strict application of the design and improvement requirements will require additional grading and oak tree canopy removal. Narrower road widths will help to minimize cuts and fills reducing the overall project impact on oak tree canopy.
- 5.1.3 *The adjustment or waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.* The waiver will not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public as the reduced road width will meet minimum Fire District requirements for a fire apparatus access road. A reduced road width will minimize environmental impacts to existing oak canopy and minimize visual impacts.
- 5.1.4 *The waivers would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.* The requested design waiver will not hinder the County's implementation of the Subdivision Map Act as outlined in Article II of Chapter 16 of County Code or any of the other applicable ordinances discussed within the staff report.