

**ELDORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: February 22, 2007
Item No.: 8.a.
Staff: Roman Anissi

PLANNED DEVELOPMENT

FILE NUMBER: PD06-0003

OWNER: Burnett Park, LLC

APPLICANT: James Losch

REQUEST: Planned development (PD) to construct a six-unit multi-family rental project (Exhibit C).

LOCATION: North side of Estepa Drive, 500 feet northwest of the intersection with Cambridge Road, in the Cameron Park area, Supervisorial District I (Exhibit A).

APN(s): 082-531-22

ACREAGE: 0.78-acre

GENERAL PLAN: Multi-Family Residential (MFR) (Exhibit E)

ZONING: Limited Multifamily Residential-Planned Development (R2-PD) (Exhibit E and F)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

SUMMARY RECOMMENDATION: Conditional Approval

PROJECT SUMMARY:

The application requests a planned development (PD) to construct a two-story duplex and fourplex apartment building on a 0.78-acre lot located within the Cameron Park Community Region. The project is within the PD overlay and is subject to the PD design criteria. Cameron Park Airport Overflight Safety Area 3 and Rare Plant Mitigation Area 1 standards also affect the property. Department of Transportation recommends certain road and right-of-way improvements to include approval of a four-foot wide sidewalks on- and off-site for pedestrian circulation. The discussion for road improvements occurs in the project issues section of this report.

STAFF ANALYSIS

Project Description: The project provides a total of 7,932 square feet of habitable floor area and 1,602 square feet of garage floor area situated within one duplex and one fourplex. The two-story six-unit multi-family rental project provides 1,322 square feet of habitable floor area and one 267 square foot garage with one uncovered parking space in tandem for each unit. Eighteen off-street parking spaces are provided which include six garages, six tandem with each garage, five common and one handicap vehicle parking space. Water and sewer service for the project will be provided by a connection to the public water and sewer system. A shared access driveway will serve Estepa Lot 158 and Estepa Lot 159. Both projects were submitted by the same applicant and are being processed concurrently as PD06-0003 for Estepa Lot 158 and PD06-0004 for Estepa Lot 159.

Of the existing 0.78-acre or 33,977 square foot lot, 14,650 square feet will be impervious surfaces for the driveway and infrastructure, while 14,753 square feet or 43 percent will be designated as common area open space. Private patios are not included in the calculation. There are no common area amenities, and private patios are to be considered private amenities for the project. The total common area open space between Estepa Lots 158 and 159 is 23,279 square feet or 39 percent of the combined lot area.

Site Description: The site has been partially graded. Elevation of the parcel ranges from a high point of 1,320 feet along the north part of the property to about 1,292 feet on Estepa Drive. Small rock outcroppings and boulders exist. These have been integrated into the site design to promote the natural qualities of the property. Oak woodland tree canopy covers less than ten percent of the property, and most of this canopy will be removed. Existing groundcover on the site includes chamise, Manzanita, toyon, and disturbed grasslands. Seasonal drainage and wetlands do not exist at this location.

Adjacent Land Uses: This neighborhood lies partially within the PD overlay and is located entirely within the Cameron Park Airport Overflight Zone Safety Area 3. The surrounding neighborhood is developed as single and multifamily residential projects. Existing single-family residential development is located to the west of Estepa Drive and along Calido Court situated northwest of the site. A planned development and tentative map application for Cameron Park Lake Estates is currently on file for a six-unit condominium project on the parcel to the north. A building permit was issued in August 2006 for the four-unit multi-family apartment complex that is being constructed to the east. The following table identifies adjacent zoning and land uses:

	Zoning	General Plan	Land Use/Improvements
Site	R2-PD	MFR	Vacant
North	R1/R2-PD	HDR/MFR	Vacant
South	R1	HDR	Single-Family Residential
East	R2-PD	MFR	Multi-Family Residential/Under Construction
West	R1	HDR	Single-Family Residential

Project Issues: Discussion items for this project include road and frontage improvements, Overflight Safety Area 3, grading and PD site design, shared access, water and sewer, Rare Plant Mitigation Area 1 (gabbro soils), and public services.

