

**EL DORADO COUNTY DEVELOPMENT SERVICES
STAFF REPORT**



Agenda of: July 27, 2006
Item No.: 10.a.
Staff: Lillian MacLeod

**REZONE/PLANNED DEVELOPMENT /
SUBDIVISION MAP**

FILE NUMBER: Z05-0003, PD05-0007, TM05-1394

APPLICANT: La Crescenta Association, LLC / GRE Management Services

AGENT: Kevin Heeney - Cooper, Thorne & Associates, Inc.

REQUEST:

1. Rezone from Limited Multi-family Residential – Design Control (R2-DC) to Limited Multi-family Residential – Planned Development (R2-PD).
2. Development plan to convert an existing 72 unit rental apartment complex into 72 airspace condominium units with common areas under management of a homeowners’ association (HOA). Four units will be designated as affordable housing for moderate income levels.
3. A tentative subdivision map creating 72 airspace condominium units on one parcel consisting of 3.69 acres (Exhibit B).

LOCATION: On the east side of La Crescenta Drive, approximately 750 feet south of the intersection with Green Valley Road, in the Cameron Park area. (Exhibit A)

APN: 083-053-05 and -06

ACREAGE: 3.69 acres

GENERAL PLAN: Multi-family Residential (MFR) (Exhibit C)

ZONING: Limited Multi-family Residential–Design Control (R2-DC) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Categorically exempt pursuant to Sections 15305 and 15301(k) of the CEQA Guidelines.

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND: The existing apartment complex was subject to discretionary review under DR85-16 for buildings A, B, C, D, and E on Assessor's Parcel Number 083-053-06, and under DR86-17 for buildings F, G, H, I, and J on Assessor's Parcel Number 083-053-05

Building permits were issued for the units in 1986, with final occupancy for buildings A through E occurring on May 21, 1987, and for buildings F through J on November 30, 1987. Subsequent permits were issued and finalized for the two swimming pools and clubhouses on site, as well as for the carports. Each parcel contains four buildings of eight units each, one building of four units, and one swimming pool with clubhouse.

Currently, permits have been issued for the replacement of 30 decks within the complex. To date, the permits have not been finalized.

STAFF ANALYSIS

Project Description: The request is for:

1. The conversion of an existing, 72-unit rental apartment complex into 72 units of owner-occupied condominiums. A tentative parcel map creating one, 3.69 acre parcel from the two existing parcels has been submitted consistent with the *Subdivision Map Act §66427* (Exhibit D).
2. A rezone to change the current zoning from Limited Multi-family Residential – Design Control (R2-DC) to Limited Multi-family Residential – Planned Development (R2-PD).
3. A development plan consisting of 10 residential buildings of 2-story construction containing 16 one-bedroom units and 56 two-bedroom units to be marketed as for-sale condominiums (Exhibit E). Condominium ownership will be structured on an airspace regime in which each homeowner will own their unit's airspace in fee but will share ownership of the building as tenants-in-common under the homeowners association. The association will also manage and maintain the common area ground. The common area contains two single-story clubhouses, two swimming pools, several lawn areas, six carports, and several open parking areas. CC&Rs will be established for the project development as part of the HOA agreement in compliance with §17.28.121 of the County Code.

Four units will be designated as affordable housing units for moderate income levels. Further discussion on affordable housing will occur in the General Plan and Zoning sections of the staff report.

Site Description: The topography of the site is relatively flat. The parcels have been developed in accordance with what is shown on the subject site plan.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	R2-DC	MFR	Apartment complex
North	R2-DC	MFR	Undeveloped, apartments, single-family residence
South	R1	HDR	Undeveloped
East	RE-10	HDR	Apartments
West	R2-DC/R1	MFR/HDR	Single-family residence

GENERAL PLAN: The General Plan designates the subject site as Multi-family Residential, appropriate within community regions and rural centers, and which permits a residential density of 5 to 24 units per acre. The density of the existing development, located within the Community Region of Cameron Park, consists of 19.5 dwelling units per acre, thereby conforming to the General Plan land use designation. The following General Plan policies apply to this project:

Policy 7.4.4.4: For all new development projects that would result in soil disturbance on parcels that are (1) over an acre and have at least one percent total canopy cover . . . the County shall apply the following tree canopy retention standards:

Percent Existing Canopy Cover	Canopy Cover to be Retained
80 - 100	60% of existing canopy
60 - 79	70% of existing canopy
40 - 59	80% of existing canopy
20 - 39	85% of existing canopy
10 - 19	90% of existing canopy
1 – 9 for parcels > 1 acre	90% of existing canopy

Discussion: The existing on-site canopy cover equals 25 percent. In order to add additional parking spaces to the site, it will be necessary to remove one percent of this canopy. The project, as proposed, more than complies with tree retention standards under this policy as 99 percent of existing canopy will be retained. Additional landscaping, required for buffering under §17.18.090 of the Zoning Ordinance, will exceed replacement requirements of 1:1 under this policy, as discussed further under the Zoning section of the staff report.

