

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



**Agenda of:** February 15, 2017

**Item No.:** 4.a.

**Staff:** Evan Mattes

**TENTATIVE PARCEL MAP**

- FILE NUMBER:** P16-0006/Brooks Parcel Map
- APPLICANT/OWNER:** Gary A. and Cynthia L. Brooks
- ENGINEER:** CTA Engineering and Surveying
- REQUEST:** Tentative Parcel Map to create a subdivision of four single family residential lots measuring 15,044 to 17,201 square feet.
- LOCATION:** North side of Woodleigh Lane approximately 100 feet east of the intersection with Woodleigh Court in the Cameron Park Area, Supervisorial District 2 (Exhibit A).
- APN:** 116-030-19 (Exhibit B)
- ACREAGE:** 1.84 acres
- GENERAL PLAN:** High Density Residential (HDR) (Exhibit C)
- ZONING:** Single Unit Residential (R-1) (Exhibit D)
- ENVIRONMENTAL DOCUMENT:** Negative Declaration
- RECOMMENDATION:** Staff recommends the Zoning Administrator take the following actions:
1. Adopt the Negative Declaration, based on the Initial Study prepared by staff; and
  2. Approve Tentative Parcel Map P16-0006, 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 1.84-acre property into four parcels ranging in size from 15,044 to 17,201 square feet. The parcel is zoned Single Unit Residential (R-1) and contains a General Plan designation of High Density Residential (HDR). The proposed parcels are of sufficient size for the zones. Staff has determined that the proposed project is consistent with the HDR land use designation and R-1 zones, as well as other applicable El Dorado County General Plan policies and Zoning Ordinance requirements, as discussed in the Findings.

### **ANALYSIS:**

**Site Description:** The project site consists of 1.84 acres of undeveloped land and is located at approximately 1,400 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 parcel is within the Routine Overflight Zone and within the Airport Influence Zone for Cameron Park Airpark. 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 four parcels from a 1.84 acre site. Parcel 1 would be 15,044 sf, Parcel 2 would be 15,247 sf, Parcel 3 would be 16,266 sf, and Parcel 4 would be 17,201 sf. The resulting parcels would require an extension to existing off-site El Dorado Irrigation District water service and wastewater systems. The parcels would be accessed via a driveway from Woodleigh Lane, an existing public, county-maintained road (Exhibit F).

**Consistency:** As discussed in the Findings, staff has determined that the proposed project, as conditioned, is consistent with the High Density Residential (HDR) land use designation and other applicable policies in the El Dorado County General Plan, as well as the provisions of the Single Unit Residential (R1) zone and other Zoning Ordinance requirements.

### **ENVIRONMENTAL REVIEW:**

Staff has prepared an Initial Study (Exhibit H). Staff has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment, therefore a Negative Declaration has been prepared and a Notice of Determination (NOD) will be filed. A \$50.00 filing fee for the NOD is required and the NOD must be filed within five working days from the project approval.

The filing of the NOD begins the statute of limitations time period for when litigation may be filed against the County's action on the project. If the NOD is filed the statute of limitations ends 30 days from its filing. If no NOD is filed, it ends 180 days from the date of final action by the County.

In accordance with 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 of the project. This fee plus the \$50.00 filing fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,156.25 is forwarded to the State Department of Fish and Wildlife and is used to help defray the cost managing and protecting the State's fish and wildlife resources.

