

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



**Agenda of:** September 17, 2008  
**Item No.:** 4.a.  
**Staff:** Robert Peters

**TENTATIVE PARCEL MAP**

**FILE NUMBER:** P07-0041

**APPLICANT:** Daniel R. and Pamela B. Dixon

**AGENT:** Gene E. Thorne & Associates, Inc.

**REQUEST:** Tentative parcel map creating two (2) parcels, 10 and 10.01 acres in size, from a 20.01 acre site. Design waivers have been requested for the following:

- 1) Creation of an additional parcel on an existing dead-end road of greater than 2,640 feet in length already serving more than 24 parcels;
- 2) Improvements to Wood Ranch Road not following the centerline of the existing 50-foot wide right-of-way;
- 3) Reduction of the Wood Ranch Road cul-de-sac right-of way radius from 60 feet to 50 feet (existing right-of-way radius) and reduction of the paving radius from 50 feet to 42 feet;
- 4) Reduction of on-site road (driveway) width from 24 feet to 12 feet; and
- 5) Reduction of on-site easement width from 50 feet to 30 feet and elimination of lot frontage requirements for proposed parcel 1. The easement is to be an exclusive access easement (driveway) for the sole benefit of parcel 1.

**LOCATION:** On the northwest side of Wood Ranch Road approximately 0.2 miles west of the intersection with Pleasant Ranch Road in the Lotus Area, Supervisorial District IV (Exhibit A).

**APN:** 102-130-14 (Exhibit B).  
**PARCEL SIZE:** 20.01 acres  
**GENERAL PLAN:** Rural Residential (RR) (Exhibit C)  
**ZONING:** Estate Residential Ten-Acre (RE-10) (Exhibit D)  
**ENVIRONMENTAL DOCUMENT:** Negative Declaration

**RECOMMENDATION:**

Staff recommends the Zoning Administrator take the following actions:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff; and
2. Approve the following design waivers as the required findings have been made as noted in Attachment 2:
  - 1) Creation of an additional parcel on an existing dead-end road of greater than 2,640 feet in length already serving more than 24 parcels;
  - 2) Improvements to Wood Ranch road not following the centerline of the existing 50-foot wide right-of-way;
  - 3) Reduction of the Wood Ranch Road cul-de-sac right-of way radius from 60 feet to 50 feet (existing right-of-way radius) and reduction of the paving radius from 50 feet to 42 feet;
  - 4) Reduction of on-site road (driveway) from 24 feet to 12 feet; and
  - 5) Reduction of on-site easement width from 50 feet to 30 feet and elimination of lot frontage requirements for proposed parcel 1. The easement is to be an exclusive access easement (driveway) for the sole benefit of parcel 1.
3. Approve Tentative Parcel Map P07-0041 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

**BACKGROUND:** This Parcel Map application was submitted on September 4, 2007 by Gene E. Thorne & Associates. Initially, the project was deemed complete, however, the due to access improvement issues the project was placed on hold until the Design Improvements Standards

Manual Standard Plan Exhibit 101C was revised. The 20.01 acre parcel was created by Parcel Map 10-90 recorded on April 14, 1976 (P76-0054).

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

**Project Description:** The parcel map would create two (2) parcels, 10 and 10.01 acres in size, from a 20.01 acre parcel (see Exhibit E). Both of the resulting parcels would contain an existing single-family residence taking access from Wood Ranch Road. Proposed parcel 1 would take access through parcel 2 via an exclusive easement (driveway) which bounds the proposed eastern property line of proposed parcel 2 and proposed parcel 2 will utilize an existing paved driveway. Five design waivers have been requested for the following: 1) Creation of an additional parcel on an existing dead-end road of greater than 2,640 feet in length already serving more than 24 parcels; 2) Improvements to Wood Ranch Road not following the centerline of the existing 50-foot wide right-of-way; 3) Reduction of the Wood Ranch Road cul-de-sac right-of-way radius from 60 feet to 50 feet (existing right-of-way radius) and reduction of the paving radius from 50 feet to 42 feet; 4) Reduction of on-site Road (Driveway) width from 24 feet to 12 feet; and 5) Reduction of on-site easement width from 50 feet to 30 feet and elimination of lot frontage requirements for proposed parcel 1. The easement is to be an exclusive access easement (driveway) for the sole benefit of parcel 1. As proposed, each of the parcels could be potentially developed with single-family residences with secondary residences and accessory structures. Parcels 1 and 2 have existing residential and accessory structures.

