

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



Agenda of: June 2, 2010
Item No.: 5.a.
Staff: Jason R. Hade

TENTATIVE PARCEL MAP

FILE NUMBER: P09-0004/Jonsson

APPLICANTS: David Mark Jonsson, Michael Alan Jonsson, Robert Erik Jonsson, and Margaret Anne Jonsson

ENGINEER: Shaw Engineering

REQUEST: Tentative parcel map to create four parcels ranging in size from 1.09 to 1.25 acres on a 4.73 acre site.

The following design waivers have been requested:

- (1) Permit proposed parcels A and B to exceed the depth to width lot ratio;
- (2) Permit the on-site portion of the northern access roadway to remain 10 feet wide rather than be improved to 20 feet wide as required by the *El Dorado County Design and Improvement Standards Manual*; and
- (3) Permit the off-site portion of the northern access roadway to remain 10 feet wide rather than be improved to 20 feet wide as required by the *El Dorado County Design and Improvement Standards Manual*.

LOCATION: On the southeast side of West Lake Boulevard, approximately 500 feet southeast of the intersection with State Highway 89 in the Lake Tahoe Basin area, Supervisorial District V. (Exhibit A)

APN: 016-300-38 (Exhibit B)

ACREAGE: 4.73 acres

GENERAL PLAN: Adopted Plan (AP) Tahoe Regional Planning Agency (TRPA) Tahoe Regional Plan – Plan Area Statement 151 Glenridge Residential Land Use Classification (Exhibit C)

ZONING: One-Family Residential District (TR1) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines

RECOMMENDATION:

Staff recommends the Planning Commission take the following actions:

1. Certify that the project is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines;
2. Approve a design waiver (#1) to permit proposed parcels A and B to exceed the depth to width lot ratio based on the Findings in Attachment 2;
3. Deny the design waivers (#2 and #3) to permit the on and off-site portions of the northern access roadway to remain 10 feet wide rather than be improved to 20 feet wide as required by the *El Dorado County Design and Improvement Standards Manual*; and
4. Conditionally approve Tentative Parcel Map application P09-0004 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

STAFF ANALYSIS

Staff has reviewed the project for compliance with the County’s regulations and requirements. An analysis of the proposal and issues for Planning Commission consideration are provided in the following sections.

Project Description

Tentative parcel map to create four parcels ranging in size from 1.09 to 1.25 acres on a 4.73 acre site. Design waivers have been requested to: (1) Permit proposed parcels A and B to exceed the depth to width lot ratio; (2) Permit the on-site portion of the northern access roadway to remain 10 feet wide rather than be improved to 20 feet wide as required by the *El Dorado County Design and Improvement Standards Manual*; and (3) Permit the off-site portion of the northern access roadway to remain 10 feet wide rather than be improved to 20 feet wide as required by the *El Dorado County Design and Improvement Standards Manual*. No additional development is expected for the proposed lots, but minor grading would be required to improve the on and off-site portions of the northern access roadway to a width of 20 feet.

Site Description

The project site is located on the western shore of Lake Tahoe at Meeks Bay at an elevation of 6,224 feet above mean sea level. It extends from the lakeshore upslope and westward to State Route 89. The parcel varies from gently sloping to moderately steep, with an overstory of Ponderosa Pine, White Fir, and Cedar, and an understory of Mahala Mat, Chinquapin, Manzanita, Whitehorn, and miscellaneous seasonal grasses. Built environment features on the property include a tennis court, paved access road, boat house, and four cabins. One of the cabins was built in 1934 while the remaining cabins were built within the past 30 to 40 years. Much of the site has been previously disturbed by construction of the cabins, tennis court, boathouse, grading and paving of the main access road, and installation of an underground sewer line. The subject site is bordered by single-family residential land uses to the west, Sugar Pine Point State Park to the north and east, and Lake Tahoe to the south. Proposed project access would be from an unnamed northern access road via State Route 89. Public sewer service would be provided by the Tahoe City Public Utility District while water would be provided by a private water system with an intake line to Lake Tahoe.

