

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



Agenda of: August 15, 2007
Item No.: 4.a.
Staff: Jonathan Fong

PARCEL MAP

FILE NUMBER: P06-0025

APPLICANT: Crystal Singh

AGENT: Associated Land Consultants

REQUEST: A tentative parcel map creating two (2) parcels on a 2.92 acre site. Parcel 1 would be 1.00 acre and Parcel 2 would be 1.92 acres. (Exhibit D)

LOCATION: On the south side of Lakeview Drive approximately 0.8 miles west of the intersection with South Shingle Road in the Shingle Springs area, Supervisorial District II. (Exhibit A)

APN: 109-071-28

ACREAGE: 2.92 acres

GENERAL PLAN: Medium Density Residential (MDR) (Exhibit B)

ZONING: One-acre Residential (R1A) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Negative Declaration

SUMMARY RECOMMENDATION: Conditional Approval

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

Project Description: The parcel map would create two (2) residential parcels ranging from 1.00 acre to 1.92 acres in size. Public water is proposed to serve the parcels with septic wastewater facilities to be constructed on-site. Future development on Parcel 2 would be served by public water and a private onsite septic wastewater system.

The parcel is currently accessed via a driveway onto Presley Lane. Future development on Parcel 2 would also be accessed via Presley Lane.

Road improvements would be required as conditions of approval of the project. The Department of Transportation has required widening of the onsite portions of Lakeview Drive and Presley Lane to 28 feet as required by *Standard Plan 101B*.

Site Description: The project site is located within the Shingle Springs Community Region at approximately 1,450 feet mean sea level. The project site has frontage along Lakeview Drive and Presley Lane.

The project site is relatively flat with a small portion of Parcel 2 containing slopes which exceed 30 percent. Vegetation onsite is characterized by a number of mature Pine groves and two oak clusters located near the northwest corner of the project site.

Portions of the site identified as Parcel 1 have been previously disturbed with residential development. Improvements onsite consists of an existing residence and accessory structures.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	R1A	MDR	Single-family residence
North	R1A	MDR	Single-family residence
South	R1A	MDR	Single-family residence
East	R2A	MDR	Single-family residence
West	R1A	MDR	Single-family residence

The surrounding parcels in the vicinity are developed or have the potential to be developed with single family residences. The proposed parcel map would create two residential lots which would be consistent with the surrounding land uses.

General Plan: The project has been reviewed in accordance with the El Dorado County 2004 General Plan and it has been determined that the project is consistent with applicable policies. Findings of consistency with the General Plan are provided in Attachment 2.

The General Plan designates the subject site as Medium Density Residential (MDR), which permits a minimum parcel size of one acre. The proposed one acre and 1.92 acre parcels are consistent within the MDR land use designation.

The proposed parcel map would create two (2) one acre parcels. The parcel sizes are consistent with the Medium Density Residential (MDR) General Plan land use designation. Based on consistency with the MDR land use designation staff finds the proposed parcel map is consistent with the General Plan.

The project would be served by public water and onsite private septic wastewater systems. General Plan Policies 5.2.13 and 5.3.1.2 allow for development within Community Regions to be served by public water and private septic systems. The proposed utility improvements are consistent with the General Plan.

General Plan Policy 7.4.4.4 requires retention and replacement of impacted oak canopy. As shown on the site plan and verified by a site inspection performed by staff, adequate building areas exist on Parcel 2 which would not require removal of any oak canopy for development. Parcel 1 has been previously developed and would not require oak canopy removal.

The Department of Transportation has required road improvements to Lakeview Drive and Presley Lane. Both frontage roads are lined with mature Pines and would not require the removal of oak canopy.

Staff finds the project is consistent with the General Plan.

Zoning: The subject site is zoned One-acre Residential (R1A) which permits a minimum parcel size of one acre. Therefore, the proposed 1 acre and 1.03 acre parcels conform to existing zoning.

The parcel map is consistent with the minimum parcel size requirements of the R1A Zone District. Future development of Parcel 2 would be required to maintain the 30 foot setback for all structures are required by the Fire Safe Regulations and the Zoning Ordinance.

Because the project parcel is located within Mitigation Area 1, *Section 17.71.220* of the Zoning Ordinance is applicable. This section establishes that a payment of a fee in lieu of Ecological Preserve Mitigation is required for parcels located within Mitigation Areas 1 and 2. A \$386.00 mitigation fee for single-family development is required prior to building permit issuance.

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 **\$1,850.⁰⁰** 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 State's fish and wildlife resources.

RECOMMENDATION

1. Adopt the Negative Declaration based on the Initial Study; and
2. Approve P06-0025 subject to the conditions in Attachment 1 based on the Findings in Attachment 2.

SUPPORT INFORMATION

Attachments to Staff Report:

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

ATTACHMENT 1

CONDITIONS OF APPROVAL

File Number P06-0025

August 15, 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 D (tentative parcel map) dated August 15, 2007, 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 a two lot parcel map. Parcel 1 would be 1.00 acre and Parcel 2 would be 1.92 acres. Parcel 1 has been developed and is served by public water and an onsite septic wastewater system. Parcel 2 would be served by public water and an onsite septic wastewater system.

