

**EL DORADO COUNTY DEVELOPMENT SERVICES  
PLANNING COMMISSION  
STAFF REPORT**



**Agenda of:** September 13, 2007  
**Item No.:** 10  
**Staff:** Jason R. Hade

**TENTATIVE SUBDIVISION MAP**

**FILE NUMBERS:** TM07-1436/Candlelight Village Mobile Home Park

**APPLICANT:** Candlelight Village Inc./Jon Emigh

**ENGINEER:** Rancho Engineering

**REQUEST:** Fee title conversion of the previously approved 92 mobile home park spaces to resident ownership.

**LOCATION:** Northwest side of Mount Aukum Road, approximately one mile west of Fairplay Road, in the Somerset/Fairplay area, Supervisorial District II. (Exhibit A)

**APN:** 046-061-24 (Exhibit D)

**ACREAGE:** 44.43 acres

**GENERAL PLAN:** High Density Residential (HDR) and Commercial (C) with Agricultural (A) and Platted Lands (PL) overlay (Exhibit B)

**ZONING:** Mobile Home Park (MP) and Commercial (C) (Exhibit C)

**ENVIRONMENTAL DOCUMENT:** Statutorily exempt from CEQA pursuant to Section 15282(e) of the CEQA Guidelines

**SUMMARY RECOMMENDATION:** Conditional Approval

**BACKGROUND**

Special Use Permit application S86-0040 was previously approved by the Planning Commission authorizing 92 mobile home park spaces. Initially, the applicant sought a tentative subdivision map waiver pursuant to 66428.1(a) of the Subdivision Map Act, but staff determined that the four required findings could not be made. As such, a tentative subdivision map is required. However,

pursuant to 66428.1(d) of the Subdivision Map Act concerning map waivers where tenants purchase mobile home parks, “if a tentative or parcel map is required, the local agency shall not impose any offsite design or improvement requirements unless these are necessary to mitigate an existing health or safety condition. No other dedications, improvements, or in-lieu fees shall be required by the local agency. In no case shall the mitigation of a health or safety condition have the effect of reducing the number, or changing the location, of existing mobile home spaces.” The mobile home park petition and disclosure statement circulated prior to tentative map filing pursuant to 66428.1(b) is attached as Exhibit F.

**STAFF ANALYSIS**

Staff has reviewed the project for compliance with the County’s regulations and requirements. An analysis of the proposal and issues for Planning Commission consideration are provided in the following sections.

**Project Description**

The project consists of a fee title conversion of the previously approved 92-space mobile home park to resident ownership in addition to the mapping of three lettered lots for open space and other amenities. Primary site access would be provided via the existing Candlelight Drive with an emergency access route from Candlelight Court to Mount Aukum Road.

**Site Description**

The project site currently has approximately 15 manufactured homes already completed or in the final construction stages. There are no lots for sale in the mobile home park, and prospective residents may purchase a manufactured home and lease the lot on which it is located for 35 years. Lot sizes range from 6,000 to 20,000 square feet. The site also includes a previously constructed “stick” built home, maintenance facility, lake, and several open space areas. Road improvements permitted under S86-0040 have been constructed for existing phases one, two, and six of the tentative map (Exhibit F). On-site elevation is approximately 2,000 feet above mean sea level. Much of the oak tree canopy and sloped portions of the site lie within the mapped open space areas.

**Adjacent Land Uses**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	MP/C	HDR/C-A-PL	Mobile Home Park
<b>North</b>	RE-10	RR	Single-Family Residences
<b>South</b>	RE-5	RR	Pioneer Fire Protection District Fire Station/Single-Family Residences
<b>East</b>	RE-10	RR	Single-Family Residences
<b>West</b>	RE-10/PA-20	RR/AL	Single-Family Residences

### **Access/Circulation**

Primary site access would be provided via the existing Candlelight Drive with an emergency access route from Candlelight Court to Mount Aukum Road. On-site road improvements permitted under S86-0040 have been constructed for existing phases one, two, and six of the tentative map (Exhibit F). Improvements consistent with those approved under S86-0040 and shown on the submitted tentative map would be completed prior to the recording of their respective phases. Proposed access to all lots would be consistent with fire safe standards. As such, the proposed project does not include any design features, such as sharp curves or dangerous intersections, or incompatible uses that will substantially increase hazards. No traffic hazards would result from the project design. The proposed subdivision is consistent with General Plan Policy 6.2.3.2, as the Pioneer Fire Protection District has reviewed the project and confirmed that the proposed access and on-site roadways are adequate for the development. The Department of Transportation reviewed the proposal and had no comments or recommended conditions of approval.