**Site Description:** The 20.01 acre subject parcel lies on the western slope of the central Sierra Nevada Mountains in the Lotus area approximately 0.2 miles west of the intersection of Wood Ranch Road and Pleasant Ranch Road, at an approximate elevation of 1,200 feet above mean sea level. The site slopes from the southeast to the northwest, from the driveway encroachment down to the rear of the parcel. The site contains Montaine Hardwood Habitat, Valley Oak Woodland, and annual grassland areas. Oak woodland canopy covers approximately 70 percent of the parcel. The soil type is predominantly Auburn very rocky silt loam two (2) to 30 percent slope (AxD), gently sloping to moderately steep, which can be characterized by well-drained soils with a mantle of 12 to 14 inches. These land types have slow to medium surface runoff and a slight to moderate erosion hazard. Existing improvements for proposed parcel 1 include a single-family residence with detached garage, a domestic well, a domestic septic system, and hardscape and landscape features. Existing improvements for proposed parcel 2 include a single-family residence with detached garage, a barn, a domestic well, a domestic septic system, and hardscape and landscape features. The existing residence located on proposed parcel 1 takes access from a 10-foot existing gravel driveway, and the existing residence located on proposed parcel 2 takes access from a 12-foot paved driveway.

**Adjacent Land Uses:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	RE-10	RR	Single-Family Residence
<b>North</b>	RE-10	RR	Single-Family Residence
<b>South</b>	RE-10	RR	Single-Family Residence
<b>East</b>	RE-10	RR	Single-Family Residence
<b>West</b>	RE-10	RR	Single-Family Residence

The project parcel is bounded on all sides by residential uses. The project would create two residential parcels in a residential setting, and 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 as required by the Department of Transportation and the approved Wildfire Fire Safe Plan, septic capability of proposed parcels, potable and fire protection water supply, and oak tree canopy removal. Discussion of each project issue is further discussed in detail below:

Rare and Endangered Plants: The project lies within Mitigation Area 2 where any disturbance to rare and endangered plants would be mitigated through the County’s rare plant mitigation fees which are assessed through the building permit process. The payment of fees satisfies the County’s requirements for mitigation of the impacts to the rare plants.

Cultural Resources: An archaeological survey was completed by Historic Resource Associates, dated January 2007, for the project site. This survey found no significant prehistoric or archaeological sites, features, or artifacts, nor any historic buildings, structures, or objects in the project area. Based on the archaeological survey results, it was determined that no further archival or field study would be recommended.

Road Improvements: 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 applicant would be required to widen the on and off-site portions of Wood Ranch Road cul-de-sac and roadway, widen the off-site portions of Pleasant Ranch Road, and widen the on-site driveway for access to proposed parcel 1 (see Exhibit E). 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 roadway improvements (See Conditions of Approval, Attachment 1).

The applicant has submitted an approved Wildfire Fire Safe Plan which requires that the applicant widen the on and off-site portions of Wood Ranch Road and off-site portions of Pleasant Ranch Road (See Exhibit F). The plan also calls for 50-foot paved turn-around at the end of Wood Ranch Road. The applicant is requesting to vary from the Wildfire Fire Safe Plan requirements to allow a reduced turn-around (cul-de-sac) with a 42-foot paved radius and 50-foot radius for right-of-way easement pursuant to the “Proposed Cul-De-Sac” detail which has been reviewed and approved by Rescue Fire Protection District (see Exhibit J), and to reduce the required 20-foot roadway with two (2) foot shoulders to 18-foot roadway with one (1) foot shoulders. Rescue Fire Protection District has supported the proposed modification to the proposed turn-around design; however, will not support roadways less than 20-foot in width due to the overall length of the dead-end road and the number of parcels being served. Other fire safe plan elements have been added to the tentative parcel map including driveway turnouts and emergency turnarounds (See Exhibit E).

Septic Capability: Percolation data was provided for this project in coordination with the County’s Environmental Management Department. Currently, both proposed parcel 1 and 2 have permitted septic systems. 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.

Potable and Fire Protection Water Supply: Both proposed parcels will utilize existing approved wells. Both wells will be conditioned to meet the requirements for new building construction of at least 5 gallons per minute (gpm) water supply for each parcel per County Environmental Management division prior to filing the parcel map. Proposed parcel 2 has an existing well and water storage system which meets minimum supply standards. Proposed parcel 1 currently supplies 2.5 gpm and would need to add a storage tank of sufficient size to meet both the requirements of County Environmental Management (approximately 720 gallon storage), as well as meeting the requirements Wildfire Fire Safe Plan which requires water storage of at least 2,500 gallons. Water storage for domestic use and fire protection can be stored in the same tank pursuant to the Water Storage Tank (Schematic) within the Wildfire Fire Safe Plan attached as Exhibit F of this staff report.

Oak Tree Canopy: A site evaluation determined that a total of 70 percent of oak canopy is located on the entire 20.01 acre site (see Exhibit G). As shown in Table 1, the 70 percent of existing oak canopy coverage requires 70 percent retention pursuant to General Plan Policy 7.4.4.4. As each of the proposed parcels is currently developed with single-family residences, no oak trees will be removed. At 100 percent, overall canopy retention shown in Table 1 exceeds the provisions of Policy 7.4.4.4.