Road and Frontage Improvements

Department of Transportation (DOT) recommends a 15-foot wide road improvement from the existing centerline of Estepa Drive to the face of the required curb improved to Design and Improvements Standards Manual (DISM) Volume II Section 2E and Standard Plan 101B. Depending on the results of the final drainage study, this project will install a Type 2 curb-and-gutter or a Type 1 rolled curb if drainage can be contained in the gutter section. The curb-and-gutter or rolled curb and a four-foot wide sidewalk will be installed along Estepa Lots 158 and 159 frontage as well as the two adjacent parcels referenced as Assessor’s Parcel Numbers 082-531-20 and 082-770-45 on the attached Exhibit D. DOT based these improvements on the General Plan Transportation and Circulation Element *Policies TC-1b, TC-4i and TC-5a*, as follows:

- *TC-1b: In order to provide safe, efficient roads, all roads should incorporate the cross sectional road features set forth in Table TC-1. Table TC-1 identifies that the ‘Local Road’ widths vary and cross-sections are desired standards to be addressed by the Design and Improvement Standards Manual.*
- *TC-4i: Within Community Regions and Rural Centers, all development shall include pedestrian/bike paths connecting to adjacent development and to schools, parks, commercial areas and other facilities where feasible. In Rural Regions, pedestrian/bike paths shall be considered as appropriate.*
- *TC-5a: Sidewalks and curbs shall be required throughout residential subdivisions, including land divisions created through parcel map process, where any residential lot or parcel size is 10,000 square feet of less.*

DOT finds that these road and right-of-way improvements will meet the objectives of the General Plan. Installing sidewalks and continuing to expand the sidewalk system throughout Cameron Park will allow residents to access Cameron Park Lake and other local amenities by walking. Walkability is a key element that creates livable and healthy neighborhoods in which residents can walk to points of interest without the need to travel to such areas by automobile. Sidewalks along this section of

Estepa Drive will also provide a better on-street parking design with a transition from road to sidewalk instead of road to unimproved shoulder.

Overflight Safety Zone 3

The Cameron Park Airport Comprehensive Land Use Plan (CLUP) allows multi-family residential projects within Safety Zone 3 without added restriction. Although this site is not affected by noise contours, projects affected by the CLUP are required to record an Avigation and Noise Easement in connection with the project. The project is consistent with this requirement based on inclusion of Condition 28 of the permit.

In addition, the use of a multifamily structure and density of six units within Safety Zone 3 can be considered when proposed in conjunction with a PD application pursuant to General Plan *Policy 2.2.5.13*. This project will not pose public health or safety concerns, because the site is located outside of the flight path. Since the potential density for the 0.78-acre site is 4 to 18 units based on the MFR designation and 16 units within the R2-PD zone, six units are appropriate based on land use and zoning. Multifamily lots in the neighborhood have been similarly developed and a six-unit multifamily project fits well within this neighborhood.

Grading/PD Site Design

Grading observes existing topography and elevations of this and surrounding properties. Building pads and graded areas have been established to be sensitive with the surrounding neighborhood. Site grading proposes 2,364 cubic yards of cut excavated between Estepa Lots 158 and 159. Grading establishes landform redistribution of 1,870 cubic yards of dirt across both lots. Only 260 cubic yards will be exported off-site. Building pads for the duplex and fourplex will be at a 1,312 to 1,314-foot elevation. Two culverts will connect the two lots to be installed along the shared access drive and in the Estepa Drive right-of-way.

Density and development standards of the R2-PD zone are addressed in site design. In addition, buildings and parking areas are situated away from Estepa Drive and are located outside of required setbacks. The building pads are at a slightly higher elevation than Estepa Drive and use existing topographic features to separate structures from the main road. The effect blends the buildings appropriately with the surrounding area.

Common area open space accounts for 43 percent of the site and exceeds the 30-percent required for a PD. These areas are landscaped using a mix of drought tolerant and listed species that are compatible with Zones 7 and 9 of the Sunset Western Garden Book. Trees include 15-gallon Coast Live Oak, Crape Myrtle, and Flowering Plum. Low Holly, India Hawthorn, Fortnight Lilly, Large Green Flax, Heavenly Bamboo, Large Cotoneaster, Shiny Xylosma, and Low Juniper provide an attractive mix for groundcover. A limited amount of sod will be installed adjacent entryways and along patio areas for each unit and irrigation will provide continued care for landscaped areas on the property. Condition 29 of the permit requires that a final landscape plan designed to meet the Water Conservation Landscape Standards be submitted for review and approval by Development Services during the review of the building permit.