### **Fire**

The Pioneer Fire Protection District reviewed the proposed tentative subdivision map and had no project specific concerns or recommended conditions of approval.

### **Land Use Compatibility**

As noted above, the existing mobile home park is surrounded by rural residential uses. If approved, the requested fee title conversion will not change the number of spaces, roadway design, and type of structures. The creation of a Home Owner's Association (HOA) along with resident ownership of the spaces would likely result in a better maintained community than if the spaces remain as rental units. Therefore, the proposed subdivision will fit within the context of these surrounding land uses pursuant to General Plan Policy 2.2.5.21.

### **Phasing**

Only those proposed phases which have sufficient existing infrastructure such as water and sewage disposal service and roads may be recorded. As proposed, phases one, two, and six meet this criteria while phases three, four, and five will need to have the infrastructure required under S86-0040 as well as Environmental Management conditions completed prior to final map recordation.

### **Water/Sewage Disposal**

Private wells/tanks and on-site leach systems are proposed for water and sewage disposal service. The Environmental Management Department reviewed the proposed subdivision and had several concerns regarding the provision of sufficient sewage disposal repair areas, maintenance and monitoring of such systems, proper destruction of abandoned wells, and the demonstration of the availability of a safe and adequate water supply. These issues are addressed within the project's conditions of approval (Attachment 1). Based on this information, the project would be consistent with General Plan Policies 5.2.3.4 and 5.3.3.3 regarding the provision of adequate groundwater supply and the use of a community wastewater system as an acceptable option to traditional wastewater treatment for mobile home parks.

## **GENERAL PLAN**

The project has been reviewed in accordance with the applicable El Dorado County 2004 General Plan policies, including 2.2.5.21, 5.2.3.4, 5.3.3.3, and 6.2.3.2 concerning land use compatibility, groundwater supply, community wastewater systems, and fire safe access, and it has been determined that the project is consistent with the General Plan.

Under policy HO-3c, the County shall support efforts to convert mobile home parks where residents lease their spaces to resident ownership of the park. As such, staff believes this proposal is consistent with this General Plan policy. Candlelight Village is currently not affordable to very low and lower income households. Therefore, the conversion of the park to resident ownership will not impact housing affordability consistent with policy HO-3d.

The existing project density approved under S86-0040 of approximately two units per acre is consistent with the allowable density of one to five dwellings units per acre under the HDR land use designation. This density would not change with the approval of the fee title conversion request. Additionally, allowable residential structure types within the HDR land use designation, Policy 2.2.1.2, include single-family attached and detached dwellings and manufactured homes.

Findings of consistency with the General Plan are provided in Attachment 2.

## **ZONING**

The proposed subdivision contains 92 lots which are consistent with the development standards identified within Section 17.40.030 of the Zoning Ordinance (Mobile Home Districts), including a minimum lot area of 2,700 square feet with a lot width of not less than 35 feet. Proposed lot sizes range from 6,000 to 20,000 square feet in size. Compliance with other development standards such as maximum overall density, pedestrian circulation, recreation area, street width, parking and landscaping, was addressed at time of S86-0040 review and approval. The existing residential uses at the subject site are permitted under S86-0040 approved pursuant to Section 17.40.020.A of the Zoning Ordinance.

## **ENVIRONMENTAL REVIEW**

This project has been found to be Statutorily Exempt from the requirements of CEQA pursuant to Section 15282(e) of the CEQA Guidelines stating that “the conversion of an existing rental mobilehome park to a resident initiated subdivision, cooperative, or condominium for mobilehomes as set forth in Section 21080.8 of the Public Resources Code” is statutorily exempt from the provisions of CEQA.

Pursuant to Resolution No. 240-93, a \$50.<sup>00</sup> processing fee is required by the County Recorder to file the Notice of Exemption.

