

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



Agenda of: November 21, 2007
Item No.: 5.a.
Staff: Michael C. Baron

PARCEL MAP

FILE NUMBER: P06-0005

APPLICANT: R. David Young

REQUEST: A tentative parcel map creating four parcels, ranging in size from 1 acre to 1.07 acres, on a 4.08 acre site (Exhibit B).

A design waiver has been requested for the following:

a. Reduction of onsite road improvements from 24 feet to 18 feet with 2 foot shoulders.

LOCATION: On the east side of Excalibar Road, 1,100 feet south of the intersection with Forni Road, in the Placerville Periphery area, Supervisor District III (Exhibit A).

APN: 325-290-13

ACREAGE: 4.08

GENERAL PLAN: Medium Density Residential (MDR)

ZONING: One Acre Residential (R1A) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Negative Declaration

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND: This parcel map application was submitted February 21, 2006 by R. David Young. Originally deemed incomplete for lack of required application materials, the parcel map application was deemed complete for processing on May 5, 2006.

STAFF ANALYSIS

Project Description: Proposed parcel map to create four parcels, ranging in size from 1 acre to 1.07 acres, from one 4.08 acre parcel. A design waiver has been requested to reduce the onsite and off-site road improvement width from 24 feet to 18-feet.

Site Description: The project site lies at an approximate elevation of 1,900 feet above mean sea level. The woodland habitat is characterized as blue-oak and foothill pine. The parent parcel for the proposed parcel map has approximately 50 percent canopy coverage. The soil type is Diamond Springs Series (DfC) which is well drained, with surface runoff that is medium with moderate erosion hazard. The parcel has moderate terrain with slopes averaging 10 to 20 percent. The proposed parcel map will provide all four parcels access via a private road encroaching onto Excalibar Road, which is not a County maintained road.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	R1A	MDR	Vacant Residential
North	R1A	MDR	Improved Residential
South	R1A	MDR	Improved Residential
East	R1A	MDR	Improved Residential
West	R1A	MDR	Improved Residential

General Plan: The General Plan designates the subject site as Medium Density Residential (MDR), which permits a minimum parcel size of 1 acre. The proposed 1-acre parcels therefore conform to the General Plan land use designation. The following General Plan policies apply to this project:

As required under General Plan *Policy 2.2.1.2* The Medium Density Residential (MDR) Land Use Designation requires parcel sizes to range from 1 to 5 acres. The proposed parcels would create four lots that are a minimum of 1 acre and therefore, conform to General Plan *Policy 2.2.1.2*.

Since the proposed parcel map will create four 1-acre residential lots, it is assumed that there will eventually be a future ministerial building permit for a single family dwelling submitted, which at this time General Plan *Policy 7.1.2.1* does not allow development on slopes greater than

30 percent. As shown on the slope map (Exhibit F), the proposed parcel map will not create parcels that do not have adequate building area.

Through analysis of the proposed project by the Department of Transportation it has been concluded that the proposed parcel map does not exceed any of the minimum requirements listed under *Policy TC-X*.

The proposed parcel map will provide public water and individual septic systems for each of the proposed lots. General Plan *Policies 5.2.1.9.* and *5.3.1.7* can allow for individual septic systems within community regions served by public water. This project has been conditioned by the Environmental Management Department to provide data to prove that adequate septic systems can be provided for the eventual construction of single family dwellings prior to the recordation of the parcel map.

The applicant has submitted a wildland fire safe plan to the fire district that would adequately protect the eventual construction of single family dwellings from wildland fire hazard on each proposed lot, demonstrating consistency with General Plan *Policy 6.2.2.2*.

The applicant has shown development envelopes on the parcel map for each proposed lot that would allow for a minimum 50 foot setback from the intermittent stream that exists on the site in order to ensure consistency with General Plan *Policy 7.3.3.4*.

Any oak trees removed for the proposed 18 foot wide on and off-site road access and improvements as part of the parcel map process will allow for some additional tree removal for construction of single family dwellings on each lot (Table 1). Based on a tree canopy exhibit, provided by the applicant, it can be concluded that any oak canopy removal required for building residential structures and road improvements on and off-site would not exceed the retention standards required under *Policy 7.4.4.4*.

TABLE 1: Tree Canopy Summary					
	Area	Existing Canopy	% Required Retention	Canopy to Remove	% Proposed to Retain*
Site	4.08 Acres	50%	80%	11,000 sq. ft.	88%
Parcel 1	1.01 Acres	50%	80%	4,500 sq. ft.	89%
Parcel 2	1.00 Acre	60%	70%	2,000 sq. ft.	95%
Parcel 3	1.00 Acre	70%	70%	2,400 sq. ft.	95%
Parcel 4	1.07 Acres	25%	85%	2,100 sq. ft.	95%

* An additional 500 square feet of oak canopy will be removed for the off-site road improvements required along Excalibar Road which can be evenly distributed to the retention required for each of the proposed parcels (Exhibit F) and still ensure consistency with Policy 7.4.4.4.

