

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



Agenda of: November
Item No.: 5.b.
Staff: Michael C. Baron

PARCEL MAP

FILE NUMBER: P07-0001

APPLICANT: Jack and Susan Myers

REQUEST: A tentative parcel map creating three parcels one acre in size from a three acre site (Exhibit B).

LOCATION: On the east side of Sierrama Drive, 1,250 feet north of the intersection with Meder Road, in the Shingle Springs area, Supervisor District IV. (Exhibit A)

APN: 070-180-46

ACREAGE: Three acres

GENERAL PLAN: Medium Density Residential (MDR) Shingle Springs Community Region (SS) (Exhibit B & C)

ZONING: Residential 1-acre (R1A) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Negative Declaration

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND: This parcel map application was submitted January 12, 2007 by Jack and Susan Meyers. Initially the project was deemed complete, however it was identified that the tree canopy exhibits provided by the applicant were not designed consistent with Policy 7.4.4.4. Subsequently the applicant re-designed the canopy exhibits based on an arborist field survey, which more accurately defined the oak canopy on the site.

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 parcel map would create three parcels, one acre each, from a three acre parcel. The Department of Transportation has requested that road improvements be required along the project frontage on Sierrama. A roadway would be constructed to provide access to the parcels from Sierrama and has been conditioned to align with Joy Lane.

Site Description: The three acre parcel is located within the Shingle Springs Community Region. The project site is located about 1,530 feet above mean sea level with slope ranges of 16 percent from 0-10 percent slopes, 64.7 percent from 11-20 percent slopes, 19 percent in the 21-29 percent, and .3 percent in excess of a 30 percent slope range. The soil type on the project site is classified as predominantly a mix of rescue very stony sandy loam and rescue extremely stony sandy loam (RfC & RgE2) (*soil Survey of El Dorado County Area, 1974*). According to the soil survey, this land type is “moderately to excessively drained,” surface runoff is very rapid with moderate to high erosion hazard. A Biological Survey was performed on the project parcel on March 27, 1997 by Sycamore Environmental Consultants, Inc. A biological site assessment identified two species of plants closely monitored by the California Native Plant Society (El Dorado County mule-ears, Red Hills soaproot) and one species (El Dorado bedstraw) considered Federally Endangered and California rare. Existing trees on the site are identified as a mix of Pine, Manzanita, and Oak. All three parcels are currently undeveloped.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	RE-5	MDR	Vacant Residential
North	RE-5	MDR	Improved Single Family Residential/Vacant
South	R1A	MDR	Vacant Residential
East	RE-10	LDR	Improved Single Family Residential
West	R1A	MDR	Improved Single Family Residential

The project parcel is bounded on all sides by residential development. The project would create three residential parcels in a residential setting, and the project would not create conflicts with the surrounding land uses.

Project Issues: Discussion items for this project include rare and endangered plants, Cultural Resources, road improvements required by the Department of Transportation, septic capability of each proposed parcel, and oak tree canopy removal. Discussion of each project issue is further discussed in detail below:

Rare and Endangered Plants: A botanical report, prepared by Sycamore Environmental Consultants on March 24, 1997, did identify two species of plants closely monitored by the California Native Plant Society (El Dorado County mule-ears, Red Hills soaproot) and one species (El Dorado bedstraw) considered Federally Endangered and California Rare. Any disturbance to these plant types would be mitigated through the County's rare plant mitigation fees which are assessed through the building permit process. While the payment of fees satisfies the County's requirements for mitigation of the impacts to the rare plants, additional permits may be required by State and Federal agencies. As a part of the County's circulation of projects, State and Federal agencies will be notified. State and federal agencies may also comment on the adequacy of the County's environmental document for the project.

Cultural Resources: An archeological survey was completed by Historic Resource Associates for this parcel. This survey indicated a low possibility of identifying Native American Artifacts and a low possibility of identifying historic-period cultural resources in the project area. Based on the archeological survey results, it was determined that no further archival or field study is required.

Road Improvements: The project would require an access roadway for all three parcels. The Department of Transportation has reviewed the project and has determined that, with the required road improvements, the project would not significantly affect the transportation system. The Department of Transportation provided conditions of approval that would ensure consistency with County policies and procedures with regard to grading, drainage, and design standards required for any new roadway.

