

**EL DORADO COUNTY DEVELOPMENT SERVICES  
ZONING ADMINISTRATOR  
STAFF REPORT**



**Agenda of:** August 1, 2007  
**Item No.:** 4. a.  
**Staff:** Jonathan Fong

**PARCEL MAP**

**FILE NUMBER:** P06-0021

**APPLICANT:** James Hill Trust, James and Lori Voelker

**AGENT:** Designtech, Ann Real

**REQUEST:** A tentative parcel map creating two (2), ten-acre parcels on a 20-acre site (Exhibit B).

**LOCATION:** On the north side of Jim Valley Road 1,200 feet northeast of the intersection with Fort Jim Road in the Placerville area, Supervisorial District II (Exhibit A).

**APN:** 096-120-71

**ACREAGE:** 20.45 acres

**GENERAL PLAN:** Rural Residential (RR) (Exhibit B)

**ZONING:** Estate Residential Ten-acre Zone District (RE-10) (Exhibit C)

**ENVIRONMENTAL DOCUMENT:** Negative Declaration

**SUMMARY RECOMMENDATION:** Conditional Approval

**STAFF ANALYSIS:** Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the permit requests and issues for Zoning Administrator consideration are provided in the following sections.

**Project Description:** The applicant is requesting a tentative parcel map creating two (2) parcels both approximately 10.2 acres in size. An approximately 300 foot long cul-de-sac road would be constructed to the project parcel from Jim Valley Road. The road extension would be constructed within an existing 50 foot wide road and public utility easement.

The project would be served by private wells and onsite septic wastewater systems.

**Site Description:** The project site is located at approximately 2,200 feet elevation with mild slopes. Approximately 90 percent of the slopes on-site fall within the 0 to 15 slope range. The area identified as Parcel 1 on the Parcel Map has been previously disturbed with residential development including an existing driveway and residential structure. Vegetation onsite is comprised of mature oaks and native pines clustered along the western property boundary, primarily found in the area identified as Parcel 1.

**Adjacent Land Uses:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	RE-10	RR	Improved Residential
<b>North</b>	TPZ	RR	Timber Preserve parcel
<b>South</b>	RE-5	LDR	Improved Residential
<b>East</b>	RE-5	LDR	Improved Residential
<b>West</b>	RE-10	RR	Improved Residential

The parcel map would create one (1) additional residential parcel. The parcel map would be consistent with the residential development along Jim Valley Road. Because the parcel abuts Timber Preserve Zoned Parcels to the north, a 200-foot setback would be required for residential development. Adherence to this setback would prevent any potential land use conflicts.

**General Plan:** The General Plan designates the parcel as Rural Residential (RR) which establishes a minimum parcel size of 10 acres. The project would create two (2), 10.2-acre parcels. The project would be consistent within the RR land use designation.

The parcel to the north of the project is zoned Timber Preserve Zone (TPZ). General Plan *Policy 8.4.2.1* requires discretionary projects which abut TPZ-zoned parcels to be reviewed by the Agricultural Commission. General Plan *Policy 8.4.1.2* requires a 200 foot setback for parcels which abut TPZ-zoned lands.

On December 12, 2006, the Agricultural Commission approved the project with a recommendation that the 200 foot setback be required for the project. The setback requirement has been included as a condition of approval for the parcel map.

General Plan *Policy 7.4.4.4* establishes retention and replacement provisions for oak canopy impacted as part of development. The area identified on the parcel map as Parcel 1 has been previously disturbed with residential development and driveways. As shown on the Tree Preservation Plan submitted with the parcel map application, driveways and potential building envelopes have been provided which would not require removal of any oak trees. Therefore, the project would be consistent with this policy.

Staff finds the project is consistent with the General Plan.

**Zoning:** The project parcel is located within the Estate Residential Ten-acre Zone (RE-10) District which establishes a minimum parcel size of ten acres. The parcel map would create two (2), 10.2 acre parcels. The project conforms with the minimum parcel size requirement of the RE-10 Zone District.

Any future development on the resultant parcels would be required to maintain the 30 foot setback from all property boundaries and the additional 200 foot setback from the northern property boundary for residential development.

Planning Services staff finds the project is consistent with the Zoning Ordinance.

## **ENVIRONMENTAL REVIEW**

**NOTE:** This project is not located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (*California Fish and Game Code Section 711.4*), the project is subject to a fee of \$1,850.<sup>00</sup> after approval, but prior to the County filing the Notice of Determination on the project. This fee, less \$50.<sup>00</sup> processing fee, is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State’s fish and wildlife resources.

## **RECOMMENDATION**

1. Adopt the Negative Declaration based on the Initial Study; and
2. Approve P06-0021 as the required findings can be made as noted in Attachment 2, based on the analysis in the staff report and the conditions itemized in Attachment 1.

