

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



Agenda of: February 18, 2015
Item No.: 4.a.
Staff: Joe Prutch

TENTATIVE PARCEL MAP

FILE NUMBER: P14-0001/Oak Trails Parcel Map

APPLICANT: The Olympus Group, Inc. (Rich Francis)

ENGINEER: The Olympus Group, Inc.

REQUEST:

1. Tentative Parcel Map to create a gated subdivision of four single family residential lots measuring 10.01, 10.27, 10.55, and 11.37 acres; and
2. Design Waivers of El Dorado County Design and Improvement Standards Manual (DISM) for the following:
 - a. Maximum dead-end street length of 2,640 feet per Volume III, Section 3.12 to be modified to measure approximately 3,600 feet in length;
 - b. Roadway width minimum of 18 feet per Standard Plan 101C to be reduced to twelve feet for the portion of the roadway traversing Lot 4 after the turn-around; and
 - c. Minimum right-of-way requirement of 50 feet per Standard Plan 101C to be reduced to 30 feet for the portion of the roadway traversing Lot 4 after the turn-around.

LOCATION: The property is on the east side of Deer Valley Road, approximately 2 miles north of the intersection with Green Valley Road in the Rescue area. Supervisorial District 4. (Exhibit A)

APN: 102-200-56 (Exhibit B)

ACREAGE: 42.26 acres

GENERAL PLAN: Low Density Residential (LDR) (Exhibit C)

ZONING: Estate Residential Five-Acre (RE-5) (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 P14-0001, subject to the Conditions of Approval and based on the Findings as presented; and
3. Approve the following Design Waivers of El Dorado County Design and Improvement Standards Manual (DISM) based on the Findings presented:
 - a. Maximum dead-end street length of 2,640 feet per Volume III, Section 3.12 to be modified to measure approximately 3,600 feet in length;
 - b. Roadway width minimum of 18 feet per Standard Plan 101C to be reduced to twelve feet for the portion of the roadway traversing Lot 4 after the turn-around; and
 - c. Minimum right-of-way requirement of 50 feet per Standard Plan 101C to be reduced to 30 feet for the portion of the roadway traversing Lot 4 after the turn-around.

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 42.26 acre site (Exhibit E). The elevation of the project parcel ranges from approximately 1,095 to 1,325 feet above sea level. The site is mostly hilly with Sweetwater Creek running through the property from northeast to southwest. The site contains a residential home at the east property line that will remain on proposed Lot 4. A 100 foot wide power line easement traverses the southeast corner of the property but does not impact any proposed development. There is a 10 to 12 foot wide road from Deer Valley Road that is mostly compacted dirt and gravel with approximately 200 feet of paving leading up to the residence. The site is covered with various oaks and grasses.

Request for design waivers to allow for the following: 1) an access road from Deer Valley Road through the project site to be approximately 3,600 feet; 2) a roadway width reduced to 12 feet for the portion of the roadway traversing Lot 4 after the turn-around; and 3) a right-of-way width of 30 feet for the portion of the roadway traversing Lot 4 after the turn-around.

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, Wetlands, and Oak Woodland Habitat.

Traffic/Circulation: The proposed project does not trigger the general plan requirement for a traffic study and, therefore, a traffic study is not required. All four parcels would be accessed by an improved access road from Deer Valley Road, a county maintained road. The existing access road would need to be improved to a minimum 20 foot road width with one foot shoulders on each side, as conditioned by the Transportation Division.

An access gate would be provided for the residents of the four parcels over the access road approximately 50 feet back from Deer Valley Road. The gate and any necessary turnouts required by the Rescue Fire Protection District would be constructed to Fire Code standards, as conditioned.

