

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



Agenda of:	August 21, 2013
Item No.:	4.a.
Staff:	Gina Paolini

TENTATIVE PARCEL MAP

FILE NUMBER: P12-0001/Vista Cielo Parcel Map

APPLICANT: Tammy Garrett

ENGINEER: Dallas Sweeney

REQUEST: Tentative Parcel Map creating four parcels each being 10 acres in size.

LOCATION: The property is on the west side of Deer Valley Road north of the intersection with Kanaka Valley Road in the Rescue area, Supervisorial District 4. (Exhibit A)

APN: 102-010-72 (Exhibit B)

ACREAGE: 40 acres

GENERAL PLAN: Rural Residential (RR) (Exhibit C)

ZONING: Estate Residential (RE-10) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

RECOMMENDATION: Staff recommends the Zoning Administrator take the following actions:

1. Adopt the Mitigated Negative Declaration, based on the Initial Study prepared by staff;
2. Approve Tentative Parcel Map P12-0001, subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2

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

Project and Site Description:

Request for a Tentative Parcel Map to create four parcels from a 40-acre site (Exhibit E). The elevation of the project parcel ranges from approximately 1,250 to 1,400-feet above sea level. In 2003, a fire burned the site. The chaparral habitat is regenerating, with chamise as the dominant shrub. The site contains remains of a contemporary cinder block residential home.

Project Discussion:

Staff has analyzed the project in detail and has provided Conditions of Approval based on agency comments. Discussion items for this project include traffic/circulation, Special Status Species, Code Compliance, Oak Woodland Habitat and noise.

Traffic/Circulation: All parcels would have direct driveway access from Kanaka Valley and Deer Valley Roads. Vista Cielo Road which is on the project site would not be utilized for access for any of the newly created parcels. Compliance with the Wildland Fire Safe Plan, as amended would be required.

Encroachment Permit No. 199670 was issued on August 11, 2011 for access to Parcel No. 1 from Kanaka Valley Road. This encroachment open permit would need to be finalized in accordance with County Design and Improvements Standards Manual (DISM) Standard Plan 103 B-1 (Condition No. 16) prior to filing the Parcel Map.

Special Status Species: A Biological Resource Study and Important Habitat Mitigation Program was prepared for the project site. One of the Pine Hill endemic plant species, the Mule's ears (*Wyethia*) were detected in the very southernmost portion of the project site, but were not in blooming condition and could not be identified to species. Two rare plant species were observed, Brewer's red maids (*Calandrinia breweri*) and Jepson's woolly sunflower (*Eriophyllum jepsonii*). These two species do not have federal or state protected status, but CNPS ranks them as 4.2 and 4.3, which are species of limited distribution that are on the watch list and may become endangered in the future.

The biologist has indicated that special-status plants have the potential to establish (re-emerge) on the project site between the time of the latest botanical survey and the beginning of construction. Construction activities have the potential to directly or indirectly impact special-status plant species, which in the Initial Study has been identified as a potentially significant impact. As a project mitigation measure, the applicant would be required to conduct a special-status species pre-construction survey (MM-BIO-1).

The project area contains suitable nesting habitat for various bird species because of the presence of trees, poles, and riparian canopy. If construction activities are conducted during the nesting season, nesting birds could be directly impacted by removal of trees or utility poles, and indirectly impacted by noise, vibration, and other construction-related disturbance. The Initial Study has identified construction activities to be a potentially significant impact unless mitigated. As a project mitigation measure, the applicant would be required to conduct a pre-construction survey during the nesting season (MM-BIO-2).

Oak Woodland: The tree canopy analysis prepared for the project determined oak canopy to be

253,900 square feet or 15 percent of the project site, with 479 trees identified greater than or equal to 6 inches (DBH). The El Dorado County 2004 General Plan requires 90 percent retention of existing canopy cover for parcels over one acre having 1-9 percent oak canopy cover. The analysis considered development of building footprints and septic areas. The analysis states that 2,550 square feet (0.06 acres) of the calculated oak canopy would be removed for project development (excluding roadways and driveways). Although the arborist has not analyzed the location for roadways or driveways to the proposed parcels, it is expected that future oak woodland removal would not exceed 90 percent. The project would be subject to General Plan Policy 7.4.4.4 during the grading and building permit processes.

