

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



Agenda of: April 10, 2008

Item No.: 7.b.

Staff: Pat Kelly

TENTATIVE SUBDIVISION MAP TIME EXTENSION

FILE NO.: TM92-1261E/Sierra Sunrise II

APPLICANT: Darren and Cindy Owen

AGENT: CTA Engineering & Surveying, Inc.

REQUEST: Two one-year time extensions to an approved Tentative Subdivision Map in accordance with Section 16.74.030 of the El Dorado County Subdivision Ordinance which would extend the expiration date of the map to August 24, 2010.

The request includes a Phasing Plan. Phase 1 would be identified as Large Lot 1 and would consist of Parcels 1 through 3 and Parcel 11. Phase 2 would be identified as Large Lot 2 and would consist of Parcels 4 through 10.

LOCATION: On the east side of Woodleigh Lane, approximately .25 miles north of Kimberly Road in Cameron Park, Supervisorial District I. (Exhibit A)

APN: 116-030-26

ACREAGE: 5.56 acres

GENERAL PLAN: High Density Residential (HDR) (Exhibit B)

ZONING: Single-family Residential/Airport Safety District (R1-AA) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Negative Declaration

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND

The Tentative Subdivision Map, Sierra Sunrise II (TM92-1261) would create eleven (11) parcels and was conditionally approved by the El Dorado County Board of Supervisors on August 24, 1993. The project approval included a zone change which re-zoned the property from Estate Residential Five-acre (RE-5) to One-family Residential (R1).

TM92-1261 was approved with a three year expiration, which would have expired August 24, 1996. The additional extensions associated with both water moratoriums and State Senate Bill SB 428 and State Assembly Bill 771 extended the expiration dated to August 24, 2002. Prior to the expiration date of August 24, 2002, a time extension request was filed by the applicant on August 24, 1999. The five year extension is calculated from February 5, 1999 or from the expiration date, whichever is later, to the point in time five years after the applicable date or to October 3, 2005, whatever is less.

The General Plan Writ of Mandate was effective from February 5, 1999 to October 3, 2005. A tentative map can only take advantage of the five years available under Section 66452.5 of the California Government Code, if, a time extension request was filed prior to the map's expiration date. The expiration date for TM92-11261 was August 24, 2005. Based on the map time extension information, from August 24, 2005 to January 30, 2008, TM92-1261 has exhausted three one-year time extensions of the five year time extension available.

The applicant has expressed that a one-year time extension would not be sufficient to accomplish the required improvements, obtain the necessary permits or final the map. Therefore, this extension request would grant two remaining one-year time extensions. If granted, TM92-1261 would expire August 24, 2010. The following table demonstrates the tentative map timeline:

| | |
|---|---------|
| Board of Supervisors Approval | 8-24-93 |
| 3 year term for approved map | 8-24-96 |
| AB771 – 1 year | 8-24-97 |
| SB428 – 2 years | 8-24-99 |
| EID Moratorium – 3 years | 8-24-02 |
| Writ 2/5/99 – 10/3/05 (8-24-05) 1 st . yr. | 8-24-06 |
| 2 nd . yr. | 8-24-07 |
| 3 rd . yr. | 8-24-08 |
| 4 th . yr. | 8-24-09 |
| 5 th . yr. | 8-24-10 |

STAFF ANALYSIS

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

Project Description

The request would grant two remaining one-year time extensions for an approved Tentative Subdivision Map (TM92-1261). TM92-1261 would create eleven (11) parcels ranging in size from 11,200 square feet to 35,400 square feet. The project would be accessed via a cul-de-sac road, identified as A Street on the Tentative Subdivision Map, (Exhibit D) which would be accessed from Woodleigh Lane, a county maintained road. The proposed A Street would extend from the project site south to provide access for the adjacent Tentative Subdivision Map TM88-1095 (Sierra Sunrise).

Sierra Sunrise (TM88-1095), an eighteen (18) parcel Tentative Subdivision Map located immediately to the south was approved by the Board of Supervisors September 14, 1989. A time extension has been requested as well.

The applicant proposes to develop the project site in phases. Phase 1 would be identified as Large Lot 1 on the Tentative Subdivision Map and would consist of Parcels 1 through 3 and Parcel 11. Phase 2 would be identified as Large Lot 2 on the Tentative Subdivision Map and would consist of Parcels 4 through 10 (Exhibit D).