## **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; July 2016
Exhibit G.....	Cameron Park Fire Department Conditions
Exhibit H.....	Proposed Negative Declaration and Initial Study

## FINDINGS

### **Tentative Parcel Map P16-0006/Brooks Parcel Map Zoning Administrator/February 15, 2017**

#### **1.0 CEQA FINDINGS**

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 No significant impacts to the environment as a result of this project were identified in the Initial Study.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services 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 High-Density Residential (HDR) land use designation establishes areas for intensive single-family residential developments at densities from one to five dwelling units per acre. Allowable residential structure types include single-family attached and detached dwellings and manufactured homes. Except as provided in Policy 2.2.2.3, this designation is considered appropriate only within Community Regions and Rural Centers. Standard residential subdivisions shall maintain a density range from one to two dwelling units per acre. Residential subdivisions utilizing the planned development concept shall maintain a density range from one to five dwelling units per acre. Residential development of single-family attached dwelling units are to be designed to satisfy the upper range of the allowable density under this designation. Proponents of single-family detached or manufactured home projects consistent with the HDR designation shall not be subject to the Planned Development combining zone if their projects meet the criteria set forth in Policy 2.2.5.4.

Rationale: The project proposes to split a 1.84-acre lot into four lots. Parcel 1 would be 17,201 sq ft, Parcel 2 would be 16,266 sq ft, Parcel 3 would be 15,044 sq ft and Parcel 4 would be 15,247. The site is within Cameron Park 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 lot is currently served by a residential water meters through El Dorado Irrigation District (EID). Two fire hydrants currently exists approximately 180 feet North West and five feet south east of the property.

**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: Cameron Park CSD Fire would provide fire protection service to the project site and ensure that water supplied to the parcels is adequate to meet emergency fire needs. Cameron Park CSD Fire 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: Woodleigh Lane, an existing county maintained road, would provide access to all parcels.

**2.7 The project is consistent with General Plan Policy 6.8.1.1.**

General Plan Policy 6.8.1.1 requires that development within the Airport Influence Area of the Placerville Airport, the Cameron Airpark Airport, and the Georgetown Airport shall comply with El Dorado County Airport Land Use Commission's policies and maps as set forth in the Airport Land Use Compatibility Plan (ALUCP) for each airport. The project is located in the Georgetown Airport Influence Area, and considered part of the overflight area. These are locations where overflying aircraft can be intrusive and annoying to many people. Noise and safety are not considered a concern in the project area. The site is not located in an airport safety zone, airspace approach, or transitional zone.

Rationale: The project is a residential development within the Safety Zone 6 of the Cameron Airpark Influence Area. Residential projects within Safety Zone 6 are not restricted for safety compatibility purposes. The project is in compliance with the Airport Land Use Commission.

**2.8 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.

**2.9 This 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.

Rationale: Oak woodland canopy is currently non-existent on the project site. Under General Plan Policy 7.4.4.4, Option A, 90 percent of the existing canopy must be retained. As proposed, the project would retain 100 percent of the oak tree canopy at the site due to the lack of oak tree canopy on the lot.

**3.0 ZONING FINDINGS**

**3.1 The proposed use is consistent with Title 130.**

The parcel is zoned Single Unit Residential 1 (R-1). The project has been analyzed in accordance with Zoning Ordinance Section 130.28.210 (Development Standards) 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 Zoning Ordinance because the parcels have been designed to comply with the Single Unit Residential 1 (R-1) development standards as provided within Section 130.28.210 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.**

Rationale: The project proposes to split a 1.84-acre lot into four lots. Parcel 1 would be 17,201 sq ft, Parcel 2 would be 16,266 sq ft, Parcel 3 would be 15,044 sq ft and Parcel 4 would be 15,247. The site is in an urban region in the Cameron Park 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 130.28.210 (Development Standards) of the Zoning Ordinance 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 High Density Residential (HDR) land use designation and conforms to the minimum parcel size and development standards of the R-1 zone district.

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

Rationale: The project impacts have been analyzed in the Initial Study, which resulted in a Negative Declaration. The project would not cause substantial environmental damage.

# CONDITIONS OF APPROVAL

## **Tentative Parcel Map P16-0006/Brooks Parcel Map Zoning Administrator/February 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 four parcels from a 1.84-acre site identified by Assessor’s Parcel Number 116-030-19. All parcels shall be served by individual water meters and sewer systems. The approval includes the following:

<b>Lot Number</b>	<b>Gross Area</b>	<b>Improvements</b>
1	17,201 sq ft	Building pad
2	16,266 sq ft	Building pad
3	15,044 sq ft	Building pad
4	15,247 sq ft	Building pad

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. **Parks Fees:** The subdivider shall be subject to a \$150.00 appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.