Code Compliance: On September 1, 2002, the Hickock Wildland Fire damaged the site. On March 22, 2006, the Code Enforcement Unit inspected the property and declared an existing structure damaged in the fire to be a hazard, dangerous and a public nuisance (Case No. 152074). The applicant was directed to immediately secure the structure to prevent entry or install either a fence or plywood at the windows and doors in accordance with the County board-up policy. Subsequently, Building Permit No. 179762 was issued on March 15, 2007 to convert the residence to a storage building and connect the structure to electrical service. An inspection for permanent power was conducted on April 9, 2007. No other inspections occurred and the permit expired. A storage structure cannot be the primary structure on a residential property; therefore, the building permit cannot be renewed. The project has been conditioned to require that the building be secured in accordance with the County board-up policy until a dwelling is constructed at the property (Condition No. 13).

Code Compliance Case No. 180596 was opened April 26, 2007 for grading without a permit. Upon inspection, staff indicated that dead trees were being removed from the northern section of the site, there was no code violation. The code case was closed. Staff has determined that no mitigation would be required for the previously removed trees.

Noise: The project is located across the street from a private un-permitted landing field which is located at 1661 Kanaka Valley Road. The single landing field was established without permits in 1970. Information is unavailable regarding the number of flights that originate or land at the site. The property is established with a single family home. There is no complaint record on file with the County, other than what was on file with the Department in 1970. Noise associated with flight activity would be expected to be minimal.

The project may generate ground borne vibration or shaking events during project construction. These potential impacts would be limited to project construction. Adherence to the time limitations of construction activities to 7:00 am to 7:00 pm Monday through Friday and 8:00 am to 5:00 pm on weekends and federally recognized holidays would limit the ground shaking effects in the project area. These project construction hours would be implemented at time of construction of any development project.

Zoning: The parcel is zoned Estate Residential (RE-10). The project has been analyzed in accordance with County Code Section 17.70.110 (Development Standards). Compliance with setbacks, building coverage and building height would be reviewed at time of building permit application submittal.

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 Transportation Division
- El Dorado County Environmental Management Division
- El Dorado County Air Quality Management District
- Office of the County Surveyor
- Cal Fire
- Rescue Fire Protection District

ENVIRONMENTAL REVIEW: Staff has prepared an Initial Study, (Environmental Checklist Form and Discussion of Impacts, included in the attached as Exhibit F). Based on the Initial Study, conditions have been added to the project to avoid or mitigate to a point of insignificance the potentially significant effects of the project. Staff has determined that there is no substantial evidence that the proposed project, as conditioned, would have a significant effect on the environment, and a Mitigated 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.). In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$2,156.25 after approval, but prior to the County filing the Notice of Determination on the project. This fee, plus a \$50.00 administration fee, is to be submitted to Development Services and must be made payable to El Dorado County. The \$2,156.25 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 1Conditions of Approval
- Attachment 2Findings of Approval

- Exhibit ALocation Map
- Exhibit BAssessors Map
- Exhibit CGeneral Plan Land Use Map
- Exhibit DZoning Map
- Exhibit ETentative Parcel Map
- Exhibit FProposed Mitigated Negative Declaration and Initial Study

ATTACHMENT 1

CONDITIONS OF APPROVAL

**P12-0001/Vista Cielo Parcel Map
August 21, 2013 Zoning Administrator Hearing**

1. This Tentative Parcel Map is based upon and limited to compliance with the project description, the hearing exhibits marked,

Exhibit ETentative Parcel Map

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 would constitute a violation of permit approval.

The project description is as follows:

The project allows the creation of four parcels from a 40-acre site identified by Assessor’s Parcel Number 102-010-72. All parcels shall be served by individual wells and septic systems. The approval includes the following:

Parcel Number	Gross Area	Improvements
1	10 acres	Unimproved land.
2	10 acres	Remains of cinder block residential home
3	10 acres	Partially improved road easement and entry gate
4	10 acres	Unimproved land

The development, use, and maintenance of the property, the size, shape 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.

