

# DEVELOPMENT SERVICES DEPARTMENT

COUNTY OF EL DORADO

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TO: Planning Commission **Agenda of:** January 28, 2010

FROM: Roger Trout, Director of Development Services **Item #:** 9  
James W. Ware, P.E., Director of Transportation

DATE: January 19, 2010

SUBJECT: **Land Development Manual/Highway Design Manual/Standard Plans**

**Background:** The Draft Design Manual (i.e., Land Development Manual (LDM), Highway Design Manual (HDM) and Standards Plans (for road cross sections) was continued from the November 12, 2009 Planning Commission Hearing to allow the review and preparation of revisions recommended by the Economic Development Advisory Commission Regulatory Reform Subcommittee (Committee) and staff.

Regular meetings were held between staff and the Committee and a number of changes have been agreed upon and incorporated into the Design Manuals as a result.

A number of "policy" issues were identified that either could not be agreed upon or were determined to be outside the authority of staff to revise within the Design Manual.

These issues are discussed briefly in the attachment.

In summary, there are 12 issues discussed. Only issues No. 3 (Stock pile permit timelines), No. 7 (Solar Orientation provisions), and No. 11 (28 Foot Road Width vs. 32 Foot Road Width in El Dorado Hills) are issues that can be resolved in the current Draft Design Manual process. All the other issues identified can not be addressed in this process because they would require amendments to the General Plan, Ordinance Code, other Board Policies, or require significant additional environmental (CEQA) review.

**CEQA review:** Staff is recommending that the Planning Commission recommend to the Board adoption of a Negative Declaration. The proposed Design Manual does not create environmental impacts because it is considered to be an "organization tool" that merely consolidates existing design standards, General Plan Policies, and other Ordinances, Policies, and Resolutions. No significant environmental impacts would result from the adoption of the Draft Design Manual.

## ATTACHMENT 5

**Recommendation:**

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

1. Adopt the Negative Declaration prepared by staff,
2. Adopt the Resolution Adopting the Land Development Manual, Highway Design Manual and Standard Plans, and
3. Forward the list of Policy Issues to the Board for consideration, including any recommendations such as policy direction or prioritization.

**Attachments:**

Attachment 1: Policy Issues

Attachment 2: EDAC Proposed Sections "1.1 Purpose" and "1.6 Design Waivers"

Attachment 3: LDM Without Fire Code

## **ATTACHMENT 1: POLICY ISSUES**

### **POLICY ISSUE #1: Grading Without A Project**

Section 5.1(E) of the LDM states that discretionary projects shall not be issued grading permits until the discretionary permit is approved. Where no discretionary approval is required, no grading permit can be issued without a corresponding building permit application. This has been a consistent practice of Planning, Building, and DOT since at least 1990.

Grading activities without the associated project create issues of: 1) Inadequate CEQA analysis; 2) “Bifurcation” of a project (“project splitting”); 3) General Plan compliance, (such as Policy 7.1.2.2 regarding development on 30% slopes); 4) Pre-judging/pre-approving the type and scale of a project; 5) Aesthetic impacts of clearing land of slopes and trees; 6) Subsequent interim land use impacts (such as outdoor storage yards, illegal vehicle display and sales, illegal road encroachments); and 7) Inconsistency with Zoning provisions that require a discretionary review such as the –DC or –PD combining zones.

A change in the policy would trigger the need for further environmental review to address the potentially significant impacts.

The Committee felt that the policy should be changed to allow the grading of a site to improve the value and marketability of the site for development. Grading a site may also shorten the timeline for future construction activities on the site. If the CEQA analysis sufficiently addresses the initial grading and the subsequent project, future development may also be streamlined.

**Policy Issue #1 Staff Recommendation:** No change to LDM Section 5.1(E) because of the requirement for significant CEQA review and amendments to General Plan and Zoning.

### **POLICY ISSUE #2: 50 Cubic Yard Threshold For Grading Permits**

Grading Ordinance 15.14.140(A)1 applies to all grading activities but there is an exception for activities that move less than 50 cubic yards of earth.

Prior to March 13, 2007 the standard was 250 cubic yards. Other local jurisdictions vary between the 50 and 250 cubic yard thresholds. There is no General Plan Policy or Building Code requirement for a 50 cubic yard standard.

The Committee felt that the policy should be changed to 250 cubic yards to streamline the grading process for small projects.