Conclusion: As discussed above, staff finds that the project, as proposed/conditioned, conforms to the General Plan.

Zoning: The subject parcel is zoned One Acre Residential (R1A) and is consistent with the Development standards noted in Chapter 17.28.080 for the Residential One Acre (R1A) Zone District. The proposed parcels are a minimum of one acre, exceed 100 feet in width and any future residential development will be able to satisfy the minimum 30-foot building setbacks as required by the One Acre Residential (R1A) Zone District.

Design Waiver(s) Discussion: A design waiver has been requested for a reduction of onsite road improvements to 18 feet with 2 foot shoulders from the required 28 foot width requirement. Section 16.08.020(A)(2) of the El Dorado County Sub-division Ordinance requires that four specific findings must be made in order to approve a design waiver. These four findings are noted in Attachment 2.

Summary: The Department of Transportation requires that the applicant widen Excalibar Road to Standard Plan 101B. However, design waivers have been requested to reduce the road widths to 18 feet with 2 foot shoulders per Standard Plan 101C. The El Dorado County Fire Protection District has provided Conditions that will require future residential structures be built to include residential sprinkler systems and 3,000 water storage tanks and supports the road improvements conditioned by the Department of Transportation as well as the use of Cribbs road for secondary emergency access.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project may 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.

NOTE: This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,850.⁰⁰ after approval, but prior to the County filing the Notice of Determination on the project. This fee, less \$50.⁰⁰ 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 States fish and wildlife resources.

RECOMMENDATION

1. Adopt the Negative Declaration based on the Initial Study prepared by staff.
2. Approve the P06-0005 as the required findings can be made as noted in Attachment 2 based on the analysis in the staff report and the modification of the project to include conditions itemized in Attachment 1.
3. Approve the following design waivers since appropriate findings can be made as noted in Attachment 2:
 - a. Reduction of onsite road improvements from 28 feet to 18-feet with 2-foot shoulders.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Vicinity Map
Exhibit B	Tentative Parcel Map
Exhibit C	General Plan Land Use Map
Exhibit D	Zoning Map
Exhibit E	Assessor's Map
Exhibit F	Off-site Canopy Removal
Exhibit G	Environmental Checklist and Discussion of Impacts

ATTACHMENT 1 CONDITIONS OF APPROVAL

**FILE NUMBER P06-0005
November 21, 2007, Zoning Administrator Hearing**

CONDITIONS OF APPROVAL

Planning Services

1. This Tentative Parcel Map approval is based upon and limited to compliance with the project description, the Zoning Administrator exhibit marked Exhibit B (Tentative Parcel Map) November 21, 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:

Proposed parcel map to create four parcels, ranging in size from 1 acre to 1.07 acres, from one 4.08 acre parcel. The project includes a design waiver request to reduce road improvements onsite and along Excalibar Road from 28 feet to 18 feet with 2 foot shoulders.

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.

1. The Applicant shall be required to pay Park-in-Lieu fee of \$150.00 payable to the County Recreation Department, pursuant to El Dorado County Subdivision Ordinance Chapter 16.12.090 prior to recording the parcel map.
2. The tentative parcel map shall remain valid for a period of three years from the date of approval unless, prior to expiration of the map, the applicant files for a time extension.
3. The applicant shall make the actual and full payment of Planning processing fees for the tentative parcel map application prior to the County Recorder processing the final map.

4. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs. County may incur as a result of such action, as provided in Section 66474.9(b) of the California Government Code. The subdivider shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37. County shall notify the subdivider of any claim, action, or proceeding and County will cooperate fully in the defense.

Department of Transportation

5. The applicant shall widen the on-site portion of and the on-site access road and the entire property frontage of Excalibar Road to the standard of a 28 foot wide roadway per El Dorado County Design and Improvement Standards manual, Standard Plan 101B (without curb gutter and sidewalk). The improvements shall be substantially completed, to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to recording the parcel map.
6. The applicant shall provide a 50 foot wide road and public utilities easement for the on-site access road, prior to recording the parcel map.
7. The applicant shall irrevocably offer to dedicate a 30 foot wide road and public utilities easement along the entire frontage of Excalibar Road prior to recording the parcel map. This offer will be rejected by the County.
8. The applicant shall widen the off-site portion of Excalibar and Cribbs Road, from the project boundary to Forni Road, per County Design and Improvement Standards Manual Plan 101C, 18 foot roadway width and 2 foot shoulders on each side of the roadway as required in Section 3 A)2)c)iii. 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 recording the parcel map.
9. The applicant shall install all necessary signage such as stop signs, street name signs, and/or "Not a County Maintained Road" road sign as required by the Department of Transportation, prior to recording the parcel map.
10. A vehicular access restriction shall be placed along the southern boundary of both parcels 3 & 4, prior to recording the parcel map.
11. The applicant shall join and/or form an entity, satisfactory to the County, to maintain all roads not maintained by the County, prior to recording the parcel map.