Design Waivers: Design Waiver has been requested as a means to deviate from specific Design and Improvement Standards Manual (DISM) standards. Section 120.08.020 of the El Dorado County Major Land Divisions Ordinance provides that the County may grant a Design Waiver upon a finding that each of the following factors exist:

- A. *There are special conditions or circumstances peculiar to the property proposed to be subdivided which would justify the waiver.*
- B. *Strict application of the design or improvement requirements of this chapter would cause extraordinary and unnecessary hardship in developing the property.*
- C. *The waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience, and welfare of the public.*
- D. *The waiver would not have the effect of nullifying the objectives of this Article or any other law or ordinance applicable to the subdivision.*

The El Dorado County Design and Improvement Standards Manual (DISM), Volume III, Section 3.12 states that the maximum dead-end street length may exceed 500 feet but not be more than 2,640 feet, when geographic features restrict a street extension and the street will not serve more than 24 existing or potential parcels. Standard Plan 101C of the DISM requires a roadway width of 18 feet within a 50 foot right-of-way.

The applicant requests the following design waivers from the road standards included in the DISM: 1) a road length of approximately 3,600 feet from County maintained Deer Valley Road to Lot 3; 2) a 12 foot wide road width for the portion of the road traversing Lot 4 after the turn-around; and 3) a 30 foot right-of-way for the portion of the road traversing Lot 4 after the turn-around.

- 1) Roadway Length: Because of the large size of the property, its hilly topography, and its natural drainage swales with a creek, the proposed roadway follows contour lines closely to avoid crossing over too many drainage areas and to avoid the construction of steep roads. The proposed roadway would be constructed over the path of the existing

driveway, this limiting additional tree loss and more grading. Cal Fire and Rescue Fire District have already approved the grade, width, and location of the roadway, turn-around, and turnouts.

Strict application of the design standards would require the access road to be no longer than 2,640 feet, thus only providing access to three of the four parcels or requiring the access road to be constructed on steeper hillsides in a more intrusive manner. Also, there is no road or access easement on an adjacent property to connect to for a secondary access.

- 2) Roadway Width: The property is covered with oak trees that would be impacted if the entire length of the roadway were to be constructed at 18 feet wide. The construction of a wider roadway would result in more pervious surfaces and runoff and more grading into the hillsides. Cal Fire, Rescue Fire District, and the Transportation Division support the reduced width of the roadway through Lot 4. Two turnouts along this reduced width roadway will allow for emergency vehicle access if needed and have been approved by Cal Fire and Rescue Fire District.
- 3) Right-of-Way Width: Because the future homes on the lots will be using their own septic systems and well water, there will be less underground utilities to the lots. For the portion of the roadway traversing Lot 4 after the turn-around, the road width would narrow to 12 feet wide, similar to a driveway. Because of this reduced width and less underground utilities, a reduced right-of-way width could accommodate all of this and is supported by the Transportation Division. The applicant has stated that the turnouts along the roadway could be accommodated within a 30 foot easement.

Special Status Species: According to a Biological Report, the site does not provide potential habitat for special-status species. No special-status plants were found at the site during the floristic botanical survey conducted in 2007. However, the 2007 biological evaluation determined the project site provides potential nesting habitat for birds listed by the Federal Migratory Bird Treaty Act and/or regulated by state Fish and Game Code Section 3503. Mitigation measures included in the initial study and the project conditions of approval will reduce any potential project impacts to nesting birds.

The U.S. Fish and Wildlife Service considers all elderberry shrubs below 3,000 foot elevation in the Sierra Nevada to be potential habitat for the valley elderberry longhorn beetle (VELB), a federally-threatened species. One elderberry shrub was observed in the vicinity of the existing driveway and Sweetwater Creek in 2014. The project road improvements near the elderberry shrub are not any closer than the existing driveway. Mitigation measures included in the initial study and the project conditions of approval will reduce any potential project impacts to the elderberry shrub.

The Biological Report determined that the project site provides potential habitat for the coast horned lizard. There are four records of this lizard in the County, all in gabbroic northern mixed chaparral, which is itself considered a sensitive natural community by State Fish and Wildlife. The gabbroic northern mixed chaparral at the project site is located in the southeastern corner and is avoided by project development.

Wetlands: The delineation map was prepared in 2007 and was updated in 2014 to meet newer Army Corps (2012) map standards. According to a Biological Report, no substantial changes in conditions of wetlands and waters were observed in 2014. The project has been designed to avoid fill of wetlands and waters. The project design follows the existing driveway and retains the existing culvert at each channel crossing. Work will occur over existing culverts on three channels and near a fourth channel. Mitigation measures included in the initial study and the project conditions of approval will reduce any potential project impacts to wetlands and waters.