**Policy Issue #2 Staff Recommendation:** No change to LDM provisions because of the requirement for significant CEQA review and the requirement to amend the Grading Ordinance (Title 15).

### **POLICY ISSUE #3: One Year Limit On Stockpile Permits**

The draft LDM Section 5.3.3.6 (A) states that stockpile permits are limited to one year and that time extensions could be granted. This provision is intended for short term “stockpiling” prior to issuance of a “grading permit” for a permanent land development activity (building, road, subdivision, etc.). The “stockpile” permit is not intended for the incremental storage and/or distribution of earth material.

This issue is eligible for resolution in the LDM because it is based on the Grading Design Manual policy adopted by the Board on March 13, 2007 (Resolution 47-2007). Section E.7(A) of the Grading Design Manual sets forth the one year time frame. Since this was recently adopted by the Board as a County Policy the LDM includes the same provision.

The Committee felt that this policy should be changed to allow longer timeframes for stockpile permits. Some stockpile activities would be economically viable by either slowly acquiring fill material or slowly moving export off a site.

**Policy Issue #3 Staff Recommendation:** No change to LDM Section 5.3.3.6 (A), keeping stockpile permits limited to one year, based on the relatively recent Board of Supervisors’ direction in 2007.

### **POLICY ISSUE #4: Sidewalks; Should Sidewalks Be Required Where There Is No “Connectivity” Such As For Many Infill Projects?**

LDM Section 2.5.3.3 requires sidewalks in accordance with the “Standard Plans” except for residential subdivisions in which all lots are larger than 10,000 square feet (consistent with the current Design Manual). The LDM also creates an exception for Industrial development in which lots are greater than one acre.

The LDM did not include an exception for sidewalks in an “infill” project. It is difficult to set a standard for this type of exception because each situation needs to be reviewed on a case-by-case basis. Sidewalks can be waived using the Design Waiver provisions of the LDM and Title 16 to the extent it complies with the General Plan Policies.

Sidewalks generally improve pedestrian safety. However, sidewalks not connected to other sidewalks may create safety issues where they end (ex. pedestrians are encouraged by the sidewalk and then forced into the street where the sidewalk ends). Sidewalks required for infill development may increase costs of the development with little benefit from the sidewalk. However, areas of the County may be improved with future sidewalks, such as for County roads to be improved through the CIP. Note also that the General Plan Policies require sidewalks in certain areas.

The Committee felt this policy should be changed to lower development costs associated with unnecessary sidewalk construction and safety issues regarding incremental sidewalk improvements.

**Policy Issue #4 Staff Recommendation:** No change to LDM sections because it would require a General Plan Amendment of Policy TC-5a and TC-5b. Sidewalks can be reviewed on a case-by-case basis and may be waived by the Planning Commission or Board of Supervisors through the Design Waiver process, as limited by the General Plan policies.

**POLICY ISSUE #5: *Well Water*; LDM Requires 10% Of Maximum Lots To Have A Well Drilled For Rezones. Is That Necessary To Determine “Feasibility” When Requesting A Rezone?**

LDM Section 3.9.6 sets forth the standard of determining feasibility of land use intensification through a proposed Rezone request. The standard is developed based on staff’s knowledge of the County and would only affect those Rezone requests that will be based on individual well water for domestic water supply. This standard is recommended by EMD in response to General Plan Policies requiring evaluation of water supply for Rezones (Policy 2.2.5.3, item 9; Policy 5.2.3.4). An argument can be made that the well feasibility can be deferred to the Tentative and Final map stages of a subdivision. However, Rezoning actions by the County should be based on some facts regarding the feasibility of the development to achieve intensification that may be proposed by the Rezone.

The Committee felt this policy should be changed to lower development costs associated with drilling test wells for rezone applications since the tentative map process would address any problems with achieving adequate water supply.

**Policy Issue #5 Staff Recommendation:** No change to LDM Section 3.9.6 since it would require an amendment to General Plan Policies 2.2.5.3 and 5.2.3.4.

**POLICY ISSUE #6: *Parcel Map Offsite Improvements*; Should Off-Site Improvement Requirements For A Parcel Map Be Limited To The Cost Of On-Site Improvements?**

The existing Design and Improvement Standards Manual did have this provision. The provision was removed from the Draft LDM because it was superseded by the adoption of the Fire Safe Regulations which required access roads (including off-site) to meet a minimum 18 foot width standard. Current Fire Code provisions require a 20 foot road width.