Fencing will occur adjacent to private patios and will separate private areas from surrounding properties. Fences will be six feet in height made of solid wood. Installation of gates on the fence will allow residents to access common areas of the property from private patios. Patio lights will be installed and must be properly shielded to meet the lighting ordinance standards to avoid day or nighttime glare. Common area lighting and signs will not be installed for this project.

Shared Access

One shared access driveway will serve Estepa Lot 158 and Estepa Lot 159. Providing shared access reduces the amount of potential traffic, pedestrian, and circulation conflicts along Estepa Drive. Since Estepa Lots 158 and 159 projects are under common ownership, the project permit requires that the property owner or property management company maintain the shared access driveway and related infrastructure in good visual and operable repair.

Water and Sewer Improvements

Environmental Management reviewed a Facilities Improvement Letter (FIL) from the El Dorado Irrigation District (EID). A safe and reliable water source is available for the six-units. A connection to the existing eight-inch water main located in the Estepa Drive right-of-way will be required and the Cameron Park Fire Department will require installation of an on-site looped water system to meet the minimum fire flow of 2,250 gallons per minute for a period of two hours.

Condition 22 of the permit addresses the on-site looped water system. It also identifies a second option for the water line in order to meet fire flow standards. This option allows the developer to design to EID standards, upgrade the existing 8-inch water line to 10-inches for a length of 120-feet off-site, and reconnect to an 8-inch line for 50-feet prior to connecting to the project. EID and/or the Cameron Park Fire District will review this design during the design and construction phase. If not approved, a looped system will be required.

EID identified that adequate capacity is available for this project to connect to the public sewer system. Sewer service will occur with the project establishing a connection from the buildings to the existing six-inch sewer line is located within Estepa Drive.

Rare Plant Mitigation Area 1 (Gabbro Soils)

The site is located in Rare Plant Mitigation Area 1 and consists of gabbro soils. A \$3,982.50 in-lieu mitigation fee, or the in-lieu fees in effect at the time of building permit issuance, is included in the project permit to address environmental impacts. In addition, an added measure requires that a qualified biologist conduct a site survey during the bloom period to determine if special-status species exist on site. If such species are discovered, the project must avoid impacts. If impacts cannot be avoided, then the applicant must confer with the California Department of Fish and Game and/or the US Department of Fish and Wildlife Services and obtain approval from the appropriate agency prior to the removal of such plants. This must be done prior to the County issuing grading or improvements permits for this project.

Public Services

The Cameron Park Fire Department operates Fire Stations 88 and 89. The department provides Emergency Medical Services (EMS) and Fire protection 24 hours a day, seven days a week with a total of 20 full-time fire personnel to serve the area. The El Dorado County Sheriff's Department provides policing service for the entire County.

Adequate public services in the form of public parks, recreational opportunities, and schools exist for the Cameron Park Area. The Cameron Park Community Services District operates a number of parks that include the Cameron Park Lake, Christa McAuliffe Park and Skate Park, Rasmussen Park, Dave West Park, Hacienda Park, and Gateway Park. Elementary and middle schools are within the Rescue Union School District, and high schools are operated by the El Dorado Union High School District.

General Plan: This project is consistent with the policies outlined by the adopted 2004 El Dorado County General Plan. Findings for consistency with the General Plan are provided in Attachment 2. The Multi-Family Residential (MFR) designation allows 5 to 24 dwelling units per acre, and 4 to 18 units can be considered for this 0.78-acre property. Within Safety Zone 3 a PD must be processed for densities that exceed one dwelling unit per five acres. *Policy 2.2.5.13* allows this density because the site is not located within the flight path of the airport, and the six-units are compatible within the area.

Department of Transportation (DOT) recommends road and right-of-way improvements. Based on *Policies TC-1b, TC-4i, and TC-5b*, specific conditions for project approval have been added to the permit. The improvements will result in a 15-foot paved road section extending from the centerline of the road to the face of the new curb. On- and off-site curb-and-gutter or rolled curbs, as well as 4-foot wide sidewalks will also be installed. DOT reviewed the project and concluded that traffic impacts will not worsen in the area based on *Policy TC-Xe* trip increase of two percent during peak periods, 100 Average Daily Trips (ADTs), or 10 ADTs during the peak period.