According to Policy 7.3.3.4, the County shall apply a minimum setback of 100 feet from all perennial streams, rivers, and lakes and 50 feet from intermittent streams and wetlands. According to the Biological Report, Sweetwater Creek is a perennial stream. Therefore, a condition of approval is included to have the 100 foot minimum setback placed on the final map with a restriction that no construction occurs within the easement, other than road and bridge construction, trails and other recreational access structures.

Oak Woodland: The application included an *Oak Canopy Analysis, Preservation, and Replacement Plan* (Sycamore Environmental, 04/15/2014). The tree canopy analysis determined oak woodland canopy comprises approximately 31.14 acres of the 42.26 acre property, or 72.7 percent. The El Dorado County 2004 General Plan requires 70 percent retention of existing canopy cover for parcels over one acre having 60 to 79 percent oak canopy cover.

The project as designed would remove an estimated 1.46 acres of oak canopy for access road and turnout improvements. This calculates to a 95.3 percent retention rate, exceeding the oak canopy retention standard minimum of 70 percent retention. The future homes were not included in the estimate of removed oak canopy as the project substantially exceeds the minimum retention threshold. Further, the potential building site for proposed Lot 3 would require little or no oak canopy removal.

The replacement canopy is planned entirely on proposed Lot 4 in two areas: 1) along the graded edges of the driveways/access road, and 2) in gaps of the existing oak canopy.

General Plan: The General Plan designates the subject site as Low Density Residential (LDR) and **Policy 2.2.1.2** identifies that LDR establishes areas for single-family residential development in a rural setting. The maximum allowable density is one dwelling unit per 5.0 acre with parcel sizes to range from 5.0 to 10.0 acres. The project would create would create four single-family residential parcels comprising 10.07, 10.27, 10.55, and 11.37 acres in size and therefore would be consistent with this policy.

Land Use Compatibility: **Policy 2.2.5.21** directs that new development be compatible with the surrounding neighborhood.

Discussion: The parcel sizes and residential uses would be consistent and compatible with the development pattern in the immediate surroundings.

Water Supply: **Policy 5.2.1.2** requires that adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development.

Discussion: All lots within the project will have individual wells providing domestic water and water for fire protection. Water wells will be approved by Environmental Management Division. All lots will be required to have their own water storage tank for fire protection.

Groundwater Systems: **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.

Discussion: Water wells are required to be capable of providing to each connection a minimum of five gallons per minute, either from the well itself or a combination of well and storage, at a minimum of 15 pounds per square inch pressure. 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 provided to each parcel prior to filing the Parcel Map and, therefore, would be consistent with the General Plan.

Fire Protection: **Policy 5.7.1.1**, requires the applicant demonstrate that adequate emergency water supply, storage and conveyance facilities, and access for fire protection either are or would be provided concurrent with development, **Policy 6.2.2.2, Wildland Fire Hazards**, requires that the County 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, and **Policy 6.2.3.2, Adequate Access for Emergencies**, requires 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: El Dorado Hills Fire Department (on behalf of Rescue Fire Protection District) has requested Conditions of Approval addressing the emergency water supply and ingress/egress. A Wildland Fire Safe Plan was included with the application and approved by the Rescue Fire Protection District and the California Department of Forestry and Fire Protection so that development can be adequately protected from wildland fire hazards. Conditions have been incorporated into the project to assure compliance with the Fire District requirements. As conditioned, the project would conform to the General Plan policies.

The Fire District will require water storage tanks of a minimum of 4,250 gallons to be provided at each building site at issuance of building permits.

Development on Slopes in Excess of 30 Percent: **Policy 7.1.2.1** states that “development or disturbance shall be prohibited on slopes exceeding 30 percent unless necessary for access.”

Discussion: As shown on the Parcel Map, building pad sites are situated on level portions of each proposed lot so that homes will not be built on slopes exceeding 30 percent. The road is situated to follow contour lines and avoid any slopes exceeding 30 percent. Also, the Fire District has included a condition to require driveways to be no greater than 20 percent slope. As proposed, Planning Services has determined that the project would be compliant with this policy.