Site Description

The project site is characterized by sloping terrain ranging from 0 to 21 percent and an elevation varying from 1376 to 1480 above sea level. The existing vegetation consists of Manzanita, native grasses and four percent (4%) of oak woodland. No water bodies or streams are apparent. The project site consists of a ridge top. The adjacent north and east facing slopes are vegetated with a community of chamise dominated chaparral to six (6) feet in height with scattered clumps of multistemmed interior live oak along the northern edge of the property

Adjacent Land Uses

| | Zoning | General Plan | Land Use/Improvements |
|--------------|--|--------------------------------|------------------------------|
| Site | Single Family Residence (R1) Airport Safety District (AA) | High Density Residential (HDR) | Undeveloped |
| North | Single Family Residential (R1) One-Half Acre Residential (R20K) | High-Density Residential (HDR) | Single-family Residence |
| South | Single Family Residential (R1) | High-Density Residential (HDR) | Undeveloped |
| East | Single Family Residential (R1) | High Density Residential (HDR) | Undeveloped |
| West | Single family Residential (R1) | High Density Residential (HDR) | Single-family Residence |

The Tentative Subdivision Map would allow for residential uses consistent with the development in the area. On-site road improvements would be consistent with the County Design and Improvement Standards Manual (DISM). The Tentative Subdivision Map would not be a detriment to the public health, safety and welfare, or injurious to the neighborhood.

General Plan

The project site would be designated as High Density Residential (HDR). Policy 2.2.1.2 identifies this land use designation as those areas suitable for intensive single-family residential development at densities from one (1) to five (5) dwelling units per acre. Allowable residential structure types include single-family attached and detached dwellings and manufactured homes. The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies and it has been determined that the project is consistent with the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

Discussion: The General Plan designates the subject site as High-Density Residential (HDR), which permits a density of one (1) to five (5) units per acre. The proposed project would create eighteen 18 parcels on 9.44 acres with a net density of 1.9 units per acre. The proposed project therefore conforms to the General Plan land use designation. The following General Plan policies apply to this project:

Policy 2.2.5.21: Development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by policies in effect at the time the development project is proposed. Development projects that are potentially incompatible with existing adjoining uses shall be designed in a manner that avoids any incompatibility or shall be located on a different site.

Discussion: The subject site is surrounded by existing and planned uses which are compatible with the proposed development. The proposed subdivision would fit within the context of these existing residential and undeveloped uses.

Policy 5.2.1.2: An adequate quantity and quality of water for all uses, including fire protection, shall be provided for with discretionary development.

Discussion: Upon annexation, the El Dorado Irrigation District (EID) would provide water to the subject site. According to the Facility Improvement Letter prepared by EID, in terms of water supply, as of January 1, 2005, there were 2,434 equivalent dwelling units (EDUs) available in the Western Water Supply Region. The proposed project would require thirteen EDUs of water supply. A 12 inch water line exists under Woodleigh Lane adjacent to the site. The Cameron Park Fire Department has determined that the minimum fire flow for the project would be 1000 GPM for a 2-hour duration while maintaining a 20-psi residential pressure. In order to provide the required fire flow and receive service, the applicant must construct a water line extension from the existing 12-inch water line in Woodleigh Lane. There would be a sufficient water supply for all uses available to serve the project.

There is an existing six inch sewer line in Woodleigh Lane. According to the Facility Improvement Letter prepared by EID this sewer line has adequate capacity at this time. In order to receive service from this line, an extension of adequate size must be constructed.

Policy 5.2.1.3: All medium-density residential, high-density residential, multi-family residential, commercial, industrial and research and development projects shall be required to connect to public water systems when located within Community Regions and to either a public water system or to an approved private water system in Rural Center.

Discussion: The project site is within the Cameron Park Community Region. As stated in the submitted EID Facility Improvement Letter, the project would connect to public water.

Policy 5.3.1.1: High-density and multifamily residential, commercial, and industrial projects shall be required to connect to public wastewater collection facilities as a condition of approval.

Discussion: The project site, as stated in the submitted EID facility Improvement Letter, would connect with the public wastewater.

Policy 5.7.1.1: Prior to approval of new development, the applicant will be required to demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or will be provided concurrent with development.

Discussion: The Cameron Park Community Services District Fire Department would provide fire service to the site. The water flows and transportation infrastructure would be sufficient to meet District requirements for fire suppression.