**RECOMMENDATION**

Staff recommends the Planning Commission take the following actions:

1. Certify that the project is Statutorily Exempt from CEQA pursuant to Section 15282(e) of the CEQA Guidelines; and
2. Conditionally approve tentative subdivision map application TM07-1436, subject to the conditions in Attachment 1, based on the findings in Attachment 2.

**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 .....	Assessor's Parcel Map Page
Exhibit E .....	Tentative Map
Exhibit F .....	Mobile Home Park Petition and Disclosure Statement

# **ATTACHMENT 1** **CONDITIONS OF APPROVAL**

## **FILE NUMBER TM07-1436**

### **I. PROJECT DESCRIPTION**

1. This tentative subdivision map is based upon and limited to compliance with the project description, the Planning Commission hearing exhibit marked Exhibit E “Tentative Map,” dated September 13, 2007 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 description is as follows:

TM07-1436 consists of a fee title conversion of the previously approved 92 mobile home park spaces to resident ownership as well as the creation of three lettered lots for open space and other amenities. Lots will range in size from 6,000 to 20,000 square feet. Primary site access will be provided via the existing Candlelight Drive with an emergency access route from Candlelight Court to Mount Aukum Road. Private wells/tanks and on-site leach systems will provide water and sewage disposal service.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, 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 (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

### **II. PROJECT CONDITIONS OF APPROVAL**

#### **Planning Services**

2. At time of final map filing, the map submitted to Planning Services shall reflect a total of 92 lots consistent with those spaces approved under S86-0040 as well as an additional three lettered lots for open space and other amenities. Those spaces designated as open space or for water and sewage disposal systems shall be lettered and described accordingly.
3. Prior to final map recordation for phases three, four, and five, those improvements required under S86-0040 shall be completed to the satisfaction of Planning Services.

4. At time of map recording, all open space lots shall be dedicated to a Homeowner's Association or similar entity as open space with appropriate maintenance program. All open space lots shall be dedicated at the time of recording of the first phase of the map.
5. This tentative map shall expire within 36 months from date of approval unless a timely extension has been filed.
6. All fees associated with the tentative subdivision map shall be paid prior to recording the final subdivision map.
7. 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 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.

#### **Environmental Management Department – Environmental Health**

8. Prior to map recordation, the creation of a legal entity empowered by the State of California to plan, design, finance, construct, operate, maintain, and abandon when required any and all sewage disposal and water systems shall be completed to the satisfaction of the El Dorado County Environmental Management Department (EMD). The agreement for the creation of the legal entity shall be irrevocable and in place in perpetuity.
9. At time of final map filing, a complete site plan showing the location of all existing wells and septic systems including a designated 300 percent sewage disposal repair area shall be reviewed and approved by the EMD. The repair area cannot be encumbered by structures or driveways and must meet all setback requirements for onsite sewage disposal. A copy of the completed site plan shall also be supplied to the State of California, Regional Water Quality Control Board for review.
10. Prior to map recordation, a Right of Entry Agreement for the Monitoring and Maintenance of the septic systems that service the Candlelight Village shall be recorded. Said document

shall specify that the Homeowners Association obtain and maintain a annual septic system operating permit to the satisfaction of the EMD.

11. Any abandoned wells at the subject site shall be properly destroyed, under permit from the EMD, by a license well driller, prior to map recordation.
12. A safe and adequate water supply shall be demonstrated prior to map recordation for phases three, four and five to the satisfaction of the EMD.
13. At time of final map filing, a completed California TMF (technical, managerial, financial) Capacity Assessment Form for Change of Ownership of Community Public Water Systems shall be submitted to the California Department of Health Services, Division of Drinking Water and Environmental Management. Forms and further direction is available at: <http://www.dhs.ca.gov/ps/ddwem/TMF/Community/default.htm>

#### **Surveyor's Office**

14. 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 the 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 Surveyor's Office.
15. The roads serving the development shall be named by filing a completed road name petition with the County Surveyor's Office prior to filing the final map.