## **SUPPORT INFORMATION**

### **Attachments to Staff Report:**

Attachment 1 .....	Conditions of Approval
Attachment 2 .....	Findings of Approval
Exhibit A .....	Vicinity Map/ APN Page
Exhibit B .....	General Plan Land Use Map
Exhibit C .....	Zoning Map
Exhibit D .....	Tentative Parcel Map
Exhibit E.....	Environmental Checklist/ Discussion of Impacts

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

File Number P06-0021  
August 1, 2007 Zoning Administrator Hearing

### Planning Services

1. This parcel map is based upon and limited to compliance with the project description, the Zoning Administrator hearing exhibit marked Exhibit E (tentative parcel map) dated August 1, 2007, and conditions of approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

The project would allow the creation of two (2), 10.2 acre lots. An approximately 300-foot road would be constructed from the project boundary to Jim Valley Road. Both parcels would be served by private well and on-site septic wastewater systems.

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

2. During all grading and construction activities in the project area on the proposed parcels, an archaeologist or historian approved by the Development Services Director shall be on-call. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent and/or future parcel owner shall ensure that all such activities cease within 50 feet of the discovery until the on-call archaeologist can examine the find in place and determine its significance. If the find is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after appropriate measures are taken or the site is determined not to be of significance.
3. In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to *Section 7050.5 of the Health and Safety Code* and *Section 5097.98 of the Public Resources Code*. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The

treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission.

4. The applicant shall be required to pay Park in Lieu fee of \$150.00 payable to El Dorado County, pursuant to El Dorado County Subdivision Ordinance Chapter 16.12.090.
5. A 200 foot setback shall be required from the Timber Preserve zoned land located along the northern property boundary. The setback shall be shown on the parcel map and an exhibit shall be recorded with the map to ensure compliance with the General Plan. Planning Services shall verify the required setback prior to issuance of a building permit for development on the property.

## **Department of Transportation**

### ***Project Specific Conditions***

6. The applicant shall provide/verify to the Department that the off-site access of Jim's Place and Jim Valley Road meets the requirements of El Dorado County *Standard Plan 101C*, 18-foot roadway with 2-foot shoulders on either side of the roadway as required in *Section 3 A) 2) c) ii* of the *Design and Improvement Standards Manual* from the project boundary to Fort Jim Road. The improvements shall be substantially completed to the approval of the Department or the applicant shall obtain an approved improvement agreement with security, prior to the recordation of the parcel map.
7. The applicant shall improve the encroachment of Jim's Place to Jim Valley Road to the provisions of *Standard Plan 103C* (unpaved). The improvements shall be substantially completed to the approval of the Department or the applicant shall obtain an approved improvement agreement with security, prior to the recordation of the parcel map.
8. The applicant shall improve the cul-de-sac at the end of Jim's Place to the provisions of *Standard Plan 114* (unpaved). The improvements shall be substantially completed to the approval of the Department or the applicant shall obtain an approved improvement agreement with security, prior to the recordation of the parcel map.
9. Prior to recordation of the parcel map, the applicant shall join and/or form an entity, satisfactory to DOT, to maintain all onsite roads and/or drainage facilities not maintained by the County.
10. All on- and off-site road improvement requirements required as conditions of approval and/or mitigation measures shall be analyzed in the environmental document for this development project to the appropriate extent under CEQA . Any improvements that are not thoroughly analyzed shall include a discussion and justification under that particular impact analysis within the CEQA document as to the circumstances preventing such analysis along with a method and time frame for any future analysis. Mitigation measures that are included in the 5 year CIP must have the CEQA processing completed to fulfill this condition as funded and programmed per the *2004 General Plan Policy TC-Xf*.

11. As specified in the 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 parcel map, acquire by negotiation or commencement proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any parcel map, the subdivider shall submit the following to the Department of Transportation Right of Way Agent, and enter into an agreement pursuant to *Government Code Section 66462.5* and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20 percent contingency:
  - a. A legal description and plat, of the land necessary to be acquired to complete the off-site improvements, prepared by a civil engineer or land surveyor.
  - b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
  - c. An appraisal prepared by a professional appraiser of the cost of land necessary to complete the off-site improvements.

***Standard Conditions***

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 Subdivision Ordinance, prior to filing the parcel map.
13. If site improvements are to be made, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department for review and approval. The plan shall be in conformance with the County of El Dorado "Design and Improvement Standards Manual", the "Grading, Erosion and Sediment Control Ordinance", the "Drainage Manual", the "Off-Street Parking and Loading Ordinance", and the State of California Handicapped Accessibility Standards. The improvements shall be substantially completed, to the approval of the Department of Transportation, prior to occupancy.
14. The applicant shall provide a soils report at time of improvement plan or grading permit application addressing, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
15. Prior to any import, or export to be deposited within El Dorado County, the applicant shall obtain an additional grading permit for that offsite grading.
16. The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties,

and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.