Mitigation is included in the project permit to address protection of on-site special-status plant species. Although this site is an infill site located outside of an established preserve, the mitigation addresses *Policy 7.4.1.1* for the protection of sensitive plant species found within gabbro soils.

Slopes exceeding 30 percent do not exist on the site; and the project complies with the tree canopy preservation *Policy 7.4.4.4*, because the site is less than one acre in size and consists of less than 10 percent oak woodland canopy. Oak woodland preservation is not required.

A 2004 Cultural Resources Study was provided to address *Policy 7.5.1.3*. The study identified a low potential for prehistoric and historic resources. No further site assessments were recommended by the study, and typical procedures have been added to the project permit for accidental subsurface discoveries.

Zoning: As designed, this project meets the regulations of the Zoning Ordinance and requests no deviations from the development standards of the Limited Multifamily Residential-Planned Development (R2-PD) Zone. The project provides excess off-street parking, meets site landscape

and irrigation standards, provides appropriate fencing, and does not propose common area outdoor lighting or signs.

Agency and Public Comments: The following agencies provided comments on this application:

El Dorado County Department of Transportation
El Dorado County Environmental Management Department
Cameron Park Fire Department
Office of the County Surveyor
El Dorado Irrigation District
Cameron Park Design Review Committee

The El Dorado County Department of Transportation, El Dorado County Environmental Management, and Cameron Park Fire Department provided conditions of approval.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Exhibit J) to determine if the project may have a significant effect on the environment. Based on the Initial Study, conditions have been added to the project to avoid or mitigate to a point of insignificance the potentially significant effects of the project. Staff has determined that there is no substantial evidence that the proposed project, as conditioned, will have a significant effect on the environment, and a Mitigated Negative Declaration has been prepared.

NOTE: 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.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Department of Fish and Game Code Section 711.4 and Senate Bill 1535), the project is subject to a fee of \$1,800.⁰⁰ after approval, but prior to the County filing the Notice of Determination on the project. This fee, plus a \$50.⁰⁰ processing fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The total fee will be forwarded to the State Department of Fish and Game via the County Recorder's Office and is used to help defray the cost of managing and protecting the state's fish and wildlife resources.

RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

1. Adopt the Mitigated Negative Declaration based on the Initial Study (Exhibit J) prepared by staff based on the findings listed on Attachment 2; and
2. Approve PD06-0003 subject to the conditions in Attachment 1, based on the findings in Attachment 2.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1Conditions of Approval
Attachment 2Findings

Exhibit AVicinity Map
Exhibit BAerial Map
Exhibit CPlan Set
Exhibit DOn/Off-Site Sidewalks/Curb-and-Gutters
Exhibit EGeneral Plan Land Use and Zone Map
Exhibit FPD Overlay
Exhibit GCameron Park Airport Overflight Area Map
Exhibit HSoils Map
Exhibit IAssessor’s Map
Exhibit JInitial Study (CEQA)

ATTACHMENT 1
CONDITIONS OF APPROVAL

FILE NUMBER PD06-0003/ESTEPA LOT 158

MITIGATION MEASURES

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

1. Prior to the approval of grading and/or improvement plans, a qualified biologist shall conduct an on-site botanical survey during the bloom period of special-status plants to determine if such plants exist on the project site.

In the event that special-status plants are found and impacts to the species cannot be avoided, the applicant shall obtain approval from the California Department of Fish and Game (CDFG) and/or the US Fish and Wildlife Services (USFWS) for the removal of found special-status plants. The applicant shall provide evidence in writing from the CDFG and/or the USFWS that removal of found special-status plants occurred to the satisfaction of the affected agency and/or agencies.

2. Prior to the issuance of building permits, the applicant shall make an in lieu-fee payment of \$3,982.50, or the fee in effect at the time of building permit issuance, for construction of a six-unit multi-family residential development within Rare Plant Mitigation Area 1.

CONDITIONS OF APPROVAL

Project Description

3. Approval is only for an apartment rental project referenced by the attached exhibits to include: one duplex and one fourplex each consisting of two-story construction; a project total of 7,932 square feet of habitable floor area and 1,602 square feet of garage floor area; 18 off-street parking spaces to include six garage spaces, six spaces in tandem with each garage, five common parking spaces, and one handicap space; and 14,753 square feet of common area open space with no common area amenities.
4. Exterior colors and materials for buildings shall substantially conform to the following color palette: the exterior of the buildings will be tan stucco with dark brown or tea chest trim and grey 30-year fire resistant roof shingles will be installed for the project. All exterior building materials, treatments, and landscaping shall be maintained in good visual repair, at all times.

