

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



Agenda of: March 15, 2017

Item No.: 4.a.

Staff: Evan Mattes

TENTATIVE PARCEL MAP

FILE NUMBER: P16-0008/Lee Parcel Map

APPLICANT/ENGINEER: Lebeck Young Engineering, Inc.

OWNER: Solomon C Vanessa TR, SR Liv. Rev. Trust

REQUEST: Tentative Parcel Map to create a subdivision of two single family residential lots measuring 0.98 and 1.01 acres.

LOCATION: North side of Powers Drive west of the intersection with Capetanos Drive in the El Dorado Hills area, Supervisorial District 1 (Exhibit A).

APN: 124-130-54 (Exhibit B)

ACREAGE: 1.983 acres

GENERAL PLAN: Adopted Plan (AP- Promontory Specific Plan) (Exhibit C)

ZONING: Promontory Specific Plan- Promontory Large Lot (PRL) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Previously certified Promontory Specific Plan Environmental Impact Report (SCH No. 94112056) (Exhibit G)

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

1. Find Tentative Parcel Map P16-0008 to be exempt under CEQA Section 15182 (Residential Projects Pursuant to a Specific Plan); and
2. Approve Tentative Parcel Map P16-0008, based on the Findings and subject to the Conditions of Approval as presented.

EXECUTIVE SUMMARY

Approval of this Parcel Map would allow the division of a 1.983-acre property into two parcels of .98 and 1.01 acres. The parcel is zoned Promontory Large Lot (PRL) and contains a General Plan designation of Adopted Plan (AP) for the Promontory Specific Plan. The proposed parcels are of sufficient size for the zones. Staff has determined that the proposed project is consistent with the AP land use designation and PRL zones, as well as other applicable El Dorado County General Plan policies, Specific Plan requirements, and Zoning Ordinance requirements, as discussed in the Findings.

ANALYSIS:

Site Description: The project site consists of 1.983 acres of undeveloped land and is located at approximately 1,040 feet above mean sea level (Exhibit E). The primary on-site biological communities include annual grasses and shrubs. The site is surrounded by other residential parcels similar to the development on-site. The project is situated upon improved roads and would require connection to El Dorado Irrigation District water and sewer services.

Project Description: The Tentative Parcel Map would create two parcels from a 1.983 acre site. Lot 83 would be 0.98 acres and Lot 84 would be 1.01 acres. The project site was originally created as two parcels, identified as Lot 83 and Lot 84, by Promontory Village 6 Phase 2A Subdivision Map (TM97-1333-F). Lots 83 and 84 were merged into one lot by BLA05-0061. The project site has been improved as two parcels, consistent with the conditions of approval for TM97-1333-F, with water meters and connection to sewage through the El Dorado Irrigation District (EID). The proposed parcel map would return the parcels to the state approved under TM97-1333-F. The parcels would be accessed via a driveway from Plio Court, an existing private, privately-maintained road (Exhibit F).

Consistency: As discussed in the Findings, staff has determined that the proposed project, as conditioned, is consistent with the Adopted Plan (AP) land use designation and other applicable policies in the El Dorado County General Plan, as well as the provisions of the Promontory Large Lot (PRL) zone, the Promontory Specific Plan and Zoning Ordinance requirements.

ENVIRONMENTAL REVIEW:

The Lee Tentative Parcel Map is a residential project that was analyzed in the certified Promontory Specific Plan EIR (SCH No. 94112056) (Exhibit G). The proposed parcel map would allow residential development consistent with the adopted Specific Plan. No new information that was not known and could not have been known at the time the EIR was certified has since become available. Therefore, this tentative parcel map is consistent with and is hereby exempt in accordance with CEQA Guideline Section 15182 (Residential Projects Pursuant to a Specific Plan). No further environmental analysis is necessary.

Filing of a Notice of Exemption is required in accordance with CEQA Guidelines Section 15062 to initiate a 35-day statute of limitations on legal challenges to the County's decision that the project is exempt from CEQA. A \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption.

SUPPORT INFORMATION

Findings

Conditions of Approval

Exhibit A.....	Location Map
Exhibit B.....	Assessors Map
Exhibit C.....	General Plan Land Use Map
Exhibit D.....	Zoning Map
Exhibit E.....	Aerial Map
Exhibit F.....	Tentative Parcel Map
Exhibit G.....	Previously certified Promontory Specific Plan Environmental Impact Report

FINDINGS

Tentative Parcel Map P16-0008/Lee Parcel Map Zoning Administrator/March 15, 2017

1.0 CEQA FINDINGS

- 1.1 The Lee tentative parcel map is a residential project that was contemplated and analyzed in the certified Promontory Specific Plan EIR (SCH No. 94112056). The proposed parcel map would allow residential development consistent with the Specific Plan. No new information that was not known and could not have been known at the time the EIR was certified has since become available. Therefore, this tentative parcel map application is consistent with and is hereby exempt in accordance with CEQA Guideline Section 15182 (Residential Projects Pursuant to a Specific Plan). No further environmental analysis is necessary.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Division, Community Development Agency, at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

2.1 The project is consistent with General Plan Policy 2.2.1.2.

Policy 2.2.1.2 identifies that the Adopted Plan (AP) land use designation establishes areas for which specific land use plans have been prepared and adopted. These plans (e.g., specific plan or community plan) are accepted and incorporated by this reference, and the respective land use map associated with each such plan is hereby adopted as the General Plan map for each such area. The plans recognized by the AP category do not include the now-superseded Area Plans that comprised the County's General Plan prior to the adoption of the General Plan.