Oak Canopy Coverage: **Policy 7.4.4.4** establishes the native oak tree canopy retention and replacement standards.

Discussion: The subject parcel area contains 42.26 acres. The submitted *Oak Canopy Analysis, Preservation, and Replacement Plan* found that the project area has 73 percent oak canopy coverage. General Plan Policy 7.4.4.4 would therefore require the retention of 70 percent of the indigenous oak tree canopy for the project area. The project would only remove an estimated 1.46 acres of oak woodland canopy for a retention rate of 95 percent. As proposed, Planning Services has determined that the project would be compliant with this policy.

Conclusion: It has been determined that the project would be consistent with the applicable General Plan Policies. Findings of Consistency with the General Plan are provided in the attached Findings.

Zoning: The parcel is zoned Estate Residential Five-Acre (RE-5). The project has been analyzed in accordance with Zoning Ordinance Section 130.28.210 (Development Standards) for minimum lot size and widths. Compliance with setbacks and building height would be reviewed prior to building permit issuance.

Agency and Public Comments: Appropriate conditions from each reviewing agency are included with this staff report. 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
El Dorado County Fire Department (on behalf of Rescue Fire Protection District)
Office of the County Surveyor
Central Valley Regional Water Quality Control Board
Department of the Army
California Department of Fish and Wildlife

ENVIRONMENTAL REVIEW: Staff has prepared an Initial Study, Environmental Checklist Form (Exhibit F). Based on the Initial Study, measures 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 mitigated, 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 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 fee is forwarded to the State Department of Fish and Wildlife 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:

Conditions of Approval
Findings

Exhibit A.....Location Map
Exhibit B.....Assessors Map
Exhibit C.....General Plan Land Use Map
Exhibit D.....Zoning Map
Exhibit E.....Tentative Parcel Map
Exhibit F.....Proposed Mitigated Negative Declaration and Initial
Study

CONDITIONS OF APPROVAL

**Parcel Map P14-0001/Oak Trails Parcel Map
Zoning Administrator/February 18, 2015**

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:

- a. The project allows the creation of four parcels from a 42.26-acre site identified by Assessor’s Parcel Number 102-200-56. All parcels shall be served by individual wells and septic systems. The approval includes the following:

Lot Number	Gross Area	Improvements
1	11.37 acres	Unimproved land with access road
2	10.27 acres	Unimproved land with access road
3	10.07 acres	Unimproved land
4	10.55 acres	Single Family Residence

- b. Design Waivers of El Dorado County Design and Improvement Standards Manual (DISM) to allow the following:
1. Maximum dead-end street length of 2,640 feet per Volume III, Section 3.12 to be modified to measure approximately 3,600 feet in length;
 2. Roadway width minimum of 18 feet per Standard Plan 101C to be reduced to twelve feet for the portion of the roadway traversing Lot 4 after the turn-around; and
 3. Minimum right-of-way requirement of 50 feet per Standard Plan 101C to be reduced to 30 feet for the portion of the roadway traversing Lot 4 after the turn-around.

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. **Nesting Birds – Avoidance and Minimization:** During the nesting season (February 15 through August 31) a pre-construction bird nest survey shall be conducted within 10 days prior to the beginning of construction activities by a California Department of Fish and Wildlife (CDFW) approved biologist in order to identify active nests in the project site vicinity. The results of the survey shall be submitted to CDFW and the County. If an active bird-of-prey (Fish and Game Code Section 3503.5) nest is found, a quarter mile (1,320 feet) initial temporary nest disturbance buffer shall be established. If active nests of other birds are found, a two hundred foot (500 foot for special status species) initial temporary nest disturbance buffer shall be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then an on-site biologist/monitor experienced with the species' behavior shall be retained by the applicant to monitor the nest and both shall consult with the CDFW to determine the best course of action necessary to avoid nest abandonment or take of individual species. Work may be allowed to proceed within the temporary nest disturbance buffer if birds/raptors are not exhibiting agitated behavior such as defensive flights at intruders, getting up from a brooding position, or flying off the nest. The designated on-site biologist/monitor shall be on site daily if necessary while construction related activities are taking place and shall have the authority to stop work if birds/raptors are exhibiting agitated behavior. In consultation with CDFW, the County, and depending on the birds' behavior, it may be determined that the on-site biologist/monitor may no longer be necessary due to the birds' acclimation to construction-related activities.