The Committee recommended this provision be re-instated. Without the re-instatement of the “equal on-equal off” road improvement standards, many Parcel Maps are economically infeasible.

**Policy Issue #6 Staff Recommendation:** No change to LDM because this would require amendments to the Fire Safe Regulations and Fire Code.

**POLICY ISSUE #7: Lot Solar Orientation; Should The Standards Be A Requirement Or Optional?**

LDM Section 2.5.2.B sets forth standards which could be used to meet the Solar Access requirements (affecting subdivisions with lots of 20,000 square feet or smaller). Changes were made to the draft LDM to ensure the standards were flexible enough for development in El Dorado County.

This issue is eligible for modification by the Planning Commission and Board of Supervisors in the LDM. However, Subdivision Map Act Section 66473.1 does state that “the design of a subdivision “...shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.”

**Policy Issue #7 Staff Recommendation:** No change to the LDM.

**POLICY ISSUE #8: Setbacks From Riparian Areas; Should They Be Contained In The LDM?**

LDM Section 2.5.12.C was modified after discussions with the EDAC Regulatory Reform Committee to state:

*“Discretionary permits may require setbacks from wetlands for biological mitigation, water quality, flood damage prevention, or other purposes identified through the discretionary process.”*

General Plan Policy 7.3.3.4 states that the “Zoning Ordinance shall ...provide buffers and special setbacks for the protection of riparian areas and wetlands.” The change to the draft LDM is intended to address the fact that there are many reasons setbacks may be required in a discretionary permit. The setbacks established for a discretionary permit should be based on site specific analysis and therefore are not contained in the LDM.

The Committee is interested in resolving this issue by having a simple and flexible zoning ordinance provision that implements the intent of Policy 7.3.3.4 but that does not unreasonably create economic barriers to development.

**Policy Issue #8 Staff Recommendation:** Approve the LDM Section 2.5.12.C, as revised, since the General Plan Policy requires that riparian setbacks be established in the Zoning Ordinance.

**POLICY ISSUE #9: 30% Slope Limitation For Septic Systems**

LDM Sections 3.2.3.H and 3.3.1.C implement General Plan Policy 7.1.2.1 requirement that septic systems be limited to areas of less than 30 percent slope. The LDM provisions are for new subdivisions. Existing lots may establish septic systems on steeper slopes subject to EMD review and approval.

The Committee is interested in resolving this issue by having a simple and flexible Zoning Ordinance provision that implements the intent of Policy 7.1.2.1 but that does not unreasonably create economic barriers to development.

**Policy Issue #9 Staff Recommendation:** No change to the LDM because it would require amendments to General Plan Policy 7.1.2.1.

**POLICY ISSUE #10: Fire Code Requirements For Access Standards**

The Committee questioned the use of the Fire Code for access standards. For discussion purposes, staff made no changes to the Manuals, but identified where the Fire Code provisions were located.

The Fire Code provisions for access are identified in the LDM as “*bold and italicized*” in Attachment 3 (LDM Without Fire Code). The Standard Plans identified Fire Code provisions in the RS-30 cross section and a “summary sheet” has been prepared to identify those provisions. No Fire Code provisions are in the Highway Design Manual or other Standard Plans.

In addition, if there is a corresponding Fire Safe Regulation provision, it has been noted following the Fire Code provision. This permits the reader to see what is required by the Fire Safe Regulations as well as the currently adopted Fire Code. Should the Fire Code be amended, the standards in the Manuals may need to be updated, but would generally be no less than that contained in the Fire Safe Regulations.

The Committee is recommending that the Fire Code provisions be revisited and revised as they are seen as creating economic barriers to development. (See Attachment 3: LDM Without Fire Code.)

**Policy Issue #10 Staff Recommendation:** This issue cannot be resolved in the LDM because it would require amendments to the 2007 Fire Code ratified by the Board of Supervisors on February 26, 2008.

**POLICY ISSUE #11: 32 Foot Road Width Standard In El Dorado Hills Vs. 28 Foot Road Width In Remainder Of The County**

The Standard Plans include a road section for El Dorado Hills that has a minimum width of 32 feet. This would accommodate parking on both sides and still have a 20 foot access drive. The 28 foot section in the remainder of the County would permit parking on one side and still have a 20 foot access road.