Affordable Housing: Several policies in the General Plan address condominium conversions and affordable housing. In particular, Policy HO-3g states “New multifamily affordable housing developments shall not be converted to condominiums for at least 20 years after issuance of the

Certificate of Occupancy.” The existing apartment complex was certified for occupancy on November 30, 1987. If this policy applies to an *existing* rather than *new* development, conversion cannot occur until December 1, 2007. However, under Policies HO1r and HO-1f “the County shall develop incentive programs and partnerships to encourage private development of affordable housing” and “will encourage new or substantially rehabilitated discretionary residential developments to provide for housing that is affordable to low and moderate income households.” Further, under Policy HO-1p “the County shall minimize discretionary review requirements for affordable housing.”

Discussion: The project will be conditioned so that the final map cannot be recorded until December 1, 2007, unless the Planning Commission determines that the proposed project, at 18 years post-final occupancy, is substantially compliant with Policy HO-3g and meets the affordable housing criteria for streamlining the discretionary process, as directed under Policies HO-1f, 1r and 1p. In this case, staff recommends that the Planning Commission forward a recommendation to the Board to remove any time restrictions on the recordation of the final map.

Open Space: Under Policy 2.2.3.1, residential development plans require “commonly owned or publicly dedicated open space lands of at least 30 percent of the total site.” Commonly owned open space is defined as recreational or picnic areas, or that space not occupied by infrastructure, such as parking areas, access roads and public utilities.

Discussion: The applicant has prepared an open space plan demonstrating compliance with the 30 percent requirement. Excluding buildings, infrastructure, and landscape buffering required under the *Off-street Parking Ordinance*, the remainder of the site allows 42 percent as open space consisting of the pools, clubhouses, lawn, and landscaped areas (Exhibit E).

Conclusion: Staff finds after review of the above policies that the project as proposed / conditioned conforms to the General Plan in that it meets both the required density under its land use designation, as well as the open space requirement for planned developments, it is located within the Community Region of Cameron Park, its existing tree canopy coverage will be retained and replaced on-site in conformance with Policy 7.4.4.4, and its affordable housing component is encouraged under policies within the Housing Element.

ZONING: The subject site is zoned Limited Multi-family Residential – Design Control (R2-DC) which permits a minimum parcel size of 6,000 square feet. Therefore, the proposed 3.69 acre parcel conforms to existing zoning.

Planned Development:

Colors/Materials - Exterior building walls consist of wood siding painted in Kelly-Moore *Oyster*. Trim elements of eaves, gutters, decorative vents, and doors are painted in Sherwin-Williams *Green Mallard* (Exhibit H).

Signs - Two, existing monument signs located at the entrances off La Crescenta Drive consist of river rock with concrete caps (Exhibit I). A brass identification plate is embedded in each. The signs measure 29 and 47 square feet, respectively. The larger of the two is illuminated with a ground light.

Lighting - Existing pole lighting along walkways and pool areas consists of opaque globes containing 13-watt fluorescent bulbs. Wall lighting consists of an opaque glass fixture over each unit's outdoor balcony or patio area. The lighting survey submitted October 19, 2005, demonstrates minimal to no light spillage onto adjacent properties from existing lighting.

Landscaping – Three trees, two maples and one pine, are proposed to be removed to allow for additional parking. Landscaping will be required within the five foot buffers between the northern and southern parking areas and adjacent property under different ownership, as well as between the added parking spaces along La Crescenta Drive frontage in compliance with ordinance standards. These areas constitute approximately 300 linear feet requiring 9 trees and 18 shrubs to be planted on the site. The revised landscape plan utilizes native and drought tolerant species in demonstrating compliance with the ordinance (Exhibit G).

Parking - On-site parking consists of 72 covered standard spaces, 34 open standard spaces, and 34 open compact spaces, including one open space designated handicapped accessible (ADA), for a total of 140 spaces (Exhibit F). Under Chapter 17.18 of the County Code, two parking spaces, not in tandem, per unit are required for single-family attached developments, such as condominiums. Therefore, the total requirement for the project is 144 parking spaces.