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.

Enforcement/Monitoring: California Department of Fish and Wildlife (CDFW) and El Dorado County Development Services

3. **Valley Elderberry Longhorn Beetle - Avoidance and Minimization:** Temporary avoidance fencing (such as orange plastic mesh) shall be installed along the edge of work within 100 feet of the elderberry shrub. Signs shall be hung every 50 feet along the edge of the avoidance area with the following text "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." The signs shall be clearly readable from a distance of 20 feet, and must be maintained for the duration of construction. Prior to the initiation of work, on-site training shall be provided to the construction crew on the need to avoid damaging the elderberry plant, the possible penalties for not complying with these requirements, the status of the beetle, and the need to protect its elderberry host plant.

Timing/Implementation: This requirement shall be placed on the grading plans. Development Services shall inspect the fencing and signage prior to final approval of a grading permit.

Enforcement/Monitoring: El Dorado County Development Services

4. **Wetlands and Waters - Avoidance and Minimization:** Temporary avoidance fencing (such as orange plastic mesh) shall be installed along the edge of work within 50 feet of waters and wetlands. Signs shall be hung every 50 feet along the edge of the avoidance area with the following text “This area contains wetlands and waters and must not be disturbed.” The fence and signs shall be maintained for the duration of construction. Prior to the initiation of work, on-site training shall be provided to the construction crew on the need to avoid disturbance to wetlands and waters.

Timing/Implementation: This requirement shall be placed on the grading plans. Development Services shall inspect the fencing and signage prior to final approval of a grading permit.

Enforcement/Monitoring: El Dorado County Development Services

5. **Wetland Delineation:** Prior to disturbance of any waters of the United States including any wetland features, a wetland delineation study for the project site shall be submitted to the Army Corps (Corps) for their verification and approval. If fill of any potential waters of the U.S are anticipated, the appropriate Corps 404 permit must be obtained prior to the fill activity occurring. The appropriate terms of mitigation, including the wetland acreage to be mitigated, would be defined in the issued Corps permit. Any waters of the U.S. that would be lost or disturbed should be replaced or rehabilitated at a “no-net-loss” basis in accordance with the Corps’ mitigation guidelines. Habitat restoration, rehabilitation, and/or replacement should be at a location and by methods agreeable to the Corps. A total of 0.219 acres of perennial streams, 0.159 acres of ephemeral streams, and 0.020 acres of wetlands were mapped on the project site. Wetland mitigation for this project may be required. Mitigation may include the purchase of mitigation credits from an approved wetland mitigation bank at an appropriate ratio for each acre of wetland /waters proposed to be impacted as determined by the Corps.

Monitoring Responsibility: Planning Services.

Monitoring Requirement: The applicant shall provide a copy of the 404 permit, if required, to Planning Services prior to issuance of the grading permit. If no permits are required by the Corps, a letter from the Corps shall be provided to Development Services stating that no permit shall be required for this project.

Development Services Division

6. **Archeological Resources:** The following shall be incorporated as a note on the 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 archaeological resource”, contingency funding and a time allotment sufficient to allow recovering an archaeological 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 archaeological 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.

7. **Human Remains:** The following shall be incorporated as a note on the 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.

8. **Permit Time Limits:** This Tentative Parcel Map shall expire 36 months from the date of approval unless a timely extension has been filed.
9. **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.
10. **Fish and Wildlife Fee:** The applicant shall submit to Planning Services a \$50.00 recording fee and the current Department of Fish and Wildlife fee prior to filing of the Notice of Determination by the County. Please submit check for the total to Planning Services and make the check out to El Dorado 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.