Policy 7.4.4.4: Policy 7.4.4.4 establishes the native oak tree canopy retention and replacement standards. Upon initial review, the 5.56 acre, eleven (11) parcel project site consists of approximately two (2) percent of oak tree canopy thereby providing adequate space for future home development sites on nine (9) of the eleven (11) residential parcels while conforming to General Plan Policy 7.4.4.4 and the Interim Interpretive Guidelines adopted on November 9, 2006.

Development associated with Parcel 4, the subject parcel, would be required to comply with County General Plan Policy 7.4.4.4. This policy requires all new development projects (not including agricultural cultivation and actions pursuant to a Fire Safe Plan necessary to protect existing structures) that would result in soil disturbance of parcels that are less than an acre and have at least ten (10) percent total canopy cover by woodlands habitats as defined in the General Plan to mitigate impacts by one of two options:

- Adherence to tree canopy retention and replacement standards (Option A); or
- Contribution to the County’s Integrated Natural Resources Management Plan Conservation Fund (Option B). Option B is currently not available, as an Oak Woodland Management Plan has not yet been adopted by the County.

As defined by the Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.4.4.4 (Option A), adopted November 9, 2006, woodlands habitats subject to this policy include oak woodlands. The tree canopy retention standards established by Policy 7.4.4.4 require retention of a defined percentage of existing canopy cover, based on the percent of existing canopy cover on a site.

Option A

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 |

Under Option A, the project applicant shall also replace woodland habitat removed at 1:1 ratio. Impacts on woodland habitat and mitigation requirements shall be addressed in a Biological Resources Study and Important Habitat Mitigation Plan as described in Policy 7.4.2.8. Woodland replacement shall be based on a formula, developed by the County, that accounts for the number of trees and acreage affected.

The Interim Interpretive Guidelines for General Plan Policy 7.4.4.4 would require retention of seventy percent (70%) of the indigenous oak tree canopy on Parcel 4 because Parcel 4 would have oak tree canopy coverage of approximately 62 percent. The developer has provided a building envelope for Parcel 4 and proposes to remove 2,080 square feet, or, approximately thirty percent (30%) of the existing 7000 square feet of oak tree canopy coverage on Parcel 4 which would result in 70 percent canopy retention. The project would be in compliance with the Interim Interpretive Guidelines for General Plan Policy 7.4.4.4 oak tree canopy retention standards.

Discussion: The removal of thirty percent (30%) of the oak tree canopy that would be located on Parcel 4 is within the tree canopy retention standards provided in the Interim Interpretive Guidelines for General Plan Policy 7.4.4.4.

Zoning

The project site is zoned Single Family Residential (R1) which permits a minimum parcel size of six thousand square feet (6,000) when the parcels are served with a public water supply and sewage system. The water supply and sewage system service would be provided by EID as conditioned in Attachment 1 of this staff report. The proposed 11,200 square feet to 35,400 square feet parcels conform with Section 17.28.040 of the Zoning Code development standards.

Section 17.71.220 of the Zoning Code requires off-site mitigation or fee payment in lieu of ecological preserve mitigation on Mitigation Areas 1 and 2. The project would be located within the Ecological Preserve Mitigation Area 1 and would be required to pay a fee for the residential parcels. This requirement has been incorporated into the conditions of approval.

Subdivision Ordinance

As detailed in Attachment 2, the proposed tentative subdivision map time extension request is found to be consistent with Section 16.12.030 of the El Dorado County Subdivision Zoning Ordinance.

Agency and Public Comments:

The project was circulated for review and comment to various affected agencies. The agencies specific topics are discussed below, and recommended conditions of approval are included in Attachment 1.

El Dorado County Department of Transportation: The County Department of Transportation (DOT) reviewed the project plans and would require the widening of Woodleigh Lane along the entire project frontage to a total width of twenty-eight (28) feet, with curb and gutter. The applicant would be required to construct A Street to a total width of twenty-eight (28) feet, with curb and gutter including a turnaround to be constructed at the southerly end, unless, A Street is connected through to Woodleigh Lane. The applicant would be required to irrevocably offer to dedicate a fifty (50) foot right-of-way for A Street and irrevocably offer to dedicate a thirty (30) foot right-of-way from the centerline of Woodleigh Lane, a public road, along the entire subject property frontage. These requirements have been incorporated into the conditions of approval.

Cameron Park Community Services District: The Cameron Park Community Services District (CPCSC) has reviewed the project plans with no objections. The CPCSC would require in-lieu fees with the County to determine the actual amount due based on a County appraisal. If CC&R's are contemplated for this project, the CPCSC would review and approve in advance of their recordation. These requirements have been incorporated into the conditions of approval.