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 fees of \$150.00 payable to El Dorado County, pursuant to El Dorado County Subdivision Ordinance Chapter 16.12.090.
5. Prior to recordation of a ~~building permit~~ the parcel map, all ~~Development Planning~~ Services fees due on the parcel map shall be paid.
6. 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 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.

Department of Transportation

Project Specific Conditions

7. The applicant shall widen the onsite portion of Lakeview Drive and Presley Lane; to 28 feet wide pursuant to *Standard Plan 101B* (sidewalk is not required). The existing roadway drainage facilities shall be improved to current County Standards. 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 recordation of the parcel map.
- 9 ~~8~~. The applicant shall irrevocably offer (or verify existing offer) to dedicate, in fee, the onsite road and public utilities easement, along the project frontage for Lakeview

Drive and Presley Lane prior to the recordation of the map. This offer will be rejected by the County.

Standard Conditions

- ~~14~~ 9. The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
- ~~15~~ 10. 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.
- ~~16~~ 11. A final drainage study shall be prepared by the project proponent and submitted with the subdivision grading and improvement plans to the approval of the Department of Transportation. All drainage facilities identified in the drainage study shall be included in the subdivision grading and improvement plans.
- ~~17~~ 12. 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.
- ~~18~~ 13. The applicant shall submit a soils and 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.
- ~~19~~ 14. 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.
- ~~20~~ 15. 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. The County shall issue no building permits until the Department of Transportation approves the final grading and erosion control plans and the grading is completed.

- ~~21~~ 16. The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). 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 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.
- ~~22~~ 17. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer shall 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.
- ~~23~~ 18. Construction activities shall be conducted in accordance with the County noise regulation or limited to the following hours and days: 7:00 a.m. to 7:00 p.m. on any weekday; 8:00 a.m. and 5:00 p.m. on weekends and federally recognized holidays.
- ~~24~~ 19. The applicant shall pay the traffic impact fees in effect at the time a building deemed complete.

Environmental Management

- ~~25~~ 20. The applicant shall submit a soils test to Environmental Management. The Department shall review and approve the test prior to recordation of the parcel map.

Air Quality Management District

- ~~26~~ 21. The applicant shall prepare an Asbestos Dust Mitigation Plan. The District shall review and approve the plan prior to commencement of project construction.
- ~~27~~ 22. The applicant shall adhere to all District rules during project construction.

Surveyor's Office

- ~~29~~ 23. All survey monuments must be set prior to filing the parcel map.

- ~~30~~ 24. 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.
- ~~34~~ 25. 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 P06-0025
August 15, 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 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 and a \$50 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 ADMINISTRATIVE FINDINGS

2.1 The proposed parcel map conforms to the El Dorado County General Plan;

The project site is designated as Medium Density Residential (MDR). The parcel map would create parcels which are consistent with the density requirements and minimum parcel size requirements within the MDR land use designation.

2.2 The parcel map conforms to the El Dorado County Zoning Ordinance;

The project site is zoned One-acre Residential (R1A). The parcel map would create parcels which would be consistent with the minimum parcel size requirements and the development standards of the R1A Zone District.

3.0 TENTATIVE MAP FINDINGS

3.1 The proposed map is consistent with applicable general and specific plans;

The parcel map would be consistent with the density requirements and minimum parcel size of the Medium Density Residential (MDR) land use designation. The project would be consistent with applicable General Plan policies as presented in the staff report.

3.2 The design or improvement of the proposed division is consistent with applicable general and specific plans;

The project would be served by public water and onsite wastewater systems which would be consistent with the General Plan. The project would be required to make road improvements consistent with the General Plan and the Design and Improvement Standards Manual.

3.3 The site is physically suitable for the type of development;

Adequate areas onsite are available for septic wastewater systems, driveways, and building envelopes consistent with the General Plan and the development standards of the Zoning Ordinance.

3.4 The site is physically suitable for the proposed density of development;

The project would create one additional parcel. Adequate conditions onsite exist that would allow for the increased density.

3.5 The design of the division or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;

The required site improvements will not cause significant impacts to the environment or wildlife. The project would result in road widening and onsite residential development. No important plant or wildlife species would be damaged as a result of the project.

3.6 The design of the division or the type of improvements is not likely to cause serious public health hazards;

The project would result in the creation of one additional parcel. The potential residential development and required road improvements would not create public hazards in the surrounding area.

3.7 The design of the division or the improvements are suitable to allow for compliance of the requirements of section 4291 of the Public Resources Code; The project would allow for future residential development to comply with the setback requirements of the R1A Zone District and the Fire Safe Regulations.

3.8 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.

No public easements exist through the project site. The required road improvements would be constructed within existing easements and would not create conflicts with future development associated with the project.