12. **Stream Setback:** A 100 foot setback line shall be recorded on the final map that begins at all high-water marks of Sweetwater Creek as determined by the Army Corps of Engineer's verified wetland delineation of waters of the United States. No development shall occur within the setback area other than roads and bridges, trails and other recreational access structures. The identification shall be made on the final map.

Transportation Division (EDCTD)

13. **Encroachment Permit Deer Valley Road:** The applicant shall obtain an encroachment permit from EDCTD and shall construct the roadway encroachment onto Deer Valley Road to the provisions of El Dorado County Design and Improvements Manual (DISM) Standard Plan *103C*. The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.

14. **Access Roadway onto Deer Valley Road:** Because the on-site access is serving two or more lots, it shall be considered a roadway. The roadway shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
15. **Turnaround:** The applicant shall provide a turn around *on the access roadway or at the end of the roadway* to the provisions of El Dorado County Design and Improvements Manual Standard Plan **114** or approved equivalent by local fire district. Where parcels are zoned 5 acres or larger, turnouts shall be provided at a maximum of 1,320 foot intervals. The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.
16. **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. The EDCTD shall review the document forming the entity to ensure the provisions are adequate prior to filing of the parcel map.
17. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
18. **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.
19. **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).
20. **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.
21. **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.
22. **DISM Consistency:** The developer shall obtain approval (as modified by these conditions herein) of project improvement plans and cost estimates consistent with the Design and Improvement Standards Manual (dated May 1986, revised May 1990), from the EDCTD, and pay all applicable fees prior to filing of the final map.

23. **Parcel Map Improvement Agreement & Security:** If the required improvements are not completed prior to filing of the map or if the Engineer's Estimate is \$100,000 or greater for the required improvements, the developer shall enter into a Parcel Map Improvement Agreement (PMIA) with the Transportation Division for onsite roadway, drainage infrastructure, grading, etc. The developer shall also provide a security to guarantee performance of the PMIA as set forth within the County of El Dorado Subdivision Ordinance, prior to filing of the map. The improvements shall be installed to the satisfaction of EDCTD prior to filing of the map. This condition shall appear as a note on the recorded parcel map.
24. **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.
25. **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 EDCTD 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 EDCTD prior to occupancy clearance.
26. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the EDCTD. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the EDCTD 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.
27. **RCD Coordination:** The timing of construction and method of re-vegetation shall be coordinated with the 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 EDCTD. The EDCTD shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
28. **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 EDCTD. 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.

29. **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 EDCTD.

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; and,
- 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.

30. **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 final map.
31. **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.
32. **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.

33. **Storm Water Drainage BMPs:** Storm drainage from on-and off-site impervious surfaces (including roads) shall be collected and routed through specially designed water quality treatment facilities (BMPs) for removal of pollutants of concern (e.g. sediment, oil/grease, etc.), as approved by EDCTD. This project is located within the area covered by El Dorado County's municipal storm water quality permit, pursuant to the National Pollutant Discharge Eliminated System (NPDES) Phase II program. Project related storm water discharges are subject to all applicable requirements of said permit. The BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) storm water runoff in accordance with Section E.12 of El Dorado County's NPDES Municipal Storm water Permit (State Water Resources Control Board NPDES General Permit No. CAS000004).

With the Improvement Plans, the applicant shall verify that the proposed BMPs are appropriate to treat the pollutants of concern from this project. A maintenance entity of these facilities shall be provided by the project applicant. EDCTD shall review the document forming the entity to ensure the provisions are adequate prior to filing of the final map.

34. **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 EDCTD with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
35. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees at issuance of building permit.

Office of County Surveyor

36. **Survey Monuments:** All survey monuments shall be set prior to filing the Parcel Map.
37. **Road Name Petition:** The road 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 shall be provided to their office prior to filing the Parcel Map. The Applicant is responsible for all associated fees.
38. **Addressing:** Situs addressing for the project shall be coordinated with the County Surveyor's Office proper to filing the Final Map. Applicant is responsible for all associated fees. Note: Address for existing structure shall be changed to reflect the new road name assigned to the road serving the development.
39. **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 P14-0001 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