The applicants are modifying the existing site plan in order to provide 140 parking spaces, so that 68 units will have two spaces as required, and four units will have one space. In return, these four dwelling units will be designated as affordable housing for moderate income levels. Moderate income households are defined within the General Plan as those earning between 80 to 120 percent of median family income as established within the County.

The four units will consist of a mix in direct proportion to the number of one and two bedroom units within the development. The break down is as follows: sixteen 1-bedroom and fifty-six 2-bedroom units or 22 percent and 78 percent of the total, respectively. This translates into one 1-bedroom and three 2-bedroom units being designated “affordable”.

To insure affordability, the applicant will be required to work with the El Dorado County Human Services Department (HSD) in setting up a monitoring program. The applicant will first be required to meet with HSD to review the *Deed with Restrictions* that will have to be recorded at time of sale. Monitoring of the loan program will be handled by the staff of HSD. Funding will be provided through the current Affordable Housing Programs. A deed restriction will be recorded on the inclusionary units prior to final map recordation to run for a period of 20 years, considered to be the standard in discussions with Human Services. Prior to final map recordation, a copy of the affordable housing plan, to include but not be limited to financing arrangements, monitoring program, and 20-year deed restrictions, must be presented by the applicant to Planning Services. A condition is proposed reflecting these requirements.

As to a sales price estimate for these units, SACOG sets the price requirements based on the 80 percent median income level as a maximum. This income level for all household sizes has been determined for 2006. Through an underwriting process, an affordable sales price is determined based on these income levels. As an example, for one and two bedroom units the following household income level/sales price would apply:

<u>Income Level</u>	<u>1 Person Household</u>	<u>2 Person Household</u>	<u>3 Person Household</u>
80 percent	\$36,600/\$142,500	\$41,850/\$168,750	\$47,050/\$187,500
100 percent	\$45,750/\$181,250	\$52,313/\$208,750	\$58,812/\$236,250
120 percent	\$54,900/\$225,000	\$62,776/\$258,750	\$70,576/\$285,000

The home prices could fluctuate with market demand and are set at the time the units are ground ready for sale. The underwriting process is handled through the Housing Rehabilitation and Housing Acquisition Programs of the Human Services Department. These programs are generally grant funded.

Tentative Parcel Map:

Subdivision Map Act §66427 states that a map of a condominium project does not need to show “the buildings or the manner in which the buildings or the airspace above the property shown on the map are to be divided” such as a condominium plan, “and the governing body may not refuse approval of a parcel, tentative, or final map of the project on account of the absence of a condominium plan.”

Discussion: The applicant has submitted a tentative map delineating the single parcel that will subsequently contain the condominium units, in compliance with §66427.

Rezone:

Section 17.04-030(B) of the County Code establishes that the Planning Commission cannot approve a development plan nor recommend the establishment of a PD zone unless the following findings can be made:

“1. That the PD zone request is consistent with the general plan;”

Discussion: The proposed zone change request to rezone the property from Limited Multi-family Residential – Design Control (R2-DC) to Limited Multi-family Residential – Planned Development (R2-PD) is consistent with its land use designation and Policy 2.2.5.3 regarding rezones in general, as the project is an existing development previously approved under discretionary review. Additionally, the General Plan contains several policies pertinent to the project whose consistency was discussed under the General Plan section of the staff report.

“2. That the proposed development is so designed to provide a desirable environment within its own boundaries;”

Discussion: The development plan is consistent with the existing development with the exception of added parking and landscaping.

“3. That any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography;”

Discussion: Under the current ordinance, a condominium project requires two spaces per unit regardless of size, requiring the owner of any condominium conversion project to add more parking. The owner then becomes constrained by the existing development, which in this case was bound by out of date standards. The existing apartment complex was approved under the design review process against parking standards that at that time required one space per unit, for a total of 72 spaces. The applicant has increased parking by restriping parking areas, converting some to compact spaces, and creating new spaces involving the removal and modification of existing landscaping. The proposed site plan shows 68 additional parking spaces from what was previously required for the apartment complex. The condominium conversion does not change the density or size of the dwelling units, only the way they are marketed. Though the PD overlay allows flexibility in development, the applicant is requesting to offer the four units that will have one parking space each as affordable housing to assist the County in meeting its goals in this regard.