	Area	% Existing Canopy	% Required Retention	Canopy to Remove	% Proposed to Retain
Parent Parcel	20.01 Acre	70%	70%	0 sq. ft.	100%
Parcel 1	10.00 Acre	88%	60%	0 sq. ft.	100%

	Area	% Existing Canopy	% Required Retention	Canopy to Remove	% Proposed to Retain
Parcel 2	10.01 Acre	51%	80%	0 sq. ft.	100%

**General Plan:** The General Plan designates the subject site as Rural Residential (RR) which establishes areas for residential and agricultural development. Pursuant to General Plan **Policy 2.2.1.2**, the allowable density for the designation is one dwelling unit per 10 to 160 acres. The proposed minimum parcel size of 10 acres conforms to the General Plan Land Use Designation.

General Plan **Policy 2.2.5.21** directs that new development be compatible with the surrounding neighborhood. Surrounding parcels in the immediate vicinity are developed with single-family residences on lot size consistent with the 10 acre parcels proposed. As such, the two new parcels and their residential uses would be consistent with the intended development pattern.

General Plan **Policy 5.2.3.5** prohibits the creation of parcels with a density larger than one unit per 5 acres when the parcels rely on ground water wells. The proposed parcel map would be served by existing individual groundwater wells for each of the proposed lots. At 10 acres each, the proposed parcels exceed this General Plan requirement

General Plan **Policy 5.7.1.1** requires the applicant demonstrate that adequate emergency water supply, storage and conveyance facilities, and access for fire protection either are or would be provided concurrent with development. The applicant has provided an approved Wildfire Fire Safe Plan addressing the emergency water and access issues for the project site and the project has been conditioned to be consistent with the requirements outlined in that Fire Safe Plan (See Exhibit F).

General Plan **Policy 6.2.3.2** requires that the applicant to demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area. The Department of Transportation has reviewed the project and supports the proposed parcel map provided that the applicant meet the minimum standards for the County Design and Improvement Standards Manual (DISM) Standard Plan 101C for both on and off-site improvements. The applicant has provided an approved Wildfire Fire Safe Plan and “Proposed Cul-De-Sac” detail addressing the emergency access issues for the project site and the project has been conditioned to be consistent with the requirements outlined in that fire safe plan which requires a larger roadway width than Standard Plan 101C (see Exhibits F and J).

General Plan **Policy 7.1.2.1** does not allow development on slopes greater than 30 percent. Both of the parcels are currently developed with single-family residences with existing access ways. Minimal grading is proposed and access improvements would not occur on slopes rater than 30 percent. Therefore, the proposed parcel map would not create disturbances to slopes greater than 30 percent (See Exhibit H).

General Plan **Policy 7.4.4.4** requires all new development projects (not including agricultural cultivation and actions pursuant to an approved Fire Safe Plan necessary to protect existing structures, both of which are exempt from this policy) that would result in soil disturbance on parcels that (1) are over an acre and have at least one (1) percent total canopy cover or (2) are less than an acre and have at least 10 percent total canopy cover by woodland habitats as defined in the General Plan and determined from base line aerial photography or by a site survey performed by a qualified biologist or licensed arborist, the County shall require one of four mitigation options: 1) Replacement planting on-site at a 1:1 canopy surface area ratio; 2) Contributing to the County's Integrated Natural Resources Management Plan (INRMP)/Conservation fund at a 2:1 ratio; 3) Acquiring an off-site conservation easement on oak woodlands at a 2:1 ratio; or 4) A combination of 1, 2, and 3. The applicant has submitted a tree canopy analysis that identifies 70 percent oak canopy coverage for the entire 20.01 acre site. The proposed parcels are currently developed with single-family residences, and minimal access improvements would be required. No oak canopy is slated for removal (see Exhibit G). A 100 percent overall canopy retention exceeds the provisions of Policy 7.4.4.4.

Conclusion: The parcel map would create two residential parcels that are consistent with the requirements for parcel sizes with the Rural Residential (RR) Land Use Designation. The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies and, as discussed above, staff finds that the project, as proposed and conditioned, conforms to the County General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

**Zoning:** The subject site is zoned Estate Residential Ten-Acre (RE-10). The proposed 10 to 10.01-acre parcels conform to existing zoning and development standards pursuant to Section 17.70.110 for minimum lot width of 150 feet, minimum parcel size of ten acres, building setback requirements of 30 feet from parcel boundaries and road easements as well as parking requirements of two spaces not in tandem per dwelling unit pursuant to Section 17.18.060. Any future development on the proposed parcels would be established in conformance with the development standards required under the RE-10 zone district.

Conclusion: As discussed above, staff finds that the parcel map, as proposed and conditioned, conforms to the intent of the County Zoning Ordinance and the development standards for the RE-10 zoning district. Findings of consistency with the County Zoning Ordinance are provided in Attachment 2.

**Design Waiver:** Five (5) design waivers have been requested for the proposed project. Findings of consistency for the proposed design waivers are provided in Attachment 2. The requested design waivers are as follows:

1. Creation of an additional parcel on an existing dead-end road of greater than 2,640 feet in length already serving more than 24 parcels.