40. **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

41. A fire hydrant from a tank water supply is required. The exact location of each hydrant shall be determined by the Fire Department.
42. In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire protection water tanks shall be installed and in service prior to combustibles being brought onto the site as specified by the Fire Department, Standard B-003.
43. Lots that back up to wildland open space shall be required to use non-combustible type fencing.
44. This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump/dip section of roadway.
45. This development shall be conditioned to implement the Wildland Fire Safe Plan that has been approved by the Fire Department (Current plan dated January 2, 2014).
46. The driveways serving this project shall be designed to a maximum of 16 percent grade and can be increased to 20 percent if paved.
47. The driveway to Lot 3 from the turn-around at Lots 2 and 4 will have turnouts every 400 feet and shall have a turn-around at the residence within 50 feet of the residence.
48. Driveways over 150 feet in length require a turn-around at the residence within 50 feet of the residence.
49. All driveways shall be 12 feet wide and be cleared of vegetation to an unobstructed vertical clearance of not less than 15 feet.

50. The main access road off of Deer Valley Road shall:
- a) Be double chip sealed or paved;
 - b) Be no less than 18 feet wide plus one inch shoulders;
 - c) Be no longer than 2,640 feet in length with a turn-around at the end;
 - d) Not to exceed 12 percent in gradient;
 - e) Have 15 feet vertical clearance; and
 - f) Shoulders on the main roadway and driveways shall maintain 10 feet wide brushed shoulders.
51. No parking will be allowed on the main road access off Deer Valley Road.
52. Any gate shall meet the El Dorado Hills Fire Department Gate Standard B-002.
53. A legal entity, such as a Homeowners Association (HOA), shall be created with authority for maintaining and enforcing all fuel treatment mitigation measures if homeowners fail to implement or maintain them.

Air Quality Management District

54. **Fugitive Dust:** The project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM₁₀) in the form of dust. The project shall adhere to the regulations and mitigation measures for fugitive dust emissions during the construction process. In addition, a Fugitive Dust Mitigation Plan (DMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction if the project requires a grading permit from the County. (Rules 223 and 223.1)
55. **Paving:** Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).
56. **Painting/Coating:** The project construction may involve the application of architectural coating, in compliance with AQMD Rule 215 Architectural Coatings.
57. **Open Burning:** Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only vegetative waste materials may be disposed of using an open outdoor fire (Rule 300 Open Burning).
58. **Construction Emissions:** During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (Section 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at ARB's website here: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>. An applicability flow chart can be found here: http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf. Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation.

59. **New Point Source:** Prior to construction/installation of any new point source emissions units (i.e., gasoline dispensing facility, emergency standby engine, etc.), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications, and emission factors. (Rule 501 and 523)

60. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be under permit from the California Air Resources Board (CARB). A copy of the current portable equipment permit shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, daily hours of operations of each piece of equipment.

FINDINGS

Parcel Map P14-0001/Oak Trails Parcel Map Zoning Administrator/February 18, 2015

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 Division, 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 undeveloped and developed 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 Division. The individual wells will provide domestic water and provide water for fire protection. All houses will have their own water tank for its domestic water and fire protection. Water tanks will be a minimum of 4,250 gallons. Any 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 gallons per minute, either from the well itself or a combination of well and storage, at a minimum of 15 pounds per square inch pressure. A water well has been constructed at the site to domestic supply well specifications. 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 provided 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 possible fire sprinklers to ensure adequate fire protection infrastructure.

2.5 The project is consistent with General Plan Policy 6.2.2.2,

General plan Policy 6.2.2.2 requires the County to 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 and approved by the local Fire Protection District and/or California Department of Forestry and Fire Protection. A Wildland Fire Safe Plan was submitted with the application and approved by the Rescue Fire Protection District and the California Department of Forestry and Fire Protection.

2.6 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.

2.7 The project is consistent with General Plan Policy 7.1.2.1

General Plan Policy 7.1.2.1 directs that development or disturbance shall be prohibited on slopes exceeding 30 percent unless necessary for access. Building pads are situated on level portions of each proposed lot and the road is situated to follow contour lines and avoid any slopes exceeding 30 percent. Also, the Fire District has conditioned driveways to have slopes no greater than 20 percent. The project would be compliant with this policy.