17. 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 approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.
18. The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.

#### **El Dorado County Fire Protection District**

19. Prior to recordation of the parcel map, the applicant shall submit to the District the fire review fee of \$120.00.
20. The required fire flow is 1,000GPM at 20psi for two hours. The District shall verify that adequate fire flow is available prior to recordation of the parcel map.
21. An additional fire hydrant is required, located within 1,000 feet of the cul-de-sac. The hydrant shall be located along Jim Valley Road at the end of the 8 foot El Dorado Irrigation District water line. The District shall review and approve the installation of the hydrant prior to recordation of the parcel map.
22. The applicant shall prepare a Fire Safe Plan for the project. The District shall review and approve the plan prior to recordation of the parcel map.
23. A deed restriction is required on the parcel map to show a requirement for a Fire District approved NFPA 13D sprinkler system for any new structures built on both parcels. The deed restriction shall be reviewed and approved by the District and recorded prior to the recordation of the parcel map.

#### **Air Quality Management District**

24. The applicant shall submit and pay appropriate fees for an Asbestos Dust Mitigation Plan (ADMP). The District shall review and approve the ADMP prior to issuance of a grading permit.
25. The applicant shall adhere to all District rules during project construction.

#### **Environmental Management**

26. The applicant shall identify a water source for Parcel 2. The Department shall review and approve the water source prior to recordation of the parcel map.

#### **County Surveyor**

27. All survey monuments must be set prior to the filing of the parcel map.
28. The applicant shall provide a Parcel Map Guarantee, issued by a title company, showing proof of access to a State or County Maintained Road as defined in 16.44.120 (B) (2) with the legal right to improve that access as required by the County Design Manual.
29. Prior to filing the Parcel Map, a letter to the County Surveyor will be required from all agencies that have conditions place on the map. The letter will state that all conditions placed on the map by that agency have been met.

# ATTACHMENT 2

## FINDINGS

File Number P06-0021

August 1, 2007

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made pursuant to *Section 66472.1* of the *California Government Code*:

### FINDINGS FOR APPROVAL

#### **1.0 CEQA Findings**

- 1.1 El Dorado County has considered the negative declaration together with the comments received during the public review process. The negative declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 The project will not affect wetlands, water courses, riparian lands, unique plant or animal life and habitats, or other terrestrial matters under the jurisdiction of the California Department of Fish and Game (CDFG). The project is subject to the CDFG environmental filing fee of \$1,800.00 and a \$50.00 El Dorado County processing fee based on *CDFG Code Section 711.4* and *Senate Bill 1535*.
- 1.4 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA.

#### **2.0 General Plan Findings**

##### **2.1 The proposed parcel map is consistent with applicable general and specific plans;**

The parcel General Plan Land Use Designation is Rural Residential (RR) which establishes a minimum parcel size of 10-acres. The project would create two (2), 10.2 acre parcels. The project meets the minimum parcel size within the RR district.

The required 200-foot setback from the TPZ zoned parcel to the north is consistent with the General Plan.

#### **3.0 Zoning Findings**

##### **3.1 The proposed parcel map is consistent with the Zoning Ordinance;**

The project is zoned Estate Residential Ten-acre (RE-10) which establishes a minimum parcel size of 10 acres. The project would create two(2), 10.2 acre parcels which is consistent within the RE-10 Zone District. The project would be consistent with the development standards of the RE-10 Zone District.

#### **4.0 Tentative Map Findings**

##### **4.1 The proposal conforms to the County’s zoning regulations and Minor Land Division Ordinance;**

The Department of Transportation and the El Dorado County Fire Protection District has reviewed the existing road conditions and have determined that the proposed improvements would provide adequate access. Adequate public water and sewer services exist that would be sufficient to serve the project.

The proposed parcels provide adequate area to meet the development standards of the RE-10 Zone District.

##### **4.2 The site is physically suitable for the proposed type and density of development;**

As determined through a Cultural Resource Study and staff analysis, the project site does not contain any natural resources that would be significantly impacted through the proposed residential development of the project.

Adequate developable areas exist on the parcel that would allow for residential development consistent within the Rural Residential Land Use Designation and the Estate Residential Ten-acre Zoning District. There is existing residential development on the site. The parcel map would allow one additional residential parcel.

The project site is not constrained by significant slopes, oak canopy, riparian features, or access concerns. Future development would be consistent with applicable General Plan policies and Zoning Ordinance requirements.

##### **4.3 The design of the division or the proposed improvements are likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;**

The required road improvements would not result in significant environmental damage. No riparian features would be affected as a part of the project and no sensitive species would be impacted as concluded by the Negative Declaration prepared by staff.