Office of County Surveyor: All survey monuments would be set prior to the presentation of the final map to the Board of Supervisors for approval or would have surety of work to be done by bond or cash deposit. Verification would be coordinated with the County Surveyor's Office. The roads serving the project should be named by filing a completed Road Name Petition with the County Surveyors Office prior to filing the Final map. The requirements have been incorporated into the conditions of approval.

There were no objections to the requested time extension.

Copies of their written comments are available at the Planning Services office.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist with Discussion) (Exhibit E) to determine if the project may have a significant effect on the environment. A mitigation negative declaration had been previously prepared in 1993. However, based on new information and redesign mitigation is no longer necessary. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment, and a Negative Declaration has been prepared.

This project is not located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plants 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 \$1,876.75 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 California Department

of Fish and Game via the County Recorder's Office and is used to help defray the cost of managing and protecting State fish and wildlife resources.

RECOMMENDATION

The Planning Commission recommends to the Board of Supervisors the following actions:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff;
2. Approve the Tentative Subdivision Map Time Extension (TM-92-1261E) subject to the conditions in Attachment 1, based on the findings in Attachment 2.

SUPPORT INFORMATION

| | |
|--------------------|--|
| 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 | Approved Tentative Subdivision Map |
| Exhibit E | Environmental Checklist Form and Discussion of Impacts |

ATTACHMENT 1
CONDITIONS OF APPROVAL
File Number TM92-1261E

Included as Attachment 1, the tentative subdivision map time extension is subject to the original conditions of approval. Additional agency conditions of approval from Planning Services have been incorporated and depicted with underlines. The numerical sequencing of the original conditions of approval are shown with a ~~strikethrough~~.

1. This Time Extension is based upon and limited to compliance with the project description, the Planning Commission hearing dated April 10, 2008, exhibits marked Exhibit D and E, 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 proposed project, as considered, is described as follows:

The request would grant two remaining one-year time extensions for an approved Tentative Subdivision Map (TM92-1261). TM92-1261 would create eleven (11) parcels ranging in size from 11,200 square feet to 35,400 square feet. The project would be accessed via a cul-de-sac road, identified as "A" Street on the Tentative Subdivision Map, (Exhibit D) which would be accessed from Woodleigh Lane, a county maintained road. The proposed "A" Street would extend from the project site south to provide access for the adjacent Tentative Subdivision Map TM88-1095 (Sierra Sunrise).

The applicant proposes to develop the project site in phases. Phase 1 would be identified as Large Lot 1 on the Tentative Subdivision Map and would consist of Parcels 1 through 3 and Parcel 11. Phase 2 would be identified as Large Lot 2 on the Tentative Subdivision Map and would consist of Parcels 4 through 10 (Exhibit D).

The grading, development, use and maintenance of the property, the size, shape, arrangement, and location of structure, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

Department of Transportation

- ~~2.10.~~ The project shall be subject to area of benefit road fees in the amount of \$2500 per parcel for each parcel created. Said fees are to be collected at the time of building permit issuance unless at such time it appears that Government Code Section 53077.5 mandates collection at time of occupancy. If prior to collection of the fee a revised road fee is established, such revised amount shall be paid.
3. The applicant shall widen Woodleigh Lane along the entire project frontage to a total width of 28 feet, with curb and gutter as required by the provisions of the Design and Improvement Standards Manual (DISM), Standard Plan 101B. The improvements shall be substantially completed, to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
4. The applicant shall construct "A" Street to a total width of 28 feet, with curb and gutter, as required by the provisions of DISM, Standard Plan 101B. A turnaround shall be constructed at the end of "A" Street, per the provisions of the local Fire District, unless the roadway for the adjacent Sierra Sunrise (TM88-1095) subdivision. The improvements shall be substantially completed, to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
5. The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment form "A" Street onto Woodleigh Lane to the provisions DISM, Standard Plan 103C, prior to the filing of the map.
6. The applicant shall provide a reciprocal access agreement to Assessor Parcel Number 116-030-28, guaranteeing access for this site to use the proposed off-site roadway from this project to Woodleigh Lane, prior to the filing of the map.
7. Woodleigh Lane is classified as a minor collector. The applicant shall irrevocable offer to dedicate in fee, 30 feet wide of right-of-way, with slope easements where necessary from the centerline of Woodleigh Lane along the entire property frontage. This offer shall be accepted by the County.
8. The applicant shall irrevocably offer to dedicate a 50 foot wide right-of-way for "A" Street, which will be rejected by the County.
- ~~9. 1.~~ The developer shall obtain approval of project improvement plans ~~construction drawings~~ consistent with the Subdivision Design and Improvement Standards Manual and cost estimates from the County Department of Transportation and pay all applicable fees prior to filing of the final map. ~~and commencement of any improvements on the public streets and service facilities. All improvements on the public street and service facilities shall be consistent with the approved tentative~~

map.