Discussion: The County Design and Improvements Standards Manual (DISM) Vol. II Section 3(A) (9) allows minor land divisions with one access street of adequate capacity to accommodate the proposed increase in traffic. If approved, a future street route identifying a second connection or an acceptable alternative, to a County maintained road shall be prepared by project engineer and approved by the Planning Director. The nearest County roadway having two means of access for the site is Springvale Road approximately 1 mile northeast of the project site (see Exhibit I). In this instance, the minor land division would be approved with a one access street. No feasible alternative for secondary access has been identified; however, future connection from Pleasant Ranch Road south to Oleander Lane may be possible with development of the large parcel which bisects the two roads (see Exhibit A). The applicant has submitted a Wildfire Fire Safe Plan which requires off-site road improvements to Wood Ranch Road and Pleasant Ranch Road to fire safe standards. Wood Ranch Road improvement requirements would be in excess of the requirements of the DISM with regard to roadway width (see Exhibit F). This alternative to the requirement requiring a second connection would adequately address the limited impact from the proposed project on area traffic. The proposed parcels are already developed with single-family residences which currently use existing substandard roadways for access. The development potential of these lots is the addition of two secondary residences (one for each parcel) which is not anticipated to adversely impact the current traffic situation. Also, proposed roadway improvements would improve the current emergency access on Wood Ranch Road as well as on Pleasant Ranch Road.

The County DISM Vol. II Section 3(A) (12) requires that a dead-end road not exceed 2,640 feet (0.5 miles), and only when geographic features restrict a street extension and the street will not serve more than 24 parcels. The nearest County roadway having two means of access for the site is Springvale Road approximately one (1) mile (5,280 feet) northeast of the project site (see Exhibit I). The current dead-end road consists of Pleasant Ranch Road, Wood Ranch Road, Oak Meadow Road, and currently serves 26 parcels. Rio Tierra Court also takes access from Pleasant Ranch Road and serves five (5) parcels; however, the Rio Tierra Court encroachment onto Pleasant Ranch Road (two-way access) is approximately 200 feet west of the Pleasant Ranch Road encroachment onto Springvale Road and acts essentially as its own dead-end road (see Exhibit I). The proposed project would introduce one (1) new parcel onto the dead-end road equaling 27 parcels. The development potential of these lots is the addition of two secondary residences (one for each parcel) which is not anticipated to adversely impact the current traffic situation. Also, proposed roadway improvements would improve the current emergency access on Wood Ranch Road as well as on Pleasant Ranch Road.

The Department of Transportation has reviewed the proposed design waiver and supports the request given the existence an approved Wildfire Fire Safe Plan and has conditioned the project as such, and Rescue Fire Protection District has approved the Wildfire Fire Safe Plan (see Conditions of Approval, attachment 1).

2. Improvements to Wood Ranch Road not following the centerline of existing 50-foot wide right-of-way.

Discussion: The existing roadway for Wood Ranch Road does not follow the existing centerline of the 50-foot roadway easement. The existing improvements border the southern boundary of the existing easement. Proposed roadway improvements would be located within the existing 50-foot road easement; however, improvements would need to occur on the side closest to the center of the right-of-way, and as such would not follow the centerline of the existing easement. The Department of Transportation has reviewed this proposed design waiver and recommends approval.

3. Reduction of the Wood Ranch Road cul-de-sac right-of-way radius from 60 feet to 50 feet (existing right-of-way radius) and the paving radius from 50 feet to 42 feet.

Discussion: The existing right-of-way radius is 50 feet. The applicant proposes to use the existing right of way with the inclusion of a cul-de-sac with a paved radius of 42 feet. The applicant has submitted a Wildfire Fire Safe Plan which requires a 50-foot paved radius (see Exhibit F). The applicant proposed to utilize a “Proposed Cul-De-Sac” detail which allows a 42-foot paving radius and a 50-foot right-of-way easement radius. The Department of Transportation has reviewed and supports this proposed design waver request with fire agency concurrence. The cul-de-sac detail has been reviewed and approved by the Rescue Fire Protection District (see Exhibit J).

4. Reduction of on-site road (driveway) width from 24 feet to 12 feet.

Discussion: The on-site portion of proposed roadway improvements will be a 30-foot easement containing a 12-foot driveway bounding the eastern property line of proposed parcel 2 for the sole benefit of parcel 1, replacing an existing 10-foot driveway. The 12-foot driveway would meet current fire safe requirements for driveways, and fire safe elements pursuant to the approved Wildfire Fire Safe Plan, including a driveway turnout and emergency turnaround, have been included into the design for proposed parcel 1. The Department of Transportation has reviewed the proposed design waiver and supports the request as long as there are vehicular access restrictions along the entire driveway on parcel 2 restricting parcel 2 from taking access from the driveway. The project has been conditioned to restrict access for proposed parcel 2 from the proposed driveway (see Conditions of Approval, attachment 1). As such, the Department of Transportation has reviewed the design waiver and recommends approval.

5. Reduction of on-site easement width from 50 feet to 30 feet and elimination of lot frontage requirements for proposed parcel 1. The easement is to be an exclusive access easement (driveway) for the sole benefit of parcel 1.