Septic Capability: Percolation data was provided for this project in coordination with the County's Environmental Management Department. The data indicates that there are adequate and suitable soils to allow for septic disposal for any new single-family residence on all three of the proposed parcels. Any future building permits would require further consultation and evaluation by Environmental Management Department in order to adjust the final design of any septic system.

Oak Tree Canopy Removal: A site evaluation determined that a total of 22.68 percent of oak canopy is located on the entire 3 acre site. As shown in Table 1, the 22.68 percent of existing oak canopy coverage requires 85 percent retention pursuant to General Plan Policy 7.4.4.4. Eight percent of the total canopy is proposed to be removed for access to the parcels 1, 2, and 3. Overall canopy removal will retain 92 percent of the existing oak canopy, which is consistent with the retention provisions of Policy 7.4.4.4.

	Area	% Existing Canopy	% Required Retention	Canopy to Remove	% Proposed to Retain*
Parcel 1	1.00 Acre	33%	85%	1,356.22 sq. ft.	90.52%
Parcel 2	1.00 Acre	17%	90%	728.55 sq. ft.	91%
Parcel 3	1.00 Acre	18%	90%	0sq. ft.	100%

* An additional 485.29 square feet of oak canopy will be removed for the on-site road improvements, which can be evenly distributed to the retention required for parcels one and three (Exhibit F) and still ensure consistency with Policy 7.4.4.4.

General Plan: The project site located within the Shingle Springs Community Region and 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 three lots that are a minimum of 1 acre and are appropriate for the Community Region therefore, conforming to General Plan **Policy 2.2.1.2**. Since the proposed parcel map would create three 1 acre residential lots, it is assumed that there would eventually be a future ministerial building permit for a single family dwelling submitted on each lot, 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 would 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 would 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 should be provided for the eventual construction of single family dwellings prior to the recordation of the parcel map. Based on a tree canopy exhibit, provided by the applicant, it should be concluded that any oak canopy removal required for building residential structures and driveway improvements on the site would not exceed the retention standards required under **Policy 7.4.4.4**.

Conclusion: The parcel map would create three residential parcels that are consistent with the requirements for parcel sizes within Community Regions. The proposed one acre parcel sizes are also consistent with the Medium Density Residential land use designation. As discussed above, adequate public services, infrastructure, and fire protection exist that would support the additional residential density. Staff finds the project is consistent with the General Plan.

Zoning: As proposed, this project meets the regulations established by the Zoning Ordinance and does not request deviations from the development standards established for the Residential 1-acre (R1A) Zone District. Each new parcel provides adequate site area for future development. The standard for the required minimum 100 foot lot width and road frontage are met under this proposal. Any future development on the proposed parcels would be established in conformance with the development standards required under the Residential 1-acre (R1A) Zone District.

Conclusion: As proposed, the parcels would be consistent with the minimum parcel size and development standards of the Residential 1-acre (R1A) Zone District. Therefore, staff finds the project is consistent with the Residential 1-acre (R1A) Zone District.

Agency and Public comments

While processing the parcel map, staff was contacted by an adjacent property owner who has concerns related to the current availability of water and the possible upgrades that would be required on the EID water lines that serve the project. The Facilities Improvement Letter identifies that the current water system provides 400gallons per minute at 20 psi. The Fire District determined that the fire flow for this project is 1000 gallons per minute at 20 psi. The Fire District has conditioned the project requiring an additional fire hydrant on proposed lot three of the parcel map. In place of meeting the minimum fire flow the Fire District conditioned the project so that each parcel has a deed restriction in place requiring residential sprinkler systems for any future dwellings.

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 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 \$1,800.⁰⁰ after approval, but prior to the County filing the Notice of Determination on the project. This fee, plus a \$50.⁰⁰ processing fee, shall be submitted to Planning Services and must be made payable to El Dorado County. The \$1,800.00 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

Staff recommends the Zoning Administrator take the following action:

1. Adopt the Negative Declaration based on the Initial Study; and
2. Approve P07-0001 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
Exhibit A	Vicinity Map
Exhibit B	General Plan Land Use Map
Exhibit C	Community Region
Exhibit D	Zoning Map
Exhibit E	Assessor's Map
Exhibit F	Tentative Parcel Map
Exhibit G	Slope Map
Exhibit H	Environmental Checklist and Discussion of Impacts

ATTACHMENT 1

CONDITIONS OF APPROVAL

FILE NUMBER P07-0001

November 21, 2007

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 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 would constitute a violation of permit approval.