Conditions of Approval from the Mitigated Negative Declaration

The following mitigation measures are required as a means to reduce potential significant environmental effects to a level of insignificance

2. **Special-status Species Pre-Construction Survey Required:** The applicant shall record a Notice of Restriction (NOR) prior to filing the map which shall state that preconstruction surveys for special-status species within the study area shall be performed by a qualified biologist to avoid any adverse effects to special status species prior to issuance of any grading permit on the project site. If special-status animal or plant species are detected, the appropriate agency (USFWS or CDFG) shall be contacted and mitigation measures shall be implemented (MM-BIO 1).

Timing/Implementation: *The applicant shall perform a pre-construction survey and obtain all necessary permits prior to initiation of construction activities. Development Services shall review the survey prior to issuance of a grading permit.*

3. **Pre-construction Survey Required:** The applicant shall record a Notice of Restriction (NOR) prior to filing the map which shall state if construction activities will occur during the nesting season (typically March to September), preconstruction surveys for the presence of special-status bird species or any nesting bird species should be conducted by a qualified biologist within 500 feet of proposed construction areas. If active nests are identified in these areas, CDFG should be consulted to develop measures to avoid “take” of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site (MM- BIO-2).

Timing/Implementation: *The applicant shall conduct all construction activities outside the nesting season or perform a pre-construction survey and obtain all necessary permits prior to initiation of construction activities. This requirement shall be placed on the grading plans. Development Services shall review the surveys prior to issuance of a grading permit.*

Development Services Division

4. **Payment of Processing Fees-Development Services:** The applicant shall make the actual and full payment of Planning and Building Services processing fees for the Parcel Map and Building Permits prior to filing the Parcel Map.
5. **Archeological Resources:** The applicant shall record a Notice of Restriction (NOR) prior to filing the map which shall require the following to be incorporated as a note on all grading/improvement plans:

In the event archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a “unique archeological resource”, contingency funding and a time allotment sufficient to allow recovering an archeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archeological mitigation takes place.

If the find is determined to be a “unique archeological resource”, the archaeologist shall determine the proper method(s) for handling the resource or item in accordance with Section 21083.2(b-k). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken or the site is determined a “nonunique archeological resource”.

Development Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit

6. **Human Remains:** The applicant shall record a Notice of Restriction (NOR) prior to filing the map which shall require the following to be incorporated as a note on all grading/improvement plans:

In the event of the discovery of human remains, all work shall cease and the County coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

Development Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit

7. **Permit Time Limits:** This Tentative Parcel Map shall expire within 36 months from the date of approval unless a timely extension has been filed.
8. **Park In-Lieu Fee:** 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 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 shall pay the determined park fee, pursuant to Section 16.12.090 of the El Dorado County Subdivisions Ordinance, and shall submit the receipt to Planning Services prior to filing the Parcel Map.
9. **Compliance with Conditions:** Prior to filing the Parcel Map or issuance of any building permit authorized by this permit, the applicant shall provide a written description,

together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. Planning Services shall verify compliance prior to filing the Parcel Map.

The applicant shall also schedule an inspection by Planning Services prior to issuance of a building permit for verification of compliance with applicable Conditions of Approval.

10. **Fish and Game Fee:** The applicant shall submit to Planning Services a \$50.00 recording fee and a \$2,156.25 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.
11. **Indemnity:** 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.

The developer and land owner 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.

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

El Dorado County- Building Services

12. **Vista Cielo Gate:** The applicant shall obtain a building permit for the gate at Vista Cielo prior to filing the Parcel Map.
13. **Securing of Burned Building:** The property owner shall secure the burned building in accordance with the County board-up policy and demonstrate compliance to Development Services prior to filing the Parcel Map.

El Dorado County- Transportation Division

14. **Offer of Dedication (In Fee), Deer Valley Road and Kanaka Valley Road:** The applicant shall irrevocably offer to dedicate a total of 30 feet of right-of-way as measured from the centerline along Deer Valley Road and Kanaka Valley Road, in fee, with the filing of Parcel Map. Only the portion of the right-or-way that is on-site needs to be dedicated. The offer shall be accepted by the County.
15. **Encroachment Permit Kanaka Valley Road:** The applicant shall finalize the open encroachment permit, number 199670, from the onsite roadway onto Kanaka Valley Road in accordance to the County of El Dorado Design and Improvements Standards Manual (DISM) Standard Plan 103 B-1, prior to filing of the map.