10. Sidewalks may be located outside the right-of-way and meander as a means to provide interest and variety in alignment. The alignment and design of the sidewalks shall be reviewed and approved by the Department of Transportation prior to filing the final map. Sidewalks shall be connected to walk/trail systems in the project open space areas. Pedestrian easements shall be provided where necessary. Final lane configurations, including the need for additional rights-of-way, shall be subject to review and approval of the Department of Transportation property improvements plan approval.
11. All curb returns, at pedestrian crossing, shall include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp.
12. 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.
- 13.35. Cross lot drainage shall be avoided. When cross lot drainage does occur, it shall be contained within dedicated drainage easements, and tThe project is to be annexed into CSA9, Zone of Benefit (ZOB) 77, for drainage system maintenance., Home Owners Association, or other entity acceptable to the County. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway.
14. 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.
15. 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 .
16. The Project disturbs more than one acre of land area (43,560 square feet). At the time that an application is submitted for improvement plans or a grading permit, the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water resources Control Board (SWRCB). This condition is

- mandated by the State of California. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the SWRCB, with a duplicate copy submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
- 17.21. Subdivision improvements shall include rough grading of driveways for all parcels with street cuts or fills along the frontage of six feet or more difference in elevation, or as found necessary for reasonable access by the County ~~Engineer~~ Transportation Director. Construction of said driveways shall conform to the Design and Improvements Standards Manual and the Encroachment Ordinance. ~~be installed in a manner and location acceptable to the County Department of Transportation.~~ As an alternative, a Notice of restriction shall be filed against all downhill parcels with fill in excess of 6 feet which allows structural driveway access only.
- 18.22. A final drainage plan shall be prepared by the project proponent ~~subdivider~~ and submitted with the subdivision grading and improvement plans ~~to the approval of and approved by the Department of Transportation for approval.~~ The subdivider shall install drainage facilities as shown on said All drainage facilities identified in the drainage study shall be included in the subdivision grading and improvement plans
19. The applicant shall submit a soils geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations.
20. The Master Covenants, Conditions and Restrictions (CC&Rs) shall provide that no parking shall be permitted within cul-de-sac bulbs which have a radius to curb-face that is less than County standards and shall provide for enforcement of such provisions. The CC&Rs shall include a provision for off-street parking to compensate for lack of parking normally provided within the cul-de-sac bulb. The applicant shall either provide adequate parking for a three-car driveway or sufficient depth of driveway (18 feet per parking stall) to accommodate longitudinal and/or lateral parking for three spaces.
- 21.34. Provisions shall be included in the CC&Rs which require that the design of the drainage system for each residence shall connect to the storm drain system for the subdivision. Said design shall be prepared by a qualified individual. All conveyances shall be underground.
22. The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).

23. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
24. Construction activities shall be conducted in accordance with the County noise regulation or limited to the following hours and days: 7 a.m. and 7 p.m., Monday through Friday, and 8 a.m. and 5 p.m. on weekends, and on federally-recognized holidays. Exceptions are allowed if it can be shown that construction beyond these times is necessary to alleviate traffic congestion and safety hazards.
25. The applicant shall pay the traffic impact fees in effect at the time a building application is deemed complete.
26. ~~5.~~ The final map shall show all utility, road and drainage easements per the recommendation of utility purveyors and the County Engineer. Final determination of the location of said utility easements shall be made by the County Engineer. Said easements shall be irrevocably offered to the County.
- ~~27.~~23. The final map shall show drainage easements for all onsite drainage facilities outside of road rights-of-way. Said easements shall be irrevocably offered to the County.
28. A preliminary grading proposal shall be prepared that shall include the driveways required for construction of residential units on all parcels. Said plan shall include the vegetation thinning and removal proposal. The plan shall be included as part of the final grading improvement plans and be subject to the approval of the County Department of Transportation.
29. The grading of the driveways and the vegetation thinning/removal shall be part of the subdivision improvements and shall be subject to Condition 3 above.
30. ~~24.~~ Grading activities located outside of road rights-of-way and slope easements shall be limited to building footprints and driveways, and a grading proposal delineating the extent of the grading to be performed shall be included as a part of the final grading improvement plans submitted to the Department of Transportation.