“4. That the site is physically suited for the proposed uses;”

Discussion: The site is an existing apartment complex that is located within a high density, residentially developed, Community region.

“5. That adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities;”

Discussion: The existing development has been adequately served with water, sewer, and electric and propane gas utilities. Each unit will continue to be separately metered and served by PG&E for electricity. Propane gas, water, and sewer services will be administered by the Homeowners Association, and no additional meters will be required or requested from the El Dorado Irrigation District (EID).

“6. That the proposed uses do not significantly detract from the natural land and scenic values of the site.”

Discussion: The existing development conforms to its multi-family residential surroundings. Added parking and landscaping are the only new development being proposed at this time and will not detract from the appearance of the site.

Conclusion:

The proposed condominium plan is consistent with development standards under the Limited Multi-family Residential (R2) Zone District with the exception of parking. However, the PD overlay

allows for flexibility of zoning standards. The project meets the findings necessary for the establishment of the PD rezone in that it consists of an existing multi-family development with adequate infrastructure and services in an area of similar development. The tentative map is a Class I subdivision and, as proposed, conforms to all development requirements and design standards placed on this classification.

Agency and Public Comments: The following agencies provided comments on this application. Copies of their written comments are available at the Planning Services office. From these comments, the following issues were raised:

Department of Transportation: Under General Plan Policy TC-5a, sidewalks and curbs are required of all residential subdivisions. As a result, the project will be conditioned to comply with Standard Plans 101B and 104. No additional right-of-way will be required. Though no design waivers were requested by the applicant, the Department of Transportation has no objections to reducing the sidewalk requirement from the standard six foot width to a four foot width along the project frontage.

Department of Human Services: Information regarding the current sales price based on moderate income levels of 80 to 120 percent of median income was given, as previously listed in the staff report. A recorded Deed of Trust and Resale Restriction Agreement are required, and the project has been conditioned accordingly.

Surveyor's Office: Standard condition regarding survey monuments will be added to the conditions of approval.

These agencies had no specific concerns regarding the proposed project:

**Environmental Health Division
Hazardous Materials Division**

At the time of the preparation of this report, staff had not received any comments from the public. New issues may arise as a result of the public notice of the hearing which will be discussed at that time.

ENVIRONMENTAL REVIEW

This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15305 of the CEQA Guidelines stating that "Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density", and 15301(k) that applies to the "Division of existing multiple family or single-family residences into common-interest ownership . . . where no physical changes occur which are not otherwise exempt." Pursuant to Resolution No. 240-93, a \$35.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption

RECOMMENDATION

Staff recommends that the Planning Commission forward the following recommendations to the Board of Supervisors:

1. Certify that the project is Categorical Exempt from CEQA pursuant to Section 15305 and approve the condominium conversion as the required findings can be made as noted in Attachment 2 based on the analysis in the staff report and the modification of the project to include conditions itemized in Attachment 1.
2. Approve Z05-0003, a rezone from Limited Multi-family Residential – Design Control (R2-DC) to Limited Multi-family Residential – Planned Development (R2-PD), based on the findings in Attachment 2.
3. Approve the development plan, PD05-0007, as the required findings can be made as noted in Attachment 2 based on the analysis in the staff report to include conditions itemized in Attachment 1.
4. Approve the tentative map, TM05-1394, as the required findings can be made as noted in Attachment 2 based on the analysis in the staff report to include conditions itemized in Attachment 1.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Vicinity Map
Exhibit B	General Plan Land Use Map
Exhibit C	Zoning Map
Exhibit D	Tentative Subdivision Map
Exhibit E	Development/Open Space Site Plan
Exhibit F	Parking Alternative 3/Tree Canopy Retention Plan

Exhibit G.....Revised Landscape Plan
Exhibit H.....Photographic Building Elevations
Exhibit ISignage
Exhibit JNoticing Requirements Letter (Nov. 21, 2005)
Exhibit K.....Assessor's Parcel Map

ATTACHMENT 1 CONDITIONS OF APPROVAL

FILE NUMBER Z05-0003, PD05-0007, TM05-1394

1. The subject tentative Map and Planned Development approval is based upon and limited to compliance with the project description, dated July 27, 2006, and Conditions of Approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

The project, as approved, shall consist of the following:

- a. A tentative subdivision map creating 72 airspace condominium units on one parcel consisting of 3.69 acres.
- b. A rezone of the parcel from Limited Multi-family Residential - Design Control (R2-DC) to Limited Multi-family Residential - Planned Development (R2 - PD).
- c. A development plan to convert an existing 72 unit rental apartment complex into 72 airspace condominiums, consisting of 10 residential buildings of 2-story construction. Each building contains 16 one-bedroom units and 56 two-bedroom units. The common area contains two single-story clubhouses, two swimming pools, several lawn areas, six carports and several open parking areas.