This issue is eligible for modification by the Planning Commission and Board of Supervisors in the LDM.

**Policy Issue #11 Staff Recommendation:** No change to Standard Plans. El Dorado Hills has more urbanized and intensive subdivision development than the remainder of the County and

should have a higher standard. Design Waivers for a 28 foot section could be granted on a case by case basis.

### **POLICY ISSUE #12: Reduce Design Waiver Requests**

Title 16, the current Design Manual, and the Draft LDM identifies the process and findings for approving Design Waivers to the standards. The LDM has already included some provisions to reduce Design Waivers by addressing the most common Design Waiver requests into new standards or exceptions to standards in the LDM. Some Examples include:

- A new exception is included: Section 2.5.2(B)3 Frontage Exception allows a driveway to serve a new lot created by a Parcel Map instead of a 24 foot road.
- A standard is modified: Section 2.5.2(B)9 Lot Length to Width Ratio allows lots greater than 10 acres to have a 4 to 1 length to width ratio and lots over 40 acres to have a 5 to 1 ratio.

In the development of the Draft Design Manuals the following processes were considered to allow for variations to the standards:

- First: The standards have been revised in the LDM to reflect current rules and interpretations of the existing Design Manuals. Many archaic or conflicting provisions were removed or revised.
- Second: Exceptions were identified within the Draft Design Manuals where they could be identified. A number of regular exceptions that are routinely approved by Design Waivers are now incorporated into the Design Manuals as exceptions.
- Third: Where possible, the Draft Design Manuals has made provisions for exceptions to be approved by the Director of Development Services or the Director of Transportation.
- Fourth: Many technical provisions related to engineering design are now eligible for the “Design Exception Policy” as described in the Highway Design Manual (HDM).

Where none of the exception procedures are available, then the Design Waiver process, subject to approval by the Planning Commission and/or Board of Supervisors, would be appropriate.

One option is to amend the findings required for the Design Waiver. Findings could be that the design waiver: 1. Meets the intent of the Design Manual; 2. Meets good engineering practice; and 3. Does not conflict with another superior regulation (such as a General Plan Policy or State/Federal law).

A further refinement of the “Design Waiver” process could be to identify it as a “Design Alternative” which may more accurately describe the process.



However, this issue cannot be resolved with this LDM because it would require amending Title 16 which sets forth the findings required for a Design Waiver.

The Committee has recommended that the Draft Design Manual include more flexibility and fewer standards that will require Design Waiver requests to streamline the development process as well as the public perception of Design Waivers. The Committee prepared a revised "1.1 Purpose" section and "1.6 Design Waiver" section to the LDM. (See Attachment 2: EDAC proposed Sections "1.1 Purpose" and "1.6 Design Waivers".)

**Policy Issue #12 Staff Recommendation:** No change to the LDM because of the requirement for amending Chapter 16.08 and 16.40 of the Ordinance Code. Significant changes to the intent and purpose of the Draft Design Manual were not identified in General Plan Policies and Implementation Measures that direct staff to update the Design Manual.

### **POLICY ISSUE SUMMARY:**

The Policy issues that require additional CEQA review, need amendments to the General Plan, Zoning Ordinance, Subdivision Ordinance, Grading Ordinance, Fire Code, or other Board Policy will require some time to resolve.

Staff recommends that future actions such as General Plan amendments and revisions where amendments to the Design Manuals are also needed should be processed concurrently with a "companion" Design Manual amendment. This will ensure timely updates to the Design Manuals as well as clearly describing the net effect on the standards within the Design Manuals. Any revisions to the Design Manuals need to be reviewed carefully for inconsistencies with other provisions of the Design Manuals.

Staff recommends the Policy Issues be forwarded to the Board of Supervisors for consideration. The Board of Supervisors will need to provide prioritization and direction on all of the Policy Issues.

## **ATTACHMENT 2: EDAC PROPOSED SECTIONS “1.1 PURPOSE” AND “1.6 DESIGN WAIVERS”**

***This is a draft, proposed replacement for Sections 1.1 and 1.6 of the LDM proposed by the EDAC Regulatory Reform Sub-committee. DSD staff does not recommend this approach.***

The project is the adoption of the new Land Development Manual (LDM) to replace the existing Design and Improvement Standards Manual (originally adopted on May 27, 1996, Resolution 136-86, and amended from time to time). The LDM implements General Plan Policies that have been analyzed in the General Plan EIR (SCH 2001082030).