 - a. All 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. No building permit shall be issued by the County until final grading plans and erosion control plans are approved by the

Department of Transportation approves the final grading erosion control plans and the grading is completed. All erosion control plans, where grading occurs, must be implemented by October 15 of the year of construction unless said condition is waived by the County Engineer.

- b. Areas disturbed during construction, including cuts and fills, shall be revegetated. The timing of construction and method of revegetation shall be coordinated with ~~between~~ the El Dorado County Resource Conservation District (RCD) ~~and the Department of Transportation.~~ The Department of Transportation shall verify compliance with this condition when the final map is presented for consideration.
 - c. 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) ~~Soil Conservation Service~~ 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.
 - d. In all cases, the subdivider shall comply with the Department of Transportation's recommendations for erosion control and top soil conservation. 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 pollutions into drainages.
31. In all cases, the subdivider shall comply with the Department of Transportation's recommendation for erosion control and topsoil conservation.
 32. A letter of agreement from the cable television franchisee, pursuant to Section 16.16.010 (I) of the County Code, shall be submitted to Planning Services prior to approval of the final map.
 33. Prior to approval of the final map by the Board of Supervisors, the subdivider shall be required to form a County Service Area Zone of Benefit to fund drainage facilities' maintenance.
 34. Where required by the County Engineer, the subdivider shall provide bus turnouts in a design and location acceptable to El Dorado Transit and the appropriate school districts.
 35. ~~2.~~The construction of all required improvements shall be completed with the presentation of the final map to the ~~Planning~~ Development Services Director before

- presenting the map to the Board of Supervisors for its approval. For improvements not completed, the subdivider shall provide a 100 percent performance surety and a 50 percent labor and material men surety by separate bond, cash deposit, assignment or letter of credit from a financial institution. For improvements which have been completed, the subdivider shall provide a ten percent maintenance surety in any of the above- mentioned forms. Verification of construction, or partial construction, and cost of completion shall be determined by the County Department of Transportation.
- ~~11. Drainage from and within the project must be addressed and specific mitigation measure identified to assure no upstream or downstream damage from storm water runoff. Particular attention is to be given to any wetlands and water quality of runoff from the project.~~
 - ~~13. Improvement plans shall be prepared by a registered civil engineer and shall be subject to DOT approval.~~
 - ~~14. All necessary permits and agreements shall be obtained from the DOT prior to commencement of any road construction.~~
 - ~~15. Subject to improving on-site road easements to Standard Plan 101-B, roadway width (curb face to curb face) is to be 32'. Said improvements shall be in the area described as:
 - a. — Woodleigh Lane adjacent to parcel 2 and 3;
 - b. — Proposed road A.~~
 - ~~16. Subject to improving on site cul-de-sac at the end of proposed road "A" construction shall conform to standard Plan 114, Type A (if Sierra Sunrise I is built prior to this and division, this condition shall not apply).~~
 - ~~36.17.~~ "A" Street sign per Standard Plan 105-A shall be located on at the intersection of Woodleigh Lane and the proposed Road "A" Street.
 - ~~37.18.~~ A stop sign per Standard Plan 105-A shall be located on the proposed Road "A" Street at its intersection with Woodleigh Lane.
 - ~~38.19.~~ A non-vehicular access shall be shown on the final map for parcels 2 and 3, fronting Woodleigh Lane.
- County Surveyor
- ~~39.20.~~ All roads shall be named by filing a completed road naming petition for each road with the County Surveyor's Office prior to filing the final map.

- ~~40.3.~~ 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 a surety of work to be done by bond or cash deposit ~~and shall provide a fifty (50) percent labor and material men bond.~~ Verification of set survey monuments, or amount of bond or deposit to be coordinated with ~~work completed, or work to be completed, and cost of completion is to be determined by the County Surveyors Office.~~

Cameron Park CSD Fire Department

41. The location of fire hydrants and systems for fire flows are to meet the requirements of the fire department. Written approval from the fire district shall be submitted with the final map to Planning Services prior to the Board of Supervisors' approval.