Planned Development

2. All site improvements shall conform to Exhibits E, F, G, H, and I.
3. Parking requirements shall be reduced from 144 spaces to 140 spaces. Parking areas shall conform to Exhibit F providing the necessary five foot wide landscape buffers are maintained. In the event that added parking prevents compliance with the landscape buffer requirement, the parking space in violation shall be eliminated and an additional 2-bedroom unit shall be designated as affordable housing.
4. In exchange for approval of the parking variance defined in Condition 3, four of the total single-family units shall be designated as affordable or "inclusionary" housing for families of moderate income unless landscape buffering is not consistent with Ordinance requirements as addressed in Condition 3. Moderate income level is defined as those households earning between 80 to 120 percent of the median family income as established for El Dorado County. Of the four units, one shall be 1-bedroom, and three shall be 2-bedroom units. Deed restrictions for these specific units shall be recorded prior to approval of the final map.

5. An affordable housing plan, to include but not be limited to financing arrangements, monitoring program, and 20-year deed restrictions, shall be established by the applicant through the Department of Human Services. A copy of the affordable housing plan shall be submitted to Planning Services prior to final map recordation.
6. In accordance with General Plan Policy HO-3j, the property owner(s) shall provide notice to the California Department of Housing and Community Development, the County Department of Human Services, and the existing tenants at least two years prior to the conversion of the affordable housing units to market rate.

Tentative Map

Planning Services

7. The final map shall be recorded no sooner than December 1, 2007.
8. Prior to final map recordation, a homeowners' maintenance agreement with CC&Rs, to include but not be limited to those requirements under §17.28.121 of the County Code, shall be recorded.
9. The applicant shall be subject to all noticing requirements under Subdivision Map Act §66427.1, as outlined in Exhibit K. Prior to final map recordation, proof of legal noticing to all tenants shall be submitted to Planning Services demonstrating compliance.

Department of Transportation

10. The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation and pay all applicable fees prior to commencement of any improvements on the project facilities.
11. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Major Land Division Ordinance, prior to filing the final map.
12. The developer shall widen the frontage along La Crescenta Drive to 20 feet from the existing centerline, in accordance with Standard Plan 101B with the exception of allowing a 4 foot wide sidewalk. In addition, the developer shall construct a Type 2 curb and gutter along La Crescenta Drive per Standard Plan 104. This work must be substantially complete, as determined by the Department of Transportation, prior to filing the final map.
13. The developer shall construct driveways onto La Crescenta Drive consistent with Standard Plan 103C. This work must be substantially complete, as determined by the Department of Transportation, prior to filing the final map.

14. A final drainage study shall be prepared by the project proponent and submitted with the subdivision grading and improvement plans subject to the approval of the Department of Transportation. All drainage facilities identified in the drainage study shall be included in the subdivision grading and improvement plans.
15. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.
16. 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.
17. The applicant shall submit a soil and geologic hazards report meeting the requirements of the El Dorado County *Grading Ordinance*, subject to review and approval from the El Dorado County Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations.
18. The project applicant shall incorporate final drainage plans into the improvement plans and obtain approval from the El Dorado County Department of Transportation. These final drainage plans shall demonstrate that future post-development storm water discharge levels from the project will remain at existing storm water discharge levels. The drainage plan shall be prepared by a certified Civil Engineer and shall be in conformance with the El Dorado County *Drainage Manual*. The drainage plans shall include, at a minimum, written text addressing existing conditions, the effects of project improvements, all appropriate calculations, a watershed map, potential increases in downstream flows, proposed on-site improvements, and drainage easements, if necessary, to accommodate flows from the site and implementation and maintenance responsibilities. The plan shall address storm drainage during construction and propose Best Management Practices (BMPs) to reduce erosion and alter quality degradation. All onsite drainage facilities shall be constructed to the satisfaction of El Dorado County Department of Transportation using El Dorado County *Minimum Construction Site Storm Water Management Practices* (March 31, 2004). BMPs shall be implemented throughout the construction process and permanent BMPs shall be included in the grading plan.
19. Grading plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. The County shall issue no building permits until the Department of Transportation approves the final grading and erosion control plans and the grading is completed.