### **1.1 PURPOSE**

This manual contains a compilation of pertinent mandatory design standards and advisory design guidelines applicable for most proposed discretionary development, including Planned Developments, Use Permits, Design Reviews and all divisions of land. Nothing in this manual shall be held to supersede any provision of Federal or State law, General Plan Policy or ordinance, either existing or future. A matrix at the end of most Chapters identifies the authority for most of the standards and guidelines.

It is not the intent of this manual that any standard of conduct or duty toward the public shall be created or imposed by the publication of this manual. The manual is not a textbook or a substitute for engineering knowledge, experience or judgment. The methods and procedures contained herein shall be reviewed by the engineer for applicability to the project on which he or she is working. Where a particular provision is considered inapplicable to a project, the design professional shall request a deviation from the provision as provided in the manual.

Where standards in this manual are derived from a superior authority, such as Federal law, State law, General Plan policy, County ordinance or Board of Supervisor guidelines, the design and improvement standards are considered mandatory. Where the *mandatory standard* identifies exceptions or alternative performance standards, a request may be submitted to the County for an exception. If the mandatory standard contained in the County's Design Manuals or ordinances does not identify an exception or alternative, a Design Waiver may be requested. Design Waivers are addressed in more detail in Chapter 1.6 of this manual.

In the absence of a mandatory standard by a superior authority, the standards contained in this manual constitute *recommended* or *advisory guidelines*. These recommended standards are included to provide planning and design tools and guidelines or industry standards of practice and care that may be employed to improve project designs or to minimize environmental impacts. These advisory guidelines are not inflexible rules to which there are no effective design solutions, equivalent alternatives or waivers.

The Director of the Department of Transportation and the Director of Development Services are authorized to approve deviations from the advisory guidelines procedures and policies originating in this manual when, in their opinion, such deviations are consistent with the best interests of the County and good engineering practice.

In the absence of a mandatory standard by a superior authority or an authorized exception, to encourage creative and original design, and to accommodate projects where the design professional wants to take a different approach due to proposed use or particular site conditions an **equivalent alternative** design solution will be considered in lieu of suggested guidelines provided in this manual as long as that solution meets the intent of this Manual and good engineering practice. For example, even though the Manual's advisory guidelines may disfavor flag lots or require that every lot should have a length to width ratio of 3:1 and be perpendicular to the street, this guideline does not prevent the design professional from proposing alternative designs. The procedure is not a general waiver of regulations. A design waiver is not required for deviation from an Advisory Guideline merely because a design professional requests an equivalent alternative solution be considered for meeting the requirements of the intent of this Manual.

Design flexibility should allow the design professional to change those criteria for specific projects where such changes appear to be appropriate. The design professional should have the flexibility to use reduced design criteria, where judgment indicates that this can be accomplished without compromising safety. Where designers exercise judgment and develop a project using design criteria that differ from established guidelines, or where a site-specific safety problem is identified and used as the basis for a design decision, the design professional should document the process in writing for presentation purposes. This should not be construed to imply that a waiver is required, only that it be documented.

If there is a difference of opinion with staff that cannot be resolved, then there should be a two track approach for the project presentation, with appropriate conditions addressing an equivalent alternative solution for compliance, thus allowing the approving body to make a decision on one or the other and allow the project to move ahead, without having to go back to staff for some unknown length of time and cost to prepare the appropriate conditions for that alternative. In the interest of adaptive management, these equivalent alternative solutions and design solutions will have to pass by at least the Zoning Administrator, Planning Commission and/or the Board of Supervisors who may consider whether a design solution should supersede a Manual guideline.

For a Mandatory Standard that the higher authority has not provided for an exception or alternative compliance, a design waiver may be the only alternative.

## **1.6 DESIGN WAIVERS**

### **1.6.1 Requirements**

All discretionary land development projects are required by County Ordinance to conform to the mandatory standards of design and improvements as specified in the County Design Manuals. Any deviation to these mandatory standards shall first be submitted to DSD to determine if an exception or exemption can be applied. If neither an exception nor an exemption can be applied, the applicant may apply for a design waiver as part of the discretionary project application.

A design waiver is not required for deviation from a *recommended* or *advisory guideline* where an applicant or design professional proposes an equivalent alternative solution.