Discussion: The on-site roadway will be a 12-foot driveway along the eastern boundary of proposed parcel 2 for the sole benefit of proposed parcel 1. Since the driveway will only be 12 feet in width rather than a full size street width, the applicant is requesting to have the on-site easement for the driveway reduced to 30 feet rather than 50 feet. Existing improvements on proposed parcel 1 including a well and detached garage will not allow for the proposed easement to continue onto proposed parcel 1. The lot frontage (width) pursuant to the DISM Vol. 2 Sec. 2 (B)(5) is determined at the right-of-way line. The proposed 30-foot easement dead-ends into proposed parcel 1 and

would be the only opportunity for lot frontage by definition. For this reason the applicant is requesting elimination of the lot frontage requirements of the DISM, which require a lot frontage consistent with the lot width requirements of the underlying zone district. The subject parcels are located within the RE-10 zone district which prescribes a 150-foot minimum lot width. The Department of Transportation has reviewed this proposed design waiver and recommends approval.

## **ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study (Environmental Checklist with Discussion of Impacts attached as Exhibit K) to determine if the project may have a significant effect on the environment. Based on the Initial Study, it has been 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 \$1,876.75 after approval, but prior to the County filing the Notice of Determination on the project. This fee, plus a \$50.<sup>00</sup> processing fee, shall be submitted to Planning Services and must be made payable to El Dorado County. The \$1,876.75 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.

## **SUPPORT INFORMATION**

**Attachments to Staff Report:**

Attachment 1 .....Conditions of Approval  
Attachment 2.....Findings

Exhibit A.....Vicinity Map  
Exhibit B .....Assessor’s Map  
Exhibit C .....General Plan Land Use Map  
Exhibit D.....Zoning Map  
Exhibit E .....Tentative Parcel Map  
Exhibit F .....Wildfire Fire Safe Plan  
Exhibit G.....Oak Canopy Preservation Plan  
Exhibit H.....Slope Map  
Exhibit I .....Parcels Served by Dead-End Road Map  
Exhibit J .....Proposed Cul-De-Sac Detail  
Exhibit K.....Environmental Checklist and Discussion of Impacts

# **ATTACHMENT 1**

## **CONDITIONS OF APPROVAL**

### **Tentative Parcel Map P07-0041/Dixon Zoning Administrator/September 17, 2008**

#### **Planning Services**

1. This parcel map is based upon and limited to compliance with the project description, the Zoning Administrator hearing exhibits marked Exhibit A through K dated September 17, 2008, 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:

A request for a tentative parcel map creating two (2) parcels, 10 and 10.01 acres in size, from a 20.01 acre parcel (see Exhibit E). Proposed parcel 1 shall take access from an exclusive easement (driveway) which bounds the proposed eastern property line of proposed parcel 2 and proposed parcel 2 shall utilize an existing paved driveway. Five design waivers have been requested to allow: 1) Creation of an additional parcel on an existing dead-end road of greater than 2,640 feet in length already serving more than 24 parcels; 2) Improvements to Wood Ranch Road not following the centerline of the existing 50-foot wide right-of-way; 3) Reduction of the Wood Ranch Road cul-de-sac right-of-way radius from 60 feet to 50 feet (existing right-of-way radius) and reduction of the paving radius from 50 feet to 42 feet; 4) Reduction of on-site road (driveway) width from 24 feet to 12 feet; and 5) Reduction of on-site easement width from 50 feet to 30 feet and elimination of lot frontage requirements for proposed parcel 1. The easement is to be an exclusive access easement (driveway) for the sole benefit of parcel 1.

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. Prior to processing of the Final Parcel Map by the County Recorder, all Development Services processing fees for the Tentative Parcel Map application shall be paid in full.
4. 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.
5. Prior to filing the Parcel Map, 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 Section 16.12.090.
6. 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 with Planning Services.
7. 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.
8. The applicant shall submit to Planning Services a \$50.00 recording fee and a \$1,876.75 Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No permits shall be issued or the Parcel Map be filed until said fees are paid.

**Department of Transportation (Specific Conditions)**

9. Secondary Access: The nearest County roadway having two means of access for the site is Springvale Road. The DISM (Section 3.A.9 &12) requires the applicant to verify and/or provide a secondary access or acceptable alternative to this site. Both the primary and secondary off-site accesses shall meet the requirements of El Dorado County Standard Plan

101C with an 18 foot road width with 1 foot shoulders on each side of the roadway, as required in Section 3 A.2.c.ii, of the DISM. These off-site improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to filing of the parcel map.