Adjacent Land Uses

	Zoning	General Plan	Land Use/Improvements
Site	TR1	AP (PAS No. 151, Glenridge)	Residential/Single-family residences and accessory structures
North	TR1	AP (PAS No. 153, Sugar Pine Point)	Recreational/Sugar Pine Point State Park
South	TR1	AP (PAS No. 151, Glenridge)	Lake Tahoe
East	TR1	AP (PAS No. 153, Sugar Pine Point)	Recreational/Sugar Pine Point State Park
West	TR1	AP (PAS No. 151, Glenridge)	Residential/Undeveloped

Access: Proposed project access would be from an unnamed northern access road via State Route 89. There is an existing deeded road access easement across Assessor’s Parcel Number 016-300-57 to the west which was recorded on January 28, 1953 in Book 321, Page 445. All four proposed parcels would share easements onto the existing access road.

Design Waivers: The following design waivers have been requested:

- (1) Permit proposed parcels A and B to exceed the depth to width lot ratio.

Discussion: Proposed parcel A has a width of approximately 140 feet and a depth of approximately 460 feet. Therefore, proposed parcel A only exceeds the maximum lot depth by 40 feet. Proposed parcel B has a width of approximately 135 feet and a depth of approximately 430 feet. Therefore, proposed parcel B only exceeds the maximum lot depth by 25 feet. Further, strict compliance with the DISM would prevent compliance with Chapter 20 of the TRPA Code of Ordinances. The

proposed parcel line configuration would be consistent with the TRPA requirements for land coverage. As such, staff recommends approval of this design waiver request. Appropriate findings for approval are included within Attachment 2.

(2) Permit the on-site portion of the northern access roadway to remain 10 feet wide rather than be improved to 20 feet wide as required by the *El Dorado County Design and Improvement Standards Manual*.

Discussion: According to the applicant, the existing northern paved access road is 10 feet wide. As noted in comments received from the Department of Transportation (DOT) and California Department of Forestry and Fire Protection (CAL FIRE), attached as Exhibits G and I respectively, the northern access road would need to be improved to a width of 20 feet pursuant to the DISM Standard Plan 101C and the California Fire Code.

(3) Permit the off-site portion of the northern access roadway to remain 10 feet wide rather than be improved to 20 feet wide as required by the *El Dorado County Design and Improvement Standards Manual*.

Discussion: An on-site meeting was held on September 10, 2009 with representatives from CAL FIRE, DOT, Planning Services, and Meeks Bay Fire Protection District. The applicant was also in attendance. Several design alternatives were discussed at that meeting. While Meeks Bay Fire Protection District has indicated their support for several on their design alternatives in Exhibit H, both DOT and CAL FIRE remain opposed to the design waiver requests and design alternatives. The Fire Hazard Severity Zone rating for the subject site is also “very high.” Further, there is sufficient space available at the project site to make the minimum required road improvements, but the applicant is not willing to make the improvements. As such, staff recommends denial of the two road-related design waiver requests. Appropriate findings for denial are included within Attachment 2.

Design waiver request information submitted by the applicant is attached as Exhibit F.

Fire: Project comments received from Meeks Bay Fire Protection District and CAL FIRE are attached as Exhibits H and I respectively and discussed under the design waiver section above. Other fire related issues are addressed within the project’s conditions of approval in Attachment 1.

Land Use Compatibility: As discussed above, the subject site is surrounded by residential and recreational uses. The proposed project would create three additional residential parcels from an existing parcel within an existing residential area. Each of the proposed parcels contains existing residences. The development of future second dwellings for each of the proposed parcels would not be authorized pursuant to TRPA permit conditions of approval for the proposal. The proposed project density is consistent with surrounding residential densities. Therefore, the proposed project is compatible within the context of the surrounding land uses pursuant to General Plan Policy 2.2.5.21.

Wastewater: Public sewer service would be provided by the Tahoe City Public Utility District. As noted in a letter of February 19, 2009, the Tahoe City Public Utility District has the sewer capacity to serve this project.

Water: The project site would continue to be served by a private water system with an intake line in Lake Tahoe at a depth of 28 feet with a pumping capacity of 25 gallons per minute. Therefore, no new or expanded offsite water facilities would be necessary to serve the proposed project. The Environmental Management Department reviewed the documentation provided by the applicant and issued a letter on April 2, 2010 which concurred with the applicant's findings regarding water availability subject to the conditions of approval in Attachment 1. Based on this information, the project would be consistent with General Plan Policy 5.2.1.2 regarding availability of reliable water supply.

GENERAL PLAN

As conditioned, this project is consistent with significant applicable policies of the adopted 2004 El Dorado County General Plan. Findings for consistency with the General Plan are provided in Attachment 2. The policies and issues that affect this project are discussed below.