## **ATTACHMENT 2** **FINDINGS**

### **FILE NUMBER TM07-1436**

#### **1.0 CEQA FINDINGS**

- 1.1 The Planning Commission has determined the project is Statutorily Exempt from the provisions of CEQA pursuant to Section 15282(e) of the CEQA Guidelines which states that the conversion of an existing rental mobilehome park to a resident initiated subdivision, cooperative, or condominium for mobilehomes as set forth in Section 21080.8 of the Public Resources Code is statutorily exempt from the requirements of CEQA.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

#### **2.0 GENERAL PLAN FINDINGS**

- 2.1 As proposed, the project is consistent with the High-Density Residential (HDR) land use designation of the subject site as defined within General Plan Policy 2.2.1.2 because the HDR land use designation permits a density of one to five dwellings units per acre. Additionally, allowable residential structure types within the HDR land use designation, include single-family attached and detached dwellings and manufactured homes.
- 2.2 The proposal is consistent with all applicable General Plan Policies including 2.2.5.21, 5.2.3.4, 5.3.3.3 and 6.2.3.2 concerning land use compatibility, groundwater supply, community wastewater systems and fire safe access. Because of the project's provision of adequate access, sufficient water and sewage disposal service systems and efforts to fit within the context of the surrounding land uses, it is consistent with the General Plan policies identified above. It is also consistent with policy HO-3c which indicates the County shall support efforts to convert mobile home parks where residents lease their spaces to resident ownership of the park such as this request for Candlelight Village.

#### **3.0 ZONING FINDINGS**

- 3.1 The subject site is zoned Mobile Home Park (MP) which permits the proposed lot size of 6,000 to 20,000 square feet under Section 17.40.030 of the Zoning Ordinance.
- 3.2 As proposed, the project meets all applicable development standards contained within Section 17.40.030 of the *El Dorado County Zoning Ordinance*. The existing residential uses at the subject site are permitted under S86-0040 approved pursuant to Section 17.40.020.A of the Zoning Ordinance.

## **4.0 ADMINISTRATIVE FINDINGS**

### **4.1 Tentative Subdivision Map**

- 4.1.1 *The proposed map and design is consistent with the General Plan and Specific Plans adopted by the County.* As proposed, the tentative map conforms to the HDR General Plan land use designation and applicable General Plan policies including land use compatibility, groundwater supply, community wastewater systems, fire safe access and mobile home park conversion to resident ownership.
- 4.1.2 *The site is physically suitable for the type and density of development proposed.* The site contains sufficient developable areas to accommodate the proposed residential use and proposed density of approximately two units per acre as previously approved under S86-0040.
- 4.1.3 *The design of the subdivision and proposed improvements as conditioned will not cause significant environmental damage or injure fish and wildlife habitat.* Potential environmental impacts for the existing mobile home park were previously analyzed prior to the approval of S86-0040. As stated above under the CEQA findings, this tentative subdivision map is Statutorily Exempt from CEQA pursuant to Section 15282(e) of the CEQA Guidelines.
- 4.1.4 *The subdivision shall have adequate access to accommodate the proposed density.* Primary site access will be provided via the existing Candlelight Drive with an emergency access route from Candlelight Court to Mount Aukum Road. On-site road improvements permitted under S86-0040 have been constructed for existing phases one, two and six of the tentative map (Exhibit F). Improvements consistent with those approved under S86-0040 and shown on the submitted tentative map will be completed prior to the recording of their respective phases. Proposed access to all lots is consistent with fire safe standards. As such, the proposed project does not include any design features, such as sharp curves or dangerous intersections, or incompatible uses that will substantially increase hazards. No traffic hazards will result from the project design. The proposed subdivision is consistent with General Plan Policy 6.2.3.2 as the Pioneer Fire Protection District has reviewed the project and confirmed that the proposed access and on-site roadways are adequate for the development. The Department of Transportation reviewed the proposal and had no comments or recommended conditions of approval.
- 4.1.5 *The subdivision shall not create serious public health and safety problems or unacceptable fire risk to future occupants to adjoining properties.* The Pioneer Fire Protection District reviewed the proposed tentative subdivision map and had no project specific concerns or recommended conditions of approval. Adherence to fire safe standards will ensure that the project does not create serious public health and safety problems or unacceptable fire risk to current and future occupants of adjoining properties.

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