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. Payment of the required fees shall be remitted to Cameron Park Community Services District (Cameron Park CSD) prior to the filing of the parcel map. A copy of the transaction receipt shall be provided to Planning Services.

6. **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.

7. **Water Meters:** A Parcel Map shall not be filed until an EID Water Meter Award Letter or similar document has been issued for all of the lots included in the filed parcel map, and a copy filed with Planning Department.

#### **Office of County Surveyor**

8. All survey monuments shall be set prior to filing the Parcel Map.
9. 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 P16-0006 by (that agency) have been satisfied.” The letter shall be sent to the County Surveyor and copied to the consultant and the applicant.

#### **Cameron Park CSD Fire**

10. Prior to recordation of the parcel map, provide documentation from EID to the fire department to show that the system will meet required fire flow for this project.
11. In order to provide this development with adequate fire and emergency medical response during construction, all Fire Access Roads and fire hydrant systems shall be constructed and approved prior to combustibles being brought on site. “NO PARKING FIRE LANE” signs shall be posted during construction as needed.
12. All driveways as defined by Title 14 SRA Fire Safe Regulations as adopted by El Dorado County shall be not less than 12 feet wide. Vegetation shall be cleared to an unobstructed vertical clearance of not less than 15 feet. Driveway grades exceeding 16% shall be of an all-weather surface (pavement or asphalt).
  - a. Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near midpoint of the driveway. Where the driveway exceed 800 feet, turnouts shall be provided no more than 400 feet apart.
  - b. A turnaround shall be provided at all building sites on driveways over 300 feet in length, and shall be within 50 feet of the building.
13. A Fire Safe Plan shall be designed for this subdivision by a Fire District approved Fire Safe Planner, per California Department of Forestry State Responsibility Area (SRA) Fire Safe Regulations. The Department shall review and approve the plan prior to recordation of the parcel map.
14. The fire code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

## **Transportation Division**

15. Offer of Dedication: The project shall offer to dedicate, in fee, a right of way of 30 feet ½ width for Woodleigh Lane with the parcel map filing. Said offer shall include all appurtenant slopes, drainage, pedestrian, public utility, or other public service easements as determined necessary by the County. This offer will be accepted by the County.
16. Maintenance Entity: The proposed project must form an entity for the maintenance of the private roads. 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 of the current project. Transportation Division shall review the document forming the entity to ensure the provisions are adequate prior to filing of the parcel map.
17. Consistency with County Codes and Standards: The project shall comply with the design and improvement standard manual, the Grading Erosion and Sediment Control Ordinance, the Drainage Manual, the County Stormwater Ordinance (Ord. No. 5022), the Off-Street Parking and Loading Ordinance, and the State of California Handicapped Accessibility Standards (as may be modified by these conditions of approval or by approved Design Waivers).
18. 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 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 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.
19. Regulatory Permits and Documents: All regulatory permits or agreements between the Project and any State or Federal Agency shall be provided to the Transportation Division with the Project Improvement Plans. These project conditions of approval and all regulatory permits shall be incorporated into the Project Improvement Plans.
20. 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 the Transportation Division with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawing in TIG format.

### **Air Quality Management District**

21. 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. (Rules 223 and 223.1)
22. 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).
23. 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 (§ 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: <http://www.arb.ca.gov/msprog/ordiesel.html>. An applicability flow chart can be found here: [http://www.arb.ca.gov/msprog/ordiesel/faq/applicability\\_flow\\_chart.pdf](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.
24. Portable Equipment: All portable combustion engine equipment with a rating of 50 horsepower or greater shall be registered with the California Air Resources Board (CARB). A copy of the current portable equipment registration 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.