Policy 2.1.1.7 directs that *development be limited in some cases until such time as adequate roadways, utilities, and other public service infrastructure becomes available and wildfire hazards are mitigated.*

Discussion: As conditioned, the project would include the provision of adequate infrastructure, such as roads and water supply, to serve the proposed map. However, as discussed above, the applicant's unwillingness to make the required on and off-site road improvements would result in roadways which are inadequate to serve the proposed parcel map.

Policy 2.2.1.2: The County General Plan designates the subject parcel as Adopted Plan, which refers to the Tahoe Regional Planning Agency's Regional Plan. The parcel is located within TRPA Plan Area Statement (PAS) 151, Glenridge, which is primarily intended for residential use.

Discussion: The proposed project density and use is consistent with the density and use permitted under TRPA Plan Area Statement (PAS) 151, Glendridge.

Policy 5.7.1.1 directs that the applicant demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or would be provided concurrent with development.

Discussion: The project would be conditioned by the El Dorado County Department of Transportation to meet the minimum State Responsibility Area (SRA) Fire Safe Regulations for road surface and road width prior to development. However, as outlined above, the applicant's unwillingness to make such road improvements would result in inadequate access for fire protection.

Policy 6.2.2.2 states that the County shall preclude development in areas of high and very high fire hazard or in areas identified as "urban wildland interface communities within the vicinity of Federal

lands that are a high risk for wildfire,” as listed in the Federal Register of August 17, 2001, unless such development can be adequately protected from wildland fire hazard, as demonstrated in a Fire Safe Plan prepared by a Registered Professional Forester (RPF) and approved by the local Fire Protection District and/or California Department of Forestry and Fire Protection.

Discussion: The project is located within a very high fire hazard area and would require the submittal and approval of a fire safe plan subject to approval by the Meeks Bay Fire Protection District and CAL FIRE. The project’s location within a very high fire hazard area is further evidence that the requested design waivers to not make the required fire safe road improvements to the on and off-site access roadway connecting the subject site to State Highway 89 is inappropriate and should be denied.

Policy 6.2.3.2 directs that the applicant 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.

Discussion: As conditioned, the project would result in roadways which would be adequate to serve the proposed parcel map.

Conclusion: As discussed above, staff finds that the parcel map, as conditioned, is consistent with significant applicable policies of the County General Plan. Findings for consistency with the General Plan are provided in Attachment 2.

ZONING

The subject site is currently zoned One-Family Residential District (TR1) which permits a minimum lot area of 10,000 square feet when the lot is served with a well located on the lot and a public sewage system. The proposed 1.09, 1.15, 1.24, and 1.25 acre parcels would conform to existing zoning and the development standards in Section 17.56.040 for minimum lot width of 60 feet and minimum lot area of 10,000 square feet as well having the space to comply with the parking requirements of two spaces not in tandem per dwelling unit pursuant to Section 17.18.060. Building setbacks for any future structures would be 30 feet from all parcel boundaries and road easements pursuant to fire code regulations for parcels which are one acre in size or larger. However, TRPA permit requirements would not authorize any future construction of residences at the project site. As proposed, the subject parcel map request would be a subdivision of existing structures with at least one existing residence on each prospective parcel.

ENVIRONMENTAL REVIEW

This project has been found to be exempt from the requirements of CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines stating that “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” As such, the proposed subdivision of existing structures through the tentative parcel map process is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Further, TRPA permit conditions of approval would preclude future development of the four proposed parcels. A \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Location Map
Exhibit B	Assessor's Parcel Map Page
Exhibit C	General Plan Land Use Map
Exhibit D	Zoning Map
Exhibit E	Tentative Parcel Map
Exhibit F	Applicant's Design Waiver Request
Exhibit G	Revised Department of Transportation Comments – February 25, 2010
Exhibit H	Meeks Bay Fire Protection District Comments – October 26, 2009
Exhibit I	CAL FIRE Comments – October 16, 2009

ATTACHMENT 1

CONDITIONS OF APPROVAL

**PARCEL MAP P09-0004/Jonsson
Zoning Administrator/June 2, 2010**

I. PROJECT DESCRIPTION

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

The project description is as follows:

Tentative parcel map creating four parcels, comprising 1.09, 1.15, 1.24, and 1.25 acres on a 4.73-acre site. Water will be provided by a private water system with an intake line in Lake Tahoe and public sewer service will be provided by the Tahoe City Public Utility District. Primary site access will be provided via an unnamed northern access roadway to State Route 89.