Rationale: The project proposes to split a 1.983-acre lot into two lots. Lot 83 would be 0.98 acres and Lot 84 would be 1.01 acres. The site is within Eldorado Hills Community Region, and land use at the site is residential. The proposed project is compatible with the land use designation.

2.2 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.

Rationale: The project site is surrounded by urban residential development. The proposed parcel sizes are similar to those surrounding the site, and use is consistent and compatible with the development pattern in the immediate surroundings.

2.3 The project is consistent with General Plan Policy 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.

Rationale: Each proposed lot is served by existing residential water meters through El Dorado Irrigation District (EID).

2.4 The project is consistent with General Plan Policy 5.7.1.1.

General Plan Policy 5.7.1.1, Fire Protection in Community Regions, requires the applicant to demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection would be provided concurrent with development.

Rationale: The El Dorado Hills Fire Department (EDHFD) would provide fire protection service to the project site and ensure that water supplied to the parcels is adequate to meet emergency fire needs. EDHFD approved the use of the existing road and for fire access. Two fire hydrants currently exist approximately 180 feet to the north and 5 feet to the south. The project is in compliance with these General Plan policies related to fire protection.

2.5 The project is consistent with General Plan Policy 6.2.2.2.

Policy 6.2.2.2, Wildland Fire Hazards, requires that the County preclude development in high and very high wildland fire hazard areas unless such development can be adequately protected from wildland fire hazards, as demonstrated in a Fire Safe Plan and approved by the local Fire Protection District and/or CALFIRE.

Rationale: The property is located in a Moderate Fire Hazard Zone, therefore a fire safe plan is not required and the project is in compliance with this policy.

2.6 The project is consistent with General Plan Policy 6.2.3.2.

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.

Rationale: Plio Court, an existing privately maintained road, would provide access to all parcels.

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 restricted on slopes exceeding 30 percent unless necessary for access.

Rationale: The area proposed for new development is in an area that is relatively flat and avoids any steep slopes of 30 percent. The project is in compliance with the policy related to steep slopes.

3.0 ZONING FINDINGS

3.1 The proposed use is consistent with Title 130.

The parcel is zoned Promontory Large Lot (PRL). The project has been analyzed in accordance with the Promontory Specific Plan for minimum lot size, widths and building setbacks.

Rationale: The proposed lots meet the minimum lot size and width standards. The project, as proposed and conditioned, is consistent with the Promontory Specific Plan, because the parcels have been designed to comply with the Promontory Large Lot (PRL) development standards as provided within Section 4.4 of the Promontory Specific Plan.

4.0 PARCEL MAP FINDINGS

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

Rationale: The project proposes to split a 1.983-acre lot into two lots. Lot 83 would be 0.98 acres and Lot 84 would be 1.01 acres. The site is in an urban region in the El Dorado Hills Community Region, and land use at the site is residential. The proposed Parcel Map is consistent with the General Plan as set forth in Finding 2.1.

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

Rationale: The parcels have been analyzed in accordance with Section 4.4.2 (Development Standards) of the Promontory Specific Plan and comply with the required minimum lot area and minimum lot width requirements. As proposed and conditioned, the Parcel Map conforms to the Minor Land Division Ordinance.

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

Rationale: The proposed development meets the density requirements of the Promontory Specific Plan and conforms to the minimum parcel size and development standards of the PRL zone district.

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

Rationale: The project was contemplated and analyzed in the certified Promontory Specific Plan EIR (SCH No. 94112056). The proposed tentative parcel map will not likely result in substantial environmental damage and is consistent with the anticipated improvements in the Specific Plan area.

CONDITIONS OF APPROVAL

Tentative Parcel Map P16-0008/Lee Parcel Map Zoning Administrator/March 15, 2017

1. This Tentative Parcel Map is based upon and limited to compliance with the project description, Conditions of Approval set forth below, and the hearing exhibits marked:

Exhibit F.....Tentative Parcel Map

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 two parcels from a 1.983-acre site identified by Assessor's Parcel Number 124-130-54. All parcels shall be served by individual water meters and sewer systems. The approval includes the following:

Lot Number	Gross Area	Improvements
1	0.98 acres	None
2	1.01 acres	None

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.

Development Services Division

2. **Permit Time Limits:** This Tentative Parcel Map shall expire 36 months from the date of approval unless a timely extension has been filed.
3. **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 amount to Planning Services and make the check payable to El Dorado County. No permits shall be issued or parcel map filed until said fees are paid.

4. **Archeological Resources:** 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 in 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, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American.

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.

5. **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.

Office of County Surveyor

6. All survey monuments shall be set prior to filing the Parcel Map.
7. Situs addressing for the project shall be coordinated by the County Surveyors Office prior to the filing the Final Map.

8. 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 P16-0008 by (that agency) have been satisfied.” The letter shall be sent to the County Surveyor and copied to the consultant and the applicant.