El Dorado County Environmental Management

42. The project shall comply with all El Dorado County Air Pollution District Rules and Regulations as determined by the District prior to issuance of grading or construction permits.
- ~~6. 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.~~
- ~~8. If burning activities are to occur during the for 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.~~

El Dorado Irrigation District

- ~~43.25.~~ The applicant shall submit a facilities pan report to the El Dorado Irrigation District prior to implementation of sewer service.
- ~~44.30.~~ A 20-foot wide EID water and sewer easement acceptable as to location shall be recorded with the final map. Applicant shall contact EID, Right-of-Way Division, for specific location of the easement.
- ~~45.36.~~ A meter award letter shall be provided by the water purveyor prior to the ~~recording~~ filing of the final map.

Planning Services

46. As specified in conditions of approval, the subdivider is required to perform off-site improvements. If it is determined that the subdivider does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are

required, the County may, at the subdivider's expense and within 120 days of filing the final map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for the immediate possessing of the property.

Where the subdivider is required to make improvements on land which neither the subdivider nor the County has sufficient title or interest to make such improvements, prior to the filing of any final map or parcel map, the subdivider shall submit to the Director of Development Services for approval:

- a. A legal description prepared by a civil engineer or land surveyor of the land necessary to be acquired to complete the off-site improvements.
- b. Improvement plans prepared by a civil engineer of the required off-site improvements.
- c. An appraisal prepared by a professional appraiser of the cost of land necessary to complete the off-site improvements.

Prior to the filing of to final map, the subdivider shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required off-site improvements including the full costs of acquiring any real property interests necessary to complete the required improvements.

In addition to the agreement, the subdivider shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County counsel.

47. 4. Existing trees six inches (6") DBH (diameter at breast height) shall be retained wherever possible. The location of such trees shall be shown on the improvement or project plans when such trees are located within a construction area where the ground will be disturbed. Trees proposed for removal shall be noted on the plan. Trees 8" DBH to less than 20" DBH located in an area of moderate grading (up to 3 feet of cut or fill) shall only be removed if an arborist retained by the subdivider determines it is impractical to preserve the tree (s) with retaining walls or other construction features. The arborist's recommendations shall be noted on ~~a plain~~ project plans signed by the arborist with a copy provided to the Planning Development Services Director prior to filing the final map. Trees 20" DBH or greater shall not be removed unless:
 - a. Topographic constraints make alternatives infeasible; and
 - b. The Planning Development Services Director concurs that no feasible alternative exists. This determination shall occur prior to filing the final map.

- 48.7. If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and Native American Heritage Commission shall be contracted per Section 7050.5 of the Health and Safety Code, and Section 5097.89 of the Public Resources Code, respectively. If archaeological artifacts are discovered, the subdivider shall retain an archaeologist to make recommendations for treatment of the artifacts. Treatment of Native American remains or archaeological artifacts shall be the responsibility of the subdivider and shall be subject to review and approval by the County Planning Director.
- 49.9. The project is subject to all state and federal permits when and if needed.
- 50.26. Pursuant to Section 16.12.090 of the County Code, upon calculation by the County Assessor's Office, a parkland dedication in-lieu fees shall be paid to the Cameron Park Community Services District. The fees shall be paid at the time of filing the final map.
- 51.27. A fee of \$150 shall be paid to the El Dorado County Assessor ~~County Planning Department~~ to offset the appraisal cost required herein. This fee is to be paid prior to filing the final map.
- 52.28. CC&Rs shall notice an aviation noise easement for all parcels within the project. Said aviation easement shall be recorded with the final map.
- 53.29. A Landscape and Lighting Assessment District shall be created for this project. In the event the CSD forms their own LLAD, the Sierra Sunrise II LLAD shall be required to incorporate into that community district.
54. Prior to issuance of a building permit, the applicant shall pay the required in-lieu fee for mitigation of impacts on rare plant species in accordance with El Dorado County Zoning Ordinance Chapter 17.71.
- 55.31. Prior to the ~~recording~~ filing of the final map, the developer shall provide evidence of agreement with the affected school districts for payment of such fees as may be established by said school district (s) in accordance with Government Code Section 65995-65997 and SB 1287; provided, however, if: 1) prior to the ~~recording~~ filing of the final map, Assembly Constitutional Amendment 6 of the 1991-1192 Regular Session of the State Legislature fails to receive the approval of a majority of the voters voting on the measure; or 2) the final map is ~~recorded~~ filing prior to the vote on the measure and said measure fails, then the developer shall produce evidence of an agreement with said school district (s) to pay, for each building permit issued thereafter, the amount of \$7,198 per residential unit pursuant to Resolution No. 220-91, or such other fee amount established by the Board of Supervisors pursuant thereto or pursuant to any successor thereto.