Department of Transportation

5. The applicant shall obtain approval of project improvement plans and cost estimates consistent with the *Subdivision Design and Improvements Standards Manual* from the Department of Transportation, and shall pay all applicable fees to the Department of Transportation prior to the commencement of any improvements.
6. The applicant 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 the commencement of the commercial grading permit.
7. The applicant shall pay the traffic impact fees in effect at the time a building permit is issued.
8. The applicant shall widen the frontage along Estepa Drive to 15-feet measured from the existing centerline of Estepa Drive to face of curb to *Design Standard Plan 101B*. The applicant shall construct either a Type 2 curb-and-gutter or a Type 1 rolled curb depending on if the final drainage study identifies that drainage can be contained in curb section, as well as a 4-foot wide sidewalk along the property frontage of Estepa Drive to *Design Standard Plan 104* and *101B*. These improvements shall be completed prior to the issuance of the first occupancy permit.
9. The applicant shall be required to make off-site improvements on Estepa Drive and construct either a Type 2 curb-and-gutter or Type 1 rolled curb depending on if the final drainage study identifies that drainage can be contained in curb section, as well as a 4-foot wide sidewalk along *Design Standard Plan 104* and *101B*. These off-site improvements shall extend between Assessor's Parcel Number 082-531-20 to the existing driveway encroachment on Assessor's Parcel Number 082-770-45. These improvements shall be completed prior to the issuance of the first occupancy permit.
10. The applicant shall construct a modified *Design Standard Plan 103G* driveway to connect the project to Estepa Drive. The applicant shall also process an Encroachment Permit for the driveway connection and culvert located within the public right-of-way. These improvements shall be completed prior to the issuance of occupancy permits.
11. A final drainage study shall be prepared by the applicant and shall be submitted with the subdivision grading and improvement plans to be reviewed and approved by the Department of Transportation. All drainage facilities identified in the drainage study shall be included in the subdivision grading and improvement plans.
12. Grading plans shall incorporate appropriate erosion control measures as provided in the *El Dorado County Grading Ordinance* and the *El Dorado County Storm Water Management Plan*. Appropriate run-off 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.

13. The applicant shall submit a soils and geologic hazards report to be prepared to meet the requirements of the *El Dorado County Grading Ordinance*. The report shall be submitted to the Department of Transportation for review and approval. The findings of the detailed geologic and geotechnical investigations shall be incorporated into the grading design plans.
14. 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.
15. 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 of each year, the applicant shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review. Recommendations from the RCD will be forwarded to the Department of Transportation which shall approve or conditionally approve such a plan and shall require the applicant to implement the plan prior to October 15^h of each year.
16. Upon completion of required improvements and prior to the County accepting such improvements, the applicant shall provide a compact disc (CD) to the Department of Transportation with the drainage report, structural wall calculations, and geotechnical reports in .pdf format with record drawings to be provided on the same CD in .tif format.
17. All construction activities shall be conducted according to the County noise regulations and shall be limited to the following hours and days: 7:00 am to 5:00 pm on any weekday; 8:00 am to 5:00 pm on Saturdays; and prohibited on Sundays and holidays.
18. Should asbestos-containing rock be exposed during grading, construction of roads, excavation for underground facilities, building foundations, or any construction related activity, then County Ordinance 4548 shall apply.
19. If blasting activities are to occur in conjunction with grading or improvements, the applicant shall ensure that such blasting activities are conducted in compliance with state and local regulations.

Fire Department

20. Prior to the approval of any building permits, a Fire Safe Plan review fee of \$120.00 shall be submitted to the Cameron Park Fire Department.
21. The applicant shall install three new fire hydrants for the project. Fire hydrants shall be located within 150 feet of all portions of the building pursuant to CFC 903.2.
22. Prior to the approval of building permits, the applicant shall install an on-site looped water line to extend from the existing eight-inch water main line located within Estepa Drive. The improvement shall be reviewed and approved by the Cameron Park Fire Department prior to issuance of any building permit. The looped system shall be designed to provide a fire flow of 2,250 gallons per minute (gpm) under 20 pounds of pressure (psi) for a period of two hours. In lieu of a looped water system, the applicant shall design the water connection pursuant to the El Dorado Irrigation District (EID) standards to upgrade the existing water line located within Estepa Drive. The upgrade will include a 10-inch water line for a section of 120-feet and a reduction to an 8-inch water line for a section of 50 feet to meet EID standards and to the satisfaction of the Cameron Park Fire Department.