### **1.6.2 Findings**

A design waiver addressing the four findings, as described in "Title 16 Subdivisions", Chapters "16.08" or "16.40" must be met for a waiver to be approved. The four findings include:

- a. There are special conditions or circumstances peculiar to the property proposed to be subdivided which would justify the waiver;
- b. Strict application of the design or improvements requirements of this Chapter would cause extraordinary and unnecessary hardship in developing the property;
- c. The waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public;
- d. The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision."

## ATTACHMENT 3: LDM WITHOUT FIRE CODE

*Sections 2.5.3.1, 2.5.6.2, 4.3.1.7, and 4.3.1.10 changes (in underline and strikeouts) are proposed by EDAC regulatory reform sub-committee meeting on 12/18/09 as translated by R. Trout for Planning Commission consideration. Staff cannot recommend approval of these changes because they would conflict with the Board adoption of the Fire Code provisions.*

### 2.5.3.1 Streets

- A. Street designs must conform to all County Ordinances, and *General Plan* Policies, California's Fire Safe Regulations and ~~Fire Code~~, as well as standards set forth in all County Design Manual(s), Standard Plans, AASTO Standards (low volume road standards publications), including this manual unless other standards have been adopted by the County (such as in a Specific Plan or Form Based Code) The following are applicable *General Plan* Policies:
1. "Policy TC-1p",
  2. "Policy TC-1w",
  3. "Policy TC-Xa",
  4. "Policy TC-Xf",
  5. "Policy 2.2.5.16",
  6. "Policy 6.2.3.2".
- B. Street Standards for Subdivisions
1. Proof of legal access (e.g., copies of deeded easements and a letter from a Title Company that states that all deeds are still valid) is required for all streets abutting the proposed development, whether the streets are County-maintained or non County-maintained.
  2. Access to streets that meet the County's design and level of service standards shall also be provided. Standard access requirements may be modified pursuant to the Frontage Exception (2.5.2.(B)6 or for Flag Shaped Lots (2.5.2.(G)2.b). This may require the improvement of non County-maintained and/or County-maintained roads that provide access to the development. Access improvement requirements may be both "on-site" (i.e., physically on the proposed development site), and "off-site" (physically on surrounding lots not part of the proposed development).
  3. Streets and lots may be required to be laid out so as to permit future re-subdivision if they are in a subdivision where a lot is twice the size or greater than the minimum size required in the zoning district.
  4. When a subdivision abuts or contains an existing or proposed new street, limited access highway, or railroad, the following may be required to protect residential properties and separate through and local traffic:
    - a. Providing a new separate access road(s) to the lots in the subdivision, and/or
    - b. Creating lots that front on the streets in the subdivisions (not onto existing streets). See the "Standard Plans" for access restrictions.
  5. The County may require that a non-vehicular access restriction / easement be recorded on the Final or Parcel Map to prohibit future access to a road not intended to provide access to lots.
  6. Subdividers may be required to dedicate right-of-way to the County for future road improvements and/or expansions to maintain public safety and/or to accommodate

projected increased traffic volumes due to the new subdivision. For phased developments see Section 4.3.1.9.

7. Dead-End Road Width and Turnaround Standards (~~Reference: “2007 California Fire Code, Appendix D, Table D103.4”~~): A turn-around is required for the dead-end roads in excess of 150 feet, as depicted in the County’s “Standard Plans” as listed:

Length (Feet)	Width (feet)	Turnarounds Required
0—150	<del>20 (minimum) the entire length of the road</del> (Fire Safe requires 18)	None Required
151—500	<del>20 (minimum) the entire length of the road</del> (Fire Safe requires 18)	<del>1) 96 foot diameter cul-de-sac in accordance with County standard plans</del> <del>2) 120 foot Hammerhead, 60 foot “Y”</del> (Fire Safe requires 80 foot diameter or hammerhead with 60 foot minimum for top of the “T”)
501—750	<del>26 (minimum) the entire length of the road</del> (Fire Safe requires 18)	<del>1) 96 foot diameter cul-de-sac in accordance with County standard plans</del> <del>2) 120 foot Hammerhead, 60 foot “Y”</del> (Fire Safe requires 80 foot diameter or hammerhead with 60 foot minimum for top of the “T”)
Over 750	<del>See the applicable Fire Protection District for requirements.</del> (See Fire Safe provisions in subsection 10.e)	