20. The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
21. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to the Department of Transportation with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
22. Construction activities shall be conducted in accordance with the County noise regulations and be limited to the following hours and days: 7:00 AM to 5:00 PM. weekdays; 8:00 AM to 5:00 PM Saturdays. Construction activities shall be prohibited on Sundays and holidays.
23. Should asbestos-containing rock be exposed during grading, construction of roads, excavation for underground facilities, building foundations, or any construction related activity, County Ordinance No. 4548 shall apply.
24. Grading and improvement plans shall incorporate protective measures toward existing oak trees pursuant to Volume IV, Design and Improvement Standards Manual, Oak Tree and Wetlands Preservation Requirements and Specifications (County Resolution No. 199-91).
25. If blasting activities are to occur in conjunction with subdivision improvements, the subdivider shall ensure that such blasting activities are conducted in compliance with state and local regulations.
26. If burning activities are to occur during the construction of the subdivision improvements, the subdivider shall obtain the necessary burning permits from the California Department of Forestry and air pollution permits from the County prior to said burning activities.
27. The location of fire hydrants, systems for fire flows, and fire protection access, are to meet the requirements of the responsible fire department. The location of hydrants shall be shown on the improvement plans which shall be subject to the approval of the responsible fire department.
28. If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and the Native American Heritage Commission shall be contacted per Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. If archaeological artifacts are discovered, the developer shall retain an archaeologist to make recommendations for the treatment of the artifacts. Treatment of Native American

remains or archaeological artifacts shall be the responsibility of the developer and shall be subject to the review and approval of the Development Services Director.

County Surveyor

29. All survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval, or the developer shall have surety of work to be done by bond or cash deposit. Verification of set survey monuments or amount of bond or deposit shall be coordinated with the County Surveyors Office.

ATTACHMENT 2 FINDINGS

FILE NUMBER Z05-0003, PD05-0007, TM05-1394

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

FINDINGS FOR APPROVAL

Rezone/Development Plan

1. The project has been found to be Categorical Exempt from CEQA pursuant to Section 15305 stating that “Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density”, and 15301(k) that applies to the “Division of existing multiple family or single-family residences into common-interest ownership . . . where no physical changes occur which are not otherwise exempt.”
2. The proposed use and design conforms to the General Plan in that the parcel is located within a community region, the proposed use and developmental density are consistent with both land use designation and floor area ratio policy, as well as the combining zone district, and the natural resources on site will be protected pursuant to related policies in the General Plan.
3. The proposed use and development plan conforms to the Zoning Ordinance as follows:
 - a. *That the PD zone request is consistent with the general plan;*

The project parcel is already zoned R2-DC, so a zone change request to R2-PD will not change the base zone district.
 - b. *That the proposed development is so designed to provide a desirable environment within its own boundaries;*

The development plan is consistent with the existing development.
 - c. *That any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography;*

Under the current ordinance, a condominium project requires two spaces per unit regardless of size, requiring the owner of any condominium conversion project to add more parking. The owner then becomes constrained by the existing development, which in this case was bound by out of date standards. The existing apartment complex was approved under the design review process against parking

standards that at that time required one space per unit, for a total of 72 spaces. The applicant has increased parking by restriping parking areas, converting some to compact spaces, and creating new spaces involving the removal and modification of existing landscaping. The proposed site plan shows 68 additional parking spaces from what was previously required for the apartment complex. The condominium conversion does not change the density or size of the dwelling units, only the way they are marketed. Though the PD overlay allows flexibility in development, the applicant is requesting to offer the four units that will have one parking space each as affordable housing to assist the County in meeting its goals in this regard.

d. That the site is physically suited for the proposed uses;

The site is an existing apartment complex that is located within a high density, residentially developed, Community Region.

e. That adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities;

The project consists of an existing apartment complex, and as such, all improvements and services exist to the site.

f. That the proposed uses do not significantly detract from the natural land and scenic values of the site.

The existing development conforms to its multi-family residential surroundings. Added parking and landscaping required for approval will not detract from the appearance of the site.

Tentative Map

1. The proposed tentative map, including design and improvements, is consistent with the General Plan policies and land use map.
2. The proposed tentative map conforms with the applicable standards and requirements of the County's zoning regulations and the Minor Land Division Ordinance.
3. The site is physically suitable for the proposed type and density of development as it is of relatively flat topography, and is located in an area of similar multi-family development.
4. The proposed tentative map is not likely to cause substantial environmental damage, as it is a condominium conversion of an existing multi-family apartment complex.