10. Turnaround: 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 the filing of the parcel map (See Condition No. 6, above).
11. Vehicular Access Restrictions: Prior to filing of the map, the applicant shall record a vehicular access restriction along the entire driveway easement on Parcel 2 restricting Parcel 2 from taking access from the driveway.
12. Off-Site Access Improvements: The applicant shall construct and/or verify that the off-site portion of Wood Ranch Road and Pleasant Ranch Road, from the project boundary to Springvale Road to the parcel, meets the requirements of El Dorado County Standard Plan 101C, an 18-foot roadway width with 1-foot wide shoulders on each side of the roadway, as required in Section 3A.2.c.II, of the DISM and Fire Safe Regulations. The applicant shall provide an exhibit to the DOT, Planning, and the Fire District that shows these roads comply with the DISM and Fire Safe Regulations as well as a secondary access road or acceptable alternative. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.
13. Off-Site Improvements (Acquisition): 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 final Map, acquire by negotiation or commence 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 final map or parcel map, the4 subdivider shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to Government Code Sections 66462.5 and provide acceptable security to complete the off-site improvement, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and 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 certified appraiser of the cost of land necessary to complete the off-site improvements.

In addition to the agreement the subdivider shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of county counsel.

### **Department of Transportation (Standard Conditions)**

- 14. Improvement Agreement: 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 the filing of the Parcel Map.
- 15. NPDES Permit: At the time that an application is submitted for improvements plans or a grading permit, and if the proposed project disturbs more than one acre of land (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the State of California. A filing form a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the SWRCB, with a duplicate copy submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
- 16. Soils Report: 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.
- 17. Offsite Grading: Any import, or export to be deposited within El Dorado County, shall require an additional grading permit for that off-site grading.
- 18. Drainage Study: 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.
- 19. Electronic Copy: 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.

20. TIM Fees: The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit application is deemed complete.

#### **Rescue Fire Protection District**

21. Wood Ranch Road shall have a 20-foot travel lane, with the required shoulders.
22. The applicant shall meet the requirements of the approved Dixon Parcel Split Wildfire Fire Safe Plan dated February 21, 2007.
23. This project shall meet the requirements of the California SRA Fire Safe Regulations, The California Fire Code 2001 Edition for access and water supply.

#### **El Dorado County Air Quality Management District**

24. The project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM<sub>10</sub>) in the form of dust. Current county records indicate this property is located within the Asbestos Review Area. Therefore, District Rule 223.2 Fugitive Dust-Asbestos Hazard Mitigation, which addresses regulations and mitigation measures for fugitive dust emissions, shall be adhered to during the construction process. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223.2. In addition, an Asbestos Dust Mitigation Plan (ADMP) Application with appropriate fees shall be submitted to and approved by the District prior to start of project construction.
25. Project construction may involve road development and shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials. The proposed project is within the Asbestos Review area. Therefore, the District will require the paving of the proposed driveways or the application of a minimum of three (3) inches in depth, asbestos free gravel, for all road and driveways.
26. Burning of wastes that result from “Land Development Clearing” must be permitted through the District. Only vegetative waste materials may be disposed of using an open outdoor fire (**Rule 300 Open Burning**).
27. The project construction will involve the application of architectural coating, which shall adhere to **District Rule 215 Architectural Coatings**.

#### **Environmental Management**

28. Prior to filing the parcel map the applicant shall provide current well production reports for both wells on the property. Each well shall meet the requirements for new building construction. That is, at least a 5 gallon per minute water supply for each parcel. In the case of wells producing less than 5 gallons per minute, water storage shall be provided as follows:
- 4 GPM requires 240 gallons of storage
  - 3 GPM requires 480 gallons of storage
  - 2 GPM requires 720 gallons of storage
  - 1 GPM requires 960 gallons of storage

The above requirements are for domestic water and shall be provided in addition to other water storage requirements for fire suppression or other uses.

### **County Surveyors Office**

29. All survey monuments shall be set prior to filing the Parcel Map.
30. 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), prior to filing the parcel map.
31. Prior to filing the Parcel Map, a letter will be required from all agencies that have placed conditions on the map. The letter will state that “all conditions placed on the map by (that agency) have been satisfied.” The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.

## ATTACHMENT 2

### FINDINGS

**Tentative Parcel Map  
P07-0041/Dixon  
Zoning Administrator/September 17, 2008**

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 Administrative Findings**

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

The proposed tentative map is consistent with the Rural Residential (RR) land use designation. The proposal, as conditioned, is consistent with the applicable policies of the General Plan, including *2.2.1.2 Land Use Designations*, *2.2.5.21 Compatible Design*, *5.2.3.5 Ground Water Dependant Development*, *5.7.1.1 Adequate Water Supply*, *6.2.3.2 Adequate Access*, *7.1.2.1 30 Percent Slopes*, and *7.4.4.4 Oak Canopy* because the division would be compatible with the base land use designation, there are adequate roadways, utilities, and other public service infrastructure available, or will be provided, the project fits in with the dominant pattern of development in the direct project vicinity, no parcels less than five (5) acres which rely on both onsite sewage disposal systems and water wells will be created, no slopes of 30 percent or greater will be disturbed, and no oak trees are proposed to be removed.

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

The project site is zoned Estate Residential Ten-Acre (RE-10). The parcel map would create parcels which would be consistent with the minimum parcel size requirements and the development standards of the RE-10 zone district.

**3.0 Parcel Map Findings**

**3.1 That the proposed tentative map is consistent with the policies in the El Dorado County 2004 General Plan, adopted July 19, 2004, and any applicable 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 in the staff report.