16. **Vehicular Access Restriction:** Prior to filing of the map, the applicant shall record a vehicular access restriction along the entire frontage of the driveway, excluding the locations of the approved access encroachment. The improvements shall be completed to the satisfaction of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the Parcel Map.
17. **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 Transportation Division prior to the filing of the 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.
18. **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.
19. **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.
20. **DISM Consistency:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (as may be modified by these Conditions of Approval or by approved Design Waivers) from Transportation, and pay all applicable fees prior to filing of the final map
21. **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.
22. **Grading Permit / Plan:** If more than 250 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 Transportation Division 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.
23. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Transportation Division. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Transportation Division 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.

24. **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 Transportation Division. The Transportation Division shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
25. **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 Transportation Division. 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.
26. **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 Transportation Division.

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:

- a. The site can be adequately drained;
- b. The development of the site will not cause problems to nearby properties, particularly downstream sites;
- c. 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.
- d. 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. A Scoping Meeting for the required drainage study between County staff and the engineer shall occur prior to the first submittal of improvement plans. The engineer shall bring a watershed map and any other existing drainage system information to the Scoping Meeting. The improvements shall

be completed to the approval of the Transportation Division prior to the filing of the final map or the applicant shall obtain an approved improvement agreement with security.

27. **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 final map.
28. **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.
29. **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.
30. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.

County of El Dorado Office of County Surveyor

31. **Survey Monuments:** All survey monuments shall be set prior to filing the Parcel Map.
32. **Easements:** All easements shall be abandoned or delineated on the Final Map.
33. **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 place on P12-0001 by (that agency) have been satisfied.” The letter shall be sent to the County Surveyor and copied to the Consultant and the Applicant.

El Dorado County Environmental Management Division

34. **Water:** The applicant shall provide a reliable water source for all proposed parcels that meets the requirements of EDC Policy #800-02. A shared well system shall be prohibited for proof of water for the creation of new lots. Where feasible, wells supplying water for domestic residential use should be located on the parcel being served. Wells serving residential parcels may be located on other residential parcels or on designated open space lots within the subdivision, provided that such well and pipeline improvements are located within a designated easement appurtenant to the parcel being served by the well. Easements for well and pipeline improvements on servient parcels shall be shown on all Final Maps prior to approval and filing.

Rescue Fire Protection District

35. **Fire Safe Plan:** A Notice of Restriction shall be filed with the Parcel Map which stipulates that a Wildfire Fire Safe Plan has been prepared and wildfire mitigation measures shall be implemented.
36. **Fire Safe Regulations:** The project shall meet the requirements of the California SRA Fire Safe Regulations, the California Fire Code 2007 Edition for access and water supply. The District shall verify compliance with this requirement prior to issuance of a building permit.

Air Quality Management District

37. **Fugitive Dust Mitigation Plan:** The applicant shall make applications and pay the appropriate fees for a Fugitive Dust Mitigation Plan. The District shall review and approve the plan prior to commencement of any construction.
38. **District Rules:** The applicant shall comply with all District air quality rules during project construction.

ATTACHMENT 2

FINDINGS

P12-0001/Vista Cielo Parcel Map August 21, 2013 Zoning Administrator Hearing

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 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 The project is consistent with General Plan Policy 2.2.5.21

General Plan Policy 2.2.5.21 requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses. The project site is surrounded by both existing and proposed residential land uses, which would be compatible with the proposed development.

2.2 The project is consistent with General Plan Policies 5.2.1.2

General Plan Policy 5.2.1.2 requires that adequate quantity and quality of water for all uses, including fire protection be provided with proposed development. All lots within the project will have a well approved by the El Dorado County Environmental Management Department. The individual wells will provide domestic water and provide water for fire protection. Residential fire sprinklers will be required for each home. All houses will have their own water tank for its domestic water, fire protection and fire sprinklers. Water tanks will be a minimum of 4,250 gallons. The actual tank size will be determined once fire spinkler systems are designed for each specific residence. All fire sprinklers will meet NPFA 13-D standards and be approved by the Rescue Fire Protection District.