Planning Services

23. Prior to the approval of occupancy permits, the applicant shall provide to Planning Services a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval.
24. Prior to the approval of occupancy permits, the applicant shall schedule an inspection with Planning Services for verification of compliance with applicable conditions of approval.
25. Off-street parking shall not be reduced at any time. Garage parking shall be kept free and clear to accommodate vehicular parking only.
26. Parking areas shall be improved to a minimum of two inches of asphaltic concrete (AC) over four inches of aggregate base or equivalent improvements in concrete. The applicant, property owner, and/or property management company shall maintain in good visual and operable repair all parking, driveways, shared access, and related surface improvements associated to the project.
27. The applicant shall connect to the existing six-inch sewer line located in Estepa Drive.
28. Prior to the issuance of building permits, the applicant shall submit to the Development Services Department an Avigation and Noise Easement for a project located within the Cameron Park Overflight Zone Safety Area 3 to be submitted to the Board of Supervisors for approval and recording.

29. The final landscape plan shall meet Zoning Code Chapter 17.18.090, and General Plan Policies 7.3.5.1, 7.3.5.2 and 7.4.4.4. The final landscape plan and Water Conservation Landscape Standards form shall be provided to, and then approved by the Deputy Planning Director or designee, the prior to issuance of a building permit. Applicant shall install and maintain landscaping in accordance with the approved final landscaping plan in perpetuity or unless otherwise modified through any future permit.
30. Common area lighting is not permitted. Patio area lighting shall be shielded and must conform to the provisions of the lighting ordinance.
31. Refuse and recycling materials shall be stored in individual containers within the garage area of each unit and shall only be located outside of the garage on trash/recycling pick-up days.
32. Outdoor air conditioning units shall be located in the rear yard and/or patio area of each unit and shall be screened from public views. Roof mounted air conditioning units shall not be allowed.
33. Propane tanks shall be located underground. The location of propane tanks shall be shown on the site improvement/grading plans.
34. Gates shall not be allowed across the access drive.
35. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent shall ensure that all such activities cease within 50-feet of the discovery until an archaeologist can examine the find in place and determine its significance. If the finds is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after the appropriate measures are taken or the site is determined not to be of significance. Planning Services shall review the grading plans prior to the issuance of a grading permit.
36. In the even of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission. Planning Services shall review the grading plans prior to the issuance of a grading permit.
37. 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, as provided in Section 66474.9(b) of the California Government Code.

The subdivider 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 subdivision, which action is brought within the time period provided for in Section 66499.37.

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

Cameron Park Community Services District (CPCSD)

38. Park impact fees and fire development fees shall be paid to the Cameron Park Community Services District (CPCSD) prior to issuance of building permits or issuance of the first occupancy permit.

Environmental Management

39. Prior to approval of grading and/or improvement plans, the applicant shall provide a Fugitive Dust Prevention and Control Plan and Contingent Asbestos Hazard Dust Mitigation Plan shall be submitted to and approved by the district prior to the start of project (FDP) application with appropriate fees to the Air Quality Management District (AQMD) for review and approval.
40. All project construction activities shall adhere to AQMD Rule 224 for Cutback and Emulsified Paving Materials.
41. All project architectural coatings shall adhere to AQMD Rule 215.
42. Any burning of wastes that result from ‘Land Development Clearing’ must be permitted through the AQMD. Only vegetative waste material may be disposed of using an open outdoor fire pursuant to AQMD Rule 300.
43. The following measures shall be implemented during construction activities to maintain the air quality standards established by the AQMD. The standards include: use of low emission on-site mobile construction equipment, maintenance of on-site equipment to manufacturer’s specifications, retardation of on-site diesel engine injection timing by two to four degrees, use of electricity from power poles rather than temporary gasoline or diesel generators, use of reformulated low-emission diesel fuel, use of catalytic converters on gasoline powered equipment, substitution of electric and gasoline powered equipment for diesel-powered equipment where feasible, inactive construction equipment shall not remain idling for periods in excess of two minutes, materials shall be scheduled for delivery during off-peak hours, configure construction parking to minimize traffic interference, and develop a construction traffic management plan.