**3.2 The proposal conforms to the County's zoning regulations and Minor Land Division Ordinance;**

The parcels are of adequate size for the Estate Residential Ten-Acre (RE-10) zone district, there is adequate emergency and regular vehicular access, public facilities and existing utilities to support the residential uses on each parcel. The project conforms to the applicable requirements of the County's zoning regulations and Minor Land Division Ordinance. Further, the project was subject to review by the Department of Transportation and Rescue Fire Protection District who have determined that with the installation of roadway improvements the existing roadways would provide adequate access.

**3.3 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 and Planning Services based on the information provided by the applicant. The proposed parcels have existing facilities and utilities or the map has been conditioned to have them support the residential uses.

**3.4 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;**

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.

**4.0 Design Waiver Findings**

**4.1 Creation of an additional parcel on an existing dead-end road of greater than 2,640 feet in length already serving more than 24 parcels.**

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

The proposed design waiver allows creation of an additional parcel on an existing dead-end roadway greater than 2,640 feet in length already serving more than 24 parcels. The proposed project would introduce one (1) new parcel onto the existing approximately one (1) mile (5,280 feet) long dead-end road system. Both the existing parcel and the newly created parcel are currently developed with single-family residences. The parcels are designated Rural Residential by the General Plan. The proposed 10-acre parcels are the minimum allowed by that General Plan designation. The development potential of these lots is the addition of two secondary residences (one for each parcel) which is not anticipated to adversely impact the current traffic situation. The applicant has requested design waivers to allow for creation of the 27<sup>th</sup> parcel on this dead end road system.

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

Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardships resulting from denial of the division of the subject parcel creating two lots consistent with the minimum lot size requirements and development standards of the underlying zoning designation, Estate Residential Ten-Acre (RE-10), and consistent with the General Plan Designation of Rural Residential (RR) which allows 10 to 160 acre parcels.

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

Planning Services supports the request to split the parcel to create the 27<sup>th</sup> parcel on this dead-end road if roadways are required to meet fire safe standards. The current emergency and residential circulation in the area would be improved by the proposed roadway improvements, which have been conditioned by the Department of Transportation and the Rescue Fire Protection District. The Department of Transportation has reviewed the design waiver and recommends approval, with Fire District and Planning Services concurrence.

4.1.4 *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.*

The proposed design waivers would not have the effect of nullifying the additional requirements contained in Article II of Chapter 16 of the County.

**4.2 Improvements to Wood Ranch Road not following the centerline of the existing 50-foot wide right-of-way.**

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

The subject parcel is located on Wood Ranch Road which currently does not follow the centerline of the existing easements. The applicant has requested this design waiver to allow for access to and development of the parcel while meeting the intent of the DISM and improving emergency and residential circulation in the area by meeting fire safe requirements.

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

Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardships in that the existing roadway, which is in good condition, would have to be removed and replaced rather than being added to and improved.

The design manual limits the costs of off-site improvements to the amount spent for on-site improvements. The proposed design involves significant costs for creation of two previously developed parcels associated with cul-de-sac improvements and off-site improvements of Wood Ranch Road and Pleasant Ranch Road to fire safe standards. Additional requirements would drive costs to a prohibitive level and would exceed the costs of on-site improvements.

4.2.3 *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 current emergency and residential circulation in the area would be improved by the proposed roadway improvements, which have been conditioned by the Department of Transportation and the Rescue Fire Protection District. The applicant has submitted an approved Wildfire Fire Safe Plan, which would require one amendment for the reduction of the cul-de-sac right-of-way and reduction in paving radius, prior to filing the Parcel Map. The Department of Transportation has reviewed the design waiver and recommends approval.

4.2.4 *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.*

The proposed design waivers would not have the effect of nullifying the additional requirements contained in Article II of Chapter 16 of the County.

**4.3 Reduction of the Wood Ranch Road cul-de-sac right-of way radius from 60 feet to 50 feet (existing right-of-way radius) and the paving radius from 50 feet to 42 feet.**

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

The proposed design waiver is associated with creating an additional parcel on an existing dead-end roadway that lacks an approved fire safe turnaround. A 50-foot right-of-way easement currently exists for a cul-de-sac. The applicant intends to utilize the “Proposed Cul-De-Sac” detail which would allow for a reduction in cul-de-sac paving radius from 50-feet (the width of the existing easement) to 42-foot paving radius for the cul-de-sac. The applicant is also proposing to reduce the right-of-way easement requirement from 60 feet to 50 feet to utilize the existing easement (see Exhibit J).

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

Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardships by requiring the applicant to acquire additional right-of-way from neighboring parcels to create the Wood Ranch Road cul-de-sac with a 50-foot paved radius and 60-foot of right-of-way, and not allowing the applicant to utilize the existing 50-foot right-of-way easement. The design manual limits the costs of off-site improvements to the amount spent for on-site improvements. The proposed design involves significant costs for creation of two previously developed parcels associated with cul-de-sac improvements and off-site improvements of Wood Ranch Road and Pleasant Ranch Road to fire safe standards. Additional requirements would drive costs to a prohibitive level and would exceed the costs of on-site improvements.