2.3 The project is consistent with General Plan Policy 5.2.3.4

General Plan Policy 5.2.3.4 requires all applications for divisions of land which rely on groundwater for domestic use demonstrate that groundwater is adequate as part of the review and approval process. Water wells are required to be constructed to the standards specified in "Water Well Standards", State of California, Department of Water Resources, Bulletin 74-81 (and supplements); and must be capable of providing to each connection a minimum of five (5) gallons per minute, either from the well itself or a combination of well and storage, at a minimum of fifteen (15) pounds per square inch pressure. One water well has been constructed at the site to domestic supply well specifications. The well was pump-tested to verify production over a 4-hour period. The reported constant water level pumping rate at the end of the 4-hour pumping period was 20 gallons per minute. The property owner would be required to demonstrate to the satisfaction of the Environmental Management Division that a safe and reliable water source will be provide to each parcel prior to filing the Parcel Map and therefore, would be consistent with the General Plan.

2.4 The project is consistent with General Plan Policy 5.7.1.1

General Plan Policy 5.7.1.1 requires the applicant demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection be provided concurrent with development. The Rescue Fire Protection District would provide fire protection service to the project site. A Fire Safe Plan has been prepared for the project, which requires water storage, fire hydrant placement, and fire sprinklers to ensure adequate fire protection infrastructure.

2.5 The project is consistent with General Plan Policy 6.2.3.2

General Plan Policy 6.2.3.2 directs the applicant to demonstrate that adequate access exists, or can be provided for emergency vehicles and private vehicles to access and evacuate the area. The project would comply with the Fire District minimum Fire Safe standards for access driveway and turnaround capacity at time of site construction. The project would be in compliance with this policy.

2.6 The project is consistent with General Plan Policy 7.4.4.4

General Plan Policy 7.4.4.4 requires the applicant to demonstrate that adequate development area exists on each of the proposed parcels where a single family dwelling and related improvements could be built without the removal of oak trees or without project mitigation. The tree canopy analysis prepared for the project determined oak canopy to be 253,900 square feet or 15 percent of the project site, with 479 trees identified greater than or equal to 6 inches (DBH). Policy 7.4.4.4 requires 90 percent retention of existing canopy cover for parcels over one acre having 1-9 percent oak canopy cover. The analysis considered development of building footprints and septic areas; however, it did not analyze road or driveway construction. The analysis states that 2,550 square feet (0.06 acres) of the calculated oak canopy would be removed for project

development (excluding roadways and driveways). Although the arborist has not analyzed the location for roadways or driveways to the proposed parcels, it is expected that future oak woodland removal would not exceed 90 percent. The project would be required to comply with General Plan Policy 7.4.4.4 during the grading and building permit processes.

3.0 Zoning Findings

3.1 The proposed use is consistent with Title 17

The project, as proposed and conditioned is consistent with the Zoning Ordinance because the parcels have been designed to comply with the Estate Residential (RE-10) development standards as provided within Section 17.70.110 of the County Code.

4.0 PARCEL MAP FINDINGS

4.1 The proposed tentative map, including design and improvements, is consistent with the General Plan

The proposed Parcel Map is consistent with the General Plan as set forth in Findings 2.0.

4.2 The proposed Parcel Map conforms to the applicable standards and requirements of the County's zoning regulations and Minor Land Division Ordinance

The parcels have been analyzed in accordance with Section 17.70.110 of the County Code (Development Standards) and would comply with the required minimum lot area and minimum lot width requirements. As proposed and conditioned, the Parcel Map conforms to the development standards within the RE-10 zone district and the Minor Land Division Ordinance.

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

The proposed development meets the density and minimum parcel sizes allowed in the Rural Residential land use designation and conforms to the minimum parcel size and development standards of the RE-10 zone district.

4.4 The proposed subdivision is not likely to cause substantial environmental damage

The project impacts have been analyzed in the Mitigated Negative Declaration and applicable mitigation measures have been applied to reduce potential impacts and the project would not cause substantial environmental damage.