The project description is as follows:

The project would allow a three lot parcel map with parcel sizes of one acre each from a three acre site. The proposed parcels would access private driveways from a roadway extending from Sierrama.

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. 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.

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. 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. 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.

Department of Transportation

6. The applicant shall widen the on-site roadway to a width of 28 feet according to the provisions of El Dorado County Standard Plan 101B, without sidewalks. The applicant shall align this roadway intersection opposite Joy Lane. 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.
7. The applicant shall re-align the existing driveway for the adjacent parcel (APN 070-180-45) to provide access to this parcel from the on-site access roadway. This encroachment shall be constructed to the provisions of County Standard Plan 103A1 and shall be placed at a minimum of 25 feet from the Sierrama Drive encroachment return. The applicant shall provide an access easement through the applicant's property for access to APN 070-180-45.
8. The applicant shall provide a turn around at the end of the on-site access roadway to the provisions of County Standard Plan 114. 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 obtain an encroachment permit from the Department of transportation and shall construct the roadway encroachment from the on-site access roadway to Sierrama Drive to the provisions of County Standard Plan 103D, prior to recording the parcel map.
10. The applicant shall designate a 60 foot wide road and public utility easement (R& PUE) for the on-site access roadway and the required easement for the associated turn-around, prior to recording the parcel map.
11. The applicant shall form and/or verify the existence of an entity, to the satisfaction of the Department of Transportation, for maintenance of all on-site roads and/or drainage facilities not maintained by the County, which is required for the access to Meder Road, prior to recording the parcel map.
12. The applicant 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.

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 of Transportation 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.
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. Any import or export to be deposited within El Dorado County shall require 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 the Department of Transportation with the approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.

El Dorado County Fire

18. Applicant shall submit plan review fee of \$120.00.
19. Fire flow for the proposed parcel map shall be 1,000 gpm at 20 psi for two hours.
20. In place of the previous condition, the applicant may enter into a deed restriction for a Fire District approved NFPA 13D residential sprinkler system for all structures built on the newly created parcels.
21. An additional fire hydrant is required for this map. The hydrant location on Sierrama Drive, at the corner of proposed lot #3 and shall be completed prior to recording the parcel map.
22. Applicant shall provide documentation from EID (FIL) and the Fire District to show that the system would meet the required fire flow for the project.
23. A deed restriction for an El Dorado County Fire District and CDF approved Fire Safe Plan shall be required for each parcel.

24. Any future gates not shown on plans shall require Fire District approval.

County Surveyors Office

25. All survey monuments shall be set prior to recording the parcel map.
26. 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.
27. The roads serving the development shall be named by filling a completed Road Name Petition with the County Surveyors Office prior to recording the parcel map.
28. A letter to the County Surveyor shall be required from all agencies that have conditions placed on the map. The letter shall state that all conditions placed on the map by that agency have been met, prior to recording the parcel map.

ATTACHMENT 2 FINDINGS

FILE NUMBER P07-0001
November 21, 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 should be made:

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 documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 Parcel Map Findings

- 2.1 **That the proposed tentative map is consistent with applicable general and specific plans;**

All necessary improvements have been considered by the reviewing disciplines in order to determine that this tentative parcel map is consistent with the policies of the General Plan, as described on page 3 of the staff report

- 2.2 **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 have reviewed the existing road conditions and have determined that the proposed improvements would provide adequate access. Adequate public water services exist that would be sufficient to serve the project. Based on percolation rate tests all three parcels would provide adequate septic area. The proposed parcels provide adequate area to meet the development standards of the R1A Zone District.

- 2.3 **The site is physically suitable for the proposed type and density of development;**

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

3.3 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 site improvements would not cause significant impacts to the environment or wildlife. As determined by the analysis by staff and Biological Survey provided by Sycamore Environmental Consultants Inc., the project would not result in significant environmental impacts.