*4.3.3 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 applicant has requested design waivers to allow for access to and development of the parcel while meeting the intent of the DISM and improving emergency and residential circulation in the area by meeting fire safe requirements. The applicant has submitted an approved Wildfire Fire Safe Plan and a “Proposed Cul-De-Sac” detail which would allow a reduction of the cul-de-sac right-of-way and reduction in paving radius (see Exhibits F and J). Also, the applicant proposes to restrict parking in the cul-de-sac to ensure the roadway radius for emergency apparatus turnaround. The proposed design is not anticipated to be injurious to adjacent properties and would not be detrimental to the health, safety,

convenience and welfare of the public. The Department of Transportation has reviewed the design waiver and recommends approval, with Fire District and Planning Services concurrence.

- 4.3.4 *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.*

The proposed design waivers would not have the effect of nullifying the additional requirements contained in Article II of Chapter 16 of the County.

#### **4.4 Reduction of on-site road (driveway) from 24 feet to 12 feet.**

- 4.4.1 *There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.*

The current configuration of the subject parcel and the project design require that an access from Wood Ranch Road cross proposed parcel 2 for the benefit of proposed parcel 1. This on-site roadway would only serve proposed parcel 1 and would act as a driveway to the property. The 12-foot driveway would meet current fire safe requirements for driveways. The applicant has requested design waivers to allow for access to and development of the parcel while meeting the intent of the DISM and improving emergency and residential circulation in the area by meeting fire safe requirements.

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

Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardships resulting from the requirement of a 24-foot roadway to serve a single parcel. Requiring the 24-foot roadway would drive costs of the on-site roadway to a prohibitive level and would exceed DISM and fire safe standards for driveways to a single parcel.

- 4.4.3 *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 applicant has submitted an approved Wildfire Fire Safe Plan, which requires a 12-foot travel lane with an approved turnaround and turnouts for access to proposed parcel 1. The applicant has submitted a design which includes the 12-foot roadway and the required fire safe turnaround and turnouts. The proposed design meets fire safe requirements and is not anticipated to be injurious to adjacent properties and would not be detrimental to the health, safety, convenience and welfare of the public. The Department of Transportation has reviewed the design waiver and recommends approval.

4.4.4 *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.*

The proposed design waivers would not have the effect of nullifying the additional requirements contained in Article II of Chapter 16 of the County.

**4.5 Reduction of on-site easement width from 50 feet to 30 feet and elimination of lot frontage requirements for proposed parcel 1. The easement is to be an exclusive access easement (driveway) for the sole benefit of parcel 1.**

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

The current configuration of the subject parcel and the project design require that an access from Wood Ranch Road cross proposed parcel 2 for the benefit of proposed parcel 1. This on-site roadway would only serve proposed parcel 1 and would act as a driveway to the property. The 12-foot driveway would meet current fire safe requirements. A 50-foot on-site exclusive easement is required for a larger roadway; however a 50-foot easement for a 12-foot driveway would be an excessive dedication of easement. The applicant has requested reduction of the required on-site easement from 50-foot to 30-foot to be consistent with the reduction in roadway width.

Existing improvements on proposed parcel 1 including a well and detached garage will not allow for the proposed easement to continue onto proposed parcel 1. The lot frontage (width) pursuant to the DISM Vol. 2 Sec. 2 (B)(5) is determined at the right-of-way line. The proposed 30-foot easement dead-ends into proposed parcel 1 and would be the only opportunity for lot frontage by definition. For this reason the applicant is requesting elimination of the lot frontage requirements of the DISM, which require a lot frontage consistent with the lot width requirements of the underlying zone district. The subject parcels are located within the RE-10 zone district which prescribes a 150-foot lot width.

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

Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardships by requiring an offer of exclusive easement larger than what is needed for a 12-foot driveway. Also, the applicant would be required to remove existing on-site improvements including a well and detached garage to create an on-site easement that would allow for 150-foot lot frontage.

4.5.3 *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 applicant has submitted an approved Wildfire Fire Safe Plan, which requires a 12-foot travel lane with an approved turnaround and turnouts for access to proposed parcel 1. The applicant has submitted a design which includes the 12-foot roadway and the required fire safe turnaround and turnouts. A 50-foot on-site exclusive easement is required for a larger roadway; however a 50-foot easement for a 12-foot driveway would be an excessive dedication of easement. The applicant has requested reduction of the required on-site easement from 50-foot to 30-foot to be consistent with the reduction in roadway width. The proposed design meets fire safe requirements and is not anticipated to be injurious to adjacent properties and would not be detrimental to the health, safety, convenience and welfare of the public. The Department of Transportation has reviewed the design waiver and recommends approval.

- 4.5.4 *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.*

The proposed design waivers would not have the effect of nullifying the additional requirements contained in Article II of Chapter 16 of the County.