8. All road improvements, both on-site and off-site, shall be listed as conditions of approval on the Tentative Map.

10. For all residential subdivisions:

~~a. A second road into/out of the subdivision is required where there are more than 12-24 lots on a dead-end road. (This implements the 25 dwelling unit maximum pursuant to the amendments to the “2007 California Fire Code, Appendix D, Section D107”, passed by the El Dorado County Fire Protection Districts, and ratified by the Board in February, 2008. This limit assumes one primary and one secondary dwelling unit per lot. Hardship mobile home allowances are not within this total and may be prohibited if there are too many dwelling units on the road.)~~ (See Fire Safe provisions in subsection 10.e)

- b. Where two roads are required, their connections to the County-maintained road system shall be at locations approved by the County Director of DOT and the Fire Protection District having jurisdiction.
  - c. Dead-end roads shall not be longer than the following lengths, (measured along the centerline of the street from the intersecting centerlines of the intersecting street to the center point of the cul-de-sac bulb or equivalent), or longer than the California Fire Safe standards allow, whichever is more restrictive (see “Title 14 Natural Resources Division 1.5 – Department of Forestry, Chapter 7 – Fire Protection, Subchapter 2 SRA Fire Safe Regulations Articles 1 – 5”):
    - Lots zoned for less than one acre in size – 800 feet;
    - Lots zoned for 1 acre to 4.99 acres – 1320 feet;
    - Lots zoned for 5 acres to 19.99 acres – 2640 feet;
    - Lots zoned for 20 acres and above – 5280 feet.
  - d. An acceptable Fire Safe Plan shall be developed by a Fire Safe Plan preparer acceptable to the El Dorado County Fire Prevention Officers’ Association and CAL FIRE.
  - e. An entity shall be formed for the maintenance of any shared or common: roads, parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the appropriate document(s) if the current document(s) does not sufficiently address maintenance of facilities of the proposed project.
  - f. Subdivisions of four or fewer lots may qualify for the “Frontage Exception” provision of Section 2.5.2(B)4 that would allow a lot to be created that does not have frontage on a road and is served by a driveway.
11. For all non-residential and all multi-family projects:
- a. Two points of access are required, unless an exception is given by the County applicable Fire Protection District(s).
  - b. Applicants are encouraged to provide shared access between parking lots in order to limit the need for emergency vehicles to go back out onto the local road.
  - c. Where two points of access are required, they shall be placed a distance apart subject to approval by the Director of DOT ~~and the Fire Protection District having jurisdiction~~.
  - d. Additional driveway and road requirements may be required when building height(s) exceeds 30 feet.

## **2.5.6 Fire Protection and Other Emergency Services**

### **2.5.6.1 General Policies**

Fire protection measures are required including fuel management to reduce wildfire hazards, fire hydrants, and storage, if necessary.

- A. All proposed development shall adhere to the current standards as set forth in:

1. California's "Title 14 Natural Resources, Division 1.5 – Department of Forestry, Chapter 7 – Fire Protection Articles 1-5";
  - ~~2. "2007 California Fire Code" and amendments as ratified by the Board on 2/26/08;~~  
or
  3. The standards described in the County's Design Manuals, whichever is more restrictive.  
Exceptions to fire protection requirements can only be made by the entity prescribing the standard.
- B. Pursuant to *General Plan* "Goal 5.7", prior to approval of new development, adequate and comprehensive emergency services shall be provided, concurrent with development:
1. "Policy 5.7.1.1",
  2. "Policy 5.7.2.1",
  3. "Policy 5.7.3.1",
  4. "Policy 5.7.4.1",
  5. "Policy 5.7.4.2",
  6. "Objective 6.2.1",
  7. "Figure HS-1", "Policy 6.2.2.1",
  8. "Policy 6.2.4.1",
  9. "Policy 6.2.2.2",
  10. "Policy 6.2.3.4".