2.8 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 31.1 acres or 72.7 percent of the project site, with 1.46 acres of oak canopy identified for removal. Policy 7.4.4.4 requires 70 percent retention of existing canopy cover for parcels over one acre having 60-79 percent oak canopy cover. The analysis considered development of road and driveway construction; however, it did not analyze building footprints and septic areas. The replacement oaks will be planted on site. Although the arborist did not analyze the location for building footprints and septic areas for the proposed parcels, it is expected that future oak woodland removal would not exceed 70 percent as the oak canopy calculations substantially exceed the minimum retention threshold. Any future development could be required to comply with General Plan Policy 7.4.4.4 during the grading and building permit process if the requirements of Section 130.22.330 of the Zoning Ordinance are met.

3.0 DESIGN WAIVERS

Three design waivers have been requested to deviate from the DISM, as discussed individually below. Section 120.08.020 of the El Dorado County Major Land Divisions Ordinance provides that the County may grant a Design Waiver upon a finding that each of the following factors exist:

1. There are special conditions or circumstances peculiar to the property proposed to be subdivided which would justify the waiver.
2. Strict application of the design or improvement requirements of this chapter would cause extraordinary and unnecessary hardship in developing the property.
3. The waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience, and welfare of the public.
4. The waiver would not have the effect of nullifying the objectives of this Article or any other law or ordinance applicable to the subdivision.

The four findings are addressed for each waiver request as follows:

A. Modification of Volume III, Section 3.12 maximum dead-end street length of 2,640 feet to be increased to approximately 3,600 feet.

Because of the large size of the property, its hilly topography, and its natural drainage swales with a creek, the proposed roadway follows contour lines closely to avoid crossing over too many drainage areas and to avoid the construction of steep roads. The proposed roadway would be constructed over the path of the existing driveway, this limiting additional tree loss and more grading. Cal Fire and Rescue Fire District have already approved the grade, width, and location of the roadway, turn-around, and turnouts.

Strict application of the design standards would require the access road to be no longer than 2,640 feet, thus only providing access to three of the four parcels or requiring the access road to be constructed on steeper hillsides in a more intrusive manner. Also, there is no road or access easement on an adjacent property to connect to for a secondary access.

B. Modification of Standard Plan 101C minimum road width of 18 feet to be reduced to 12 feet for the portion of the roadway traversing Lot 4 after the turn-around.

The property is covered with oak trees that would be impacted if the entire length of the roadway were to be constructed at 18 feet wide. The construction of a wider roadway would result in more pervious surfaces and runoff and more grading into the hillsides. Cal Fire, Rescue Fire District, and Transportation Division support the reduced width of the roadway through Lot 4. Two turnouts along this reduced width roadway will allow for emergency vehicle access if needed and have been approved by Cal Fire and Rescue Fire District.

C. Modification of Standard Plan 101C minimum right-of-way requirement of 50 feet to be reduced to 30 feet for the portion of the roadway traversing Lot 4 after the turn-around.

Because the future homes on the lots will be using their own septic systems and well water, there will be less underground utilities to the lots. For the portion of the roadway traversing Lot 4 after the turn-around, the road width would narrow to 12 feet wide, similar to a driveway. Because of this reduced width and less underground utilities, a reduced right-of-way width could accommodate all of this and is supported by the Transportation Division. The applicant has stated that the turnouts along the roadway could be accommodated within a 30 foot easement.

4.0 ZONING FINDINGS

4.1 The proposed use is consistent with Title 130.

The project, as proposed and conditioned is consistent with the Zoning Ordinance because the parcels have been designed to comply with the Estate Residential Five-Acre (RE-5) development standards as provided within Section 130.28.210 of the County Code.

5.0 PARCEL MAP FINDINGS

5.1 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.

5.2 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 130.28.210 of the Zoning Ordinance (Development Standards) and complies 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-5 zone district and the Minor Land Division Ordinance.

5.3 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 Low Density Residential land use designation and conforms to the minimum parcel size and development standards of the RE-5 zone district.

5.4 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 as conditions of approval to reduce potential impacts and the project would not cause substantial environmental damage.