12. The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete
13. 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.
14. Any import, or export of fill material to be deposited within El Dorado County, shall require an additional grading permit for that offsite grading.
15. 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.
16. 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.
17. As specified in the Conditions of Approval, the subdivider is required to perform off-site road 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 recording 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 off-site improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20% 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.

18. 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 recording the parcel map.
19. 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 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.

Fire District

20. Applicant shall submit a \$120.00 application review fee prior to filing the parcel map.
21. Fire flow for this project is 1000 gpm @ 20 psi for two hours or the applicant may enter into recorded deed restriction for a residential sprinkler system with 3,000 gallons of water storage for each parcel.
22. Applicant shall submit a Fire Safe Plan to the Fire District prior to recording the parcel map.
23. Applicant shall provide documentation from El Dorado Irrigation District and the Fire District to show that the system will meet the required fire flow for this project prior to filing the parcel map.

Environmental Management

24. Prior to filing the parcel map the applicant shall submit to Environmental Management Department, a current map showing the sewage disposal area identified in a 1998 report, prepared by Carlton Engineering showing a 12,000 square foot sewage disposal area, along with the location of the soil test trenches with the corresponding data, matching the data to the test trench.

El Dorado County Surveyor

25. All survey monuments shall be set prior to filing the parcel map.
26. Prior to filing the parcel map the applicant shall provide a Parcel Map Guarantee to the County surveyor, 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 County Design Manual.

27. The roads serving the development shall be named by filling a completed Road Name Petition with the County Surveyors Office prior to filing the parcel map.
28. Prior to filing the parcel map, a letter to the County Surveyor will be required from all agencies that have conditions placed 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 P06-0005
November 21, 2007, Zoning Administrator Hearing**

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:

FINDINGS FOR APPROVAL

1.0 CEQA Finding

- 1.1** The proposed project, as conditioned, will not have a significant effect on the environment and a negative declaration has been filed. Any impacts from the project on biological resources, traffic, and mineral resources will be less than significant due to existing standards and requirements imposed in the conditioning of the project.
- 1.2** No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3** The documents and other materials which constitute the record of the proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Ct, Placerville, CA 95667.

2.0 Parcel Map Findings

- 2.1 The proposed parcel map conforms to the applicable standards and requirements of the County's zoning regulations and the Minor Land Division Ordinance.**

The proposed parcels meet the minimum 1 acre parcel size, width and frontage standards as required by the R1A Zone District.

- 2.2 The site is physically suitable for the proposed type and density of development.**

The project site has been determined suitable for residential development by the Environmental Management Department based on a percolation rate test for septic systems and a Facilities Improvement Letter provided by EID for public water. There are numerous building sites on the proposed parcel that would not be constrained by excessive slope, tree canopy, streams or wetlands.

2.3 The proposed parcel map is not likely to cause substantial environmental damage.

A Negative Declaration was prepared for the proposed parcel map. Based on the initial study, it was determined that the project would not have a significant effect on the environment.

2.4 The proposed use is consistent with the policies in the El Dorado County 2004 General Plan, adopted July 19, 2004.

The project has been designed in compliance with the Medium Density Residential Land Use Designation requiring Minimum one acre parcel sizes. County regulations, addressing aesthetics, environmental issues and health and safety concerns, have been analyzed, as required by the 2004 General Plan and referenced in the General Plan discussion in the staff report.

3.0 Findings for Approval of Design Waivers

Request for a reduction of onsite road and frontage along Excalibar Road from 28 feet to 18 feet with 2-foot shoulders.

3.1. There are special conditions for circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.

The existing portion of the onsite road (Excalibar) is 18 feet wide with 2 foot shoulders which is consistent with California State Responsibility Area State Fire Safe Regulations.

3.2. Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.

The increased improvements will require more extensive grading and drainage work with increased impacts to an area that is sensitive to soil disturbance. There are drainage ditches, fences, and utilities along both sides of the on-site and off-site portions of Excalibar Road.

3.3. The adjustment or waiver(s) would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.

The design waiver request reduces the road improvements to 18 feet with 2-foot shoulders, which is consistent with State Responsibility Area Fire Safe Regulations. The El Dorado County Fire Protection District has required that the project meet all the requirements of the State Responsibility Area Fire Safe Regulations.

3.4. This waiver(s) would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.

A reduction in road width is consistent with *Title 17 of the Zoning Ordinance, General Plan, California State Responsibility Area Fire Safe Regulations.*