~~56.32.~~ A boundary line adjustment shall be required for the adjustment of the common boundary of parcels 1, 11, 10, and 9 of Sierra Sunrise II, and parcels 18, 9, 8 of Sierra Sunrise I. Note: Said BLA cannot record until Sierra Sunrise I has recorded.

~~33. Subject to payment of the State Department of Fish and game fees of 1275 prior to the filing of the Notice of Determination.~~

57. 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 occur as a result of such action, as provided in Section 66474.9(b) of the California Government Code.

The applicant 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 applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

ATTACHMENT 2 FINDINGS

File Number TM92-1261E

FINDINGS FOR APPROVAL

1.0 CEQA FINDING

- 1.1 A Negative Declaration including mitigation measures was certified by the Planning Commission, with the original approval of the Sierra Sunrise II Tentative Subdivision Map on July 22, 1993. Since the original certification of the Negative Declaration, new environmental issues have been identified which would require additional environmental review. Therefore, staff has prepared an Initial Study (Environmental Checklist with Discussion, (Exhibit E) to determine if the project would have a significant effect on the environment. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment, and a Negative Declaration has been prepared.

2.0 ADMINISTRATIVE FINDINGS

2.1 GENERAL PLAN FINDINGS

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.

The proposal is consistent with all applicable General Plan Policies including 2.2.5.21, 5.2.1.2, 5.2.1.3, 5.7.1.1, 7.4.4.4 concerning land use compatibility, adequate quantity and quality of water for all uses, including fire protection, community wastewater systems, and retention and replacement for removal of oak tree canopy. 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.

2.2 ZONING CODE

The subject site is zoned Single-family Residential/Airport Safety District (R1-AA) which permits a minimum parcel size of six thousand square feet when the parcels

are served with a public water supply and sewage system under Section 17.28.040.D of the El Dorado County Zoning Ordinance.

As proposed, the project meets all applicable development standards contained within Section 17.28.040 of the El Dorado County Zoning Ordinance.

2.3 Subdivision Ordinance

A. That the proposed map is consistent with applicable general and specific plans;

The proposed time extension to an approved Tentative Subdivision Map would create custom residential parcels consistent with the designated density under the 2004 El Dorado County General Plan.

B. That the design or improvement of the proposed division is not consistent with applicable general and specific plans;

The Tentative Subdivision Map has been designed in conformance with the General Plan policies and standards including protection of natural resource, circulation, land use, and public facilities.

C. That the site is physically suitable for the type of development;

The site is physically suitable for custom residential development. The project site is characterized by sloping terrain ranging from 0 to 21 percent. No water bodies or streams are apparent. The project site is surrounded by residential development and existing public roads.

D. That the site is physically suitable for the proposed density of development;

The eleven (11) parcels, with an average size of .43 acres, are physically suitable to accommodate future residential development. The project site is characterized by sloping terrain ranging from 0 to 21 percent. No water bodies or streams are apparent. Development of the site shall be further reviewed for proper design, layout and improvements in conformance with the applicable County and agency standards.

E. That the design of the division or the proposed improvements is not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;

Development of these eleven (11) custom residential parcels is subject to the specific project conditions of approval. Prior to development of each parcel, individual construction and improvement plans shall be reviewed for conformance

to applicable County standards. Therefore, the design of the subdivision is not likely to cause substantial environmental damage.

F. That the design of the division or the type of improvements is not likely to cause serious public health hazards;

The conditionally approved tentative subdivision map anticipates the development of eleven (11) custom residential parcels. Overall development of the site shall be subject to subsequent permitting review in accordance with El Dorado County and affected agency standards to ensure orderly and safe development.

G. That the design of the division or the improvements is suitable to allow for compliance of the requirements of Section 4291 of the Public Resources Code;

The design of the Tentative Subdivision Map conforms to the requirements of Section 4291 of the Public Resources Code involving brush and vegetation fire prevention. Future development permits for the site would be reviewed for conformance for on-site fire suppression and emergency access and circulation by the Cameron Park CSD Fire District.

H. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection the approving authority may approve a map if it finds that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision. (Ord. 3805 §15, 1988: prior code §9702)

Necessary utility easements are depicted on the tentative subdivision map and shall be further verified by the County Surveyor's Office at the time of filing of final map. Additional easements would be required during review of future discretionary development permit, as deemed necessary. Therefore, no conflicts with easements acquired by the public at large are anticipated.