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 (tentative parcel map and preliminary grading and drainage plan) must be submitted for review and approval and shall be implemented as approved by the County.

II. PROJECT CONDITIONS OF APPROVAL

Planning Services

2. In the event that previously unknown cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archeologist shall make recommendations on the measures to be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds, in accordance with § 15064.5 of the CEQA Guidelines. Cultural resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including

hearths, structural remains, or historic dumpsites.

3. If human remains are encountered during earth-disturbing activities within the project area, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. If the remains are determined to be Native American in origin, both the Native American Heritage Commission (NAHC) and any identified descendants shall be notified by the coroner and recommendations for treatment solicited (CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94 and 5097.98).
4. The applicant shall provide a meter award letter or similar document by the sewer service purveyor to Planning Services prior to filing the parcel map.
5. The applicant shall submit a request for Park-in-Lieu fee appraisal to Planning Services, with a check for \$150.00 made out to the El Dorado County Assessor. Upon completion of appraisal, the applicant must pay the park fee to the Development Services Department. A receipt showing compliance with this condition shall be submitted by the applicant to Planning Services prior to filing of the parcel map.
6. This tentative parcel map shall expire within 36 months from date of approval unless a timely extension has been filed.
7. All fees associated with the tentative parcel map shall be paid prior to filing the parcel map.
8. 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 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.

Air Quality Management District

9. During construction, all activities shall apply standard Best Management Practices (BMPs) to control dust during construction. These practices shall be incorporated into the project and include:

- a. Application of water on disturbed soils and unpaved roadways a minimum of three times per day
 - b. Using track-out prevention devices at construction site access points
 - c. Stabilizing construction area exit points
 - d. Covering haul vehicles
 - e. Restricting vehicle speeds on unpaved roads to 15 miles per hour
 - f. Replanting disturbed areas as soon as practical and other measures as deemed appropriate to the site, to control fugitive dust
10. Prior to grading permit issuance, a fugitive dust plan shall be submitted to the Air Quality Management District (AQMD) for review and approval.
 11. Burning of vegetative wastes that result from "Land Development Clearing" must be permitted through the District Rule 300 Open Burning. Only vegetative waste materials are permitted to be disposed of using an open outdoor fire.
 12. The applicant shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.

California Department of Forestry and Fire Protection (CAL FIRE)

13. A street sign meeting El Dorado County design standards needs to be placed at the intersection of State Route 89 and the access road. The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" sign as required by the Department of Transportation prior to the filing of the parcel map.
14. Prior to filing the parcel map, a sign identifying the dead-end road shall be placed at the intersection preceding the traffic access limitation (Article 3. Signing and Building Numbering, Section 1274.06 of the Fire Safe Regulations).
15. All parcels one acre or larger shall provide a minimum 30-foot setback for buildings and accessory buildings from all property lines and road easements.
16. Vegetation clearance along the access road shall consist of a fuel modification zone created for a distance of 20 feet from each side of the access road from State Route 89 to the end of the access road. A letter of compliance with this condition shall be submitted by the Meeks Bay Fire Protection District and CAL FIRE to Planning Services prior to filing the map.
17. Vegetation clearance along the access road shall consist of a fuel modification zone created for a distance of 15 feet from each side of the driveway. A letter of compliance with this condition shall be submitted by the Meeks Bay Fire Protection District and CAL FIRE to Planning Services prior to filing the map.

18. A fire safe management plan, acceptable to the Meeks Bay Fire Protection District and the California Department of Forestry and Fire Protection, shall be prepared and implemented. A letter of compliance with this condition shall be submitted by the Fire District and CAL FIRE to Planning Services prior to filing the map.

California Department of Transportation (Caltrans)

19. Prior to the filing of the parcel map, an encroachment permit shall be obtained from Caltrans for the roadway encroachment on State Highway.

Department of Transportation (DOT)

20. **On-site Access Improvements:** The applicant shall widen the northern access roadway to a roadway standard, a 20-ft wide in accordance to the El Dorado County Design and Improvements Standard Manual (DISM) Standard Plan 101C capable of supporting 75,000 pounds of weight, consistent with the 2007 CA Fire Code. 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.
21. **Off-site Access Improvements:** The applicant shall widen the off-site portion of the