44. Prior to the construction or installation of any new point source emission units or non-permitted emission units such as gasoline dispensing facilities, boilers, internal combustion engines, the applicant shall submit an authority to construct application to be reviewed and approved by the AQMD. Submittal of the application shall include facility diagram(s), equipment specifications, and emission factors.

ATTACHMENT 2
FINDINGS

FILE NUMBER PD06-0003/ESTEPA LOT 158

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:

1.0 CEQA FINDINGS

1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received 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 project.

1.2 By including mitigation for special-status plants, no significant impacts to the environment will result from this project. Mitigation is included in the project permit that address potentially significant impacts within Biological Resources, Land Use, and Mandatory Findings of Significance categories of the Initial Study based on special-status plants that may exist on the project site. Requiring a survey during the bloom period and either avoiding or removing and transplanting found plants to the satisfaction of the California Department of Fish and Game (CDFG) and/or US Fish and Wildlife Services (USFWS) will reduce the level of impacts within the categories to a level that is less than significant.

1.3 The project will not affect wetlands, watercourses, riparian lands, or animal life and habitats, or other terrestrial matters under the jurisdiction of the California Department of Fish and Game (CDFG). Impacts to special-status plant species will require mitigation in order to reduce the level of impacts to the environment below a level that is significant. The project is, however, subject to environmental filing fees of \$1,800 plus a \$50 County Recorder processing fee based on CDFG Code Section 711.4 and Senate Bill 1535.

1.4 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA 95667.

2.0 PLANNED DEVELOPMENT FINDINGS

2.1. *That the Planned Development (PD) is consistent with the General Plan.*

As proposed, the PD application and necessary improvements are consistent with the policies and land use designation of the adopted 2004 General Plan. The project meets the Multi-Family Residential (MFR) standard for use and density by providing a six-unit multi-family residential project. PD criteria are being addressed concurrent with site design providing an appropriate density for a project located within the Cameron Park Airport Overflight Safety Zone 3. The six units are compatible with the surrounding pattern of development. Other similarly designed projects with comparable densities exist in the immediate area. The proposed development plan is compatible

with the Cameron Park Airport CLUP, adequate public services exist or will be provided to serve the project, road improvements and fees will off-set traffic impacts, and there are no significant biological resources on the site.

2.2 The proposed development is designed to provide a desirable environment within its own boundaries.

This project provides 43-percent common open space area where 30-percent is required based on PD standards. The site incorporates the gentle slope and topography of the site into the overall design by placing buildings on the higher elevations of the parcel away from Estepa Drive. Combined with the siting of buildings, the use of an earth tone building color palette and placement of the parking areas away from the main street and outside of setbacks creates a sensible environment within the project boundaries. In addition, the installation of comprehensive landscape and irrigation will maintain a visually attractive project by softening the structures to be built on the site.

2.3 That any exception to the standard requirements of the zone regulations are justified by the design or existing topography.

The project proposes no deviations to the underlying Limited Multi-Family Residential (R2) zone development standards.

2.4 The site is physically suited for the proposed use.

This area of Cameron Park is designated for multi-family residential development and the property is an infill site surrounded by similar types of single- and multifamily projects. The Cameron Park Airport CLUP allows multifamily development within Overflight Safety Zone 3 with the PD application. As an infill lot, direct access is available onto Estepa Drive for Lots 158 and Lots 159 that will combine and share access using one main encroachment.

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

Adequate public services are available or will be provided as conditioned by installation of road, water and sewer line improvements. Adequate fire and police protection, parks and recreational opportunities, as well as schools exist in the area. These public services will be available for this multi-family project.

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

This 0.78-acre site is an infill parcel that is surrounded by similarly developed or developing projects. As designed, the project proposes a sensitive site design that incorporates landform grading techniques and building siting to create a balanced and aesthetically pleasing product that fits within the neighborhood. Rock outcroppings and boulders that exist on-site are integrated into the design in order to enhance the natural and scenic qualities that exist at this property. Exterior colors of

buildings will be tan stucco with dark brown or tea chest trim. The selected colors will blend the buildings with the existing earth tone colors that are characteristic of the property and the surrounding neighborhood.