#### **2.5.6.2 Standards and Requirements**

- A. Fire Protection is Required.
1. When subdivisions are proposed within a Fire Protection District, the minimum fire protection requirements shall be met, unless modified by agreement between the subdivider, the structural Fire Protection District having jurisdiction and any applicable wildland fire protection agencies (e.g., CAL FIRE).
  2. When a subdivision of five or more lots (no matter the size of the lots) is proposed, it shall be within a structural Fire Protection District.
  3. A proposed subdivision of four or fewer lots, creating lots 9.0 acres or smaller, shall be within a structural Fire Protection District.
  4. If a proposed subdivision (of any number of lots) creates lots 9.0 acres or smaller, and is not within an existing Fire Protection District, one or the following shall occur:
    - a. annexation to an existing Fire Protection District; or,
    - b. contract for services with existing structural Fire Protection District until such time as the annexation is finalized.
- B. All discretionary residential developments shall have a Fire Safe Plan prepared by a Fire Safe Plan preparer acceptable to the El Dorado County Fire Prevention Officers' Association and CAL FIRE, unless waived by the Fire Department.
- C. For non-residential discretionary development, a Fire Safe Plan may be required by the applicable Fire Protection District unless waived by the Fire Department.
- D. For more details on what is included in a Fire Safe Plan, see below and Chapter 7 for the phone numbers and website addresses of the applicable Fire Protection District(s). For more information on qualifications for Fire Safe Plan preparers, contact the applicable Fire Protection District.



- E. A Fire Safe Plan is a written document prepared for the purpose of establishing minimum wildfire protection standards in conjunction with buildings, construction and development in State Responsibility Areas (SRA) and Local Responsibility Areas (LRA) when required by the Fire Protection District having jurisdiction.
1. A Plan shall address future design and construction of structures, subdivisions, and developments in SRA.
  2. A Plan shall cover access, water supply, fuel (i.e., vegetation) modification, and related local requirements.
  3. A Plan shall be determined complete when approved by the Fire Protection District having authority and jurisdiction and CAL FIRE.
  4. The Fire Safe Plan shall include measures to reduce fire hazards, such as
    - a. Expand cleared rights-of-way and enlarge cul-de-sacs;
    - b. Address water supply;
    - c. Address emergency access;
    - d. Perform fuel modification (e.g., selective clearing and thinning) so that fuel load levels are reduced; and
    - e. Other reasonable measures to protect structures in areas where structural fire protection does not exist; i.e., if the land division is adjacent to existing water lines, the subdivider may be required to extend the water lines for fire protection purposes.
  5. The Fire Safe Plan shall not require road to be improved beyond the minimum required standards set forth in the LDM, except to mitigate requests for Design Waivers.
- F. Water Supply for subdivisions of five or more lots
- The supply system and source, public purveyor or private system, shall provide a minimum of 60,000 usable gallons of storage for five to 25 lots; 125,000 gallons for 25 to 50 lots; and 200,000 gallons for 50 or more lots. The water supply system and source shall be located at the direction of the DSD Director and based on comments received from the applicable Fire Protection District.
1. Where water distribution systems are not available, the following will be considered by the applicable Fire Protection District:
    - a. Tanks,
    - b. Reservoirs,
    - c. Canals, and
    - d. Other systems as may be approved by the structural Fire Protection District.
  2. A facility for refilling fire trucks shall be provided for taking of water from the water supplies and shall conform to the County's "Standard Plans". The standard plans may be modified by the Fire Protection District having the responsibility in that area where structural conditions require it.
  3. Fire hydrant locations shall be approved by the Fire Chief of the district providing the service. See the applicable Fire Protection District for details.

#### **4.3.1.7 On Street Parking**

- ~~A. Pursuant to the 2007 California Fire Code and amendments as ratified by the Board of Supervisors on February 26, 2008, and where required by the applicable Fire Protection District having jurisdiction, roads shall be marked with permanent "NO PARKING — FIRE LANE" signs complying with the figures below.~~
- ~~B. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background.~~
- ~~C. Signs shall be posted on one or both sides of the road as follows:
  - ~~1. Roads from 20 to 29 feet in width shall be posted on both sides as a fire lane, with no parking allowed on either side of the roadway.~~
  - ~~2. Roads from 30 to 39 feet in width shall be posted on one side as "No Parking, Fire Lane", with parking allowed only on the opposite side of the roadway.~~
  - ~~3. Roads 40 feet and greater width may allow parking on both sides of the roadway.~~~~
- ~~D. When signs are required, the applicant shall arrange for a funding mechanism, such as a Homeowners Association or Lighting and Landscaping District, to pay for the ongoing maintenance of these parking restrictions.~~

#### **4.3.1.10 Weight**

- ~~A. Pursuant to the "2007 California Fire Code" and Code amendments, as ratified by the Board on February 26, 2008, all roads and bridges shall meet a 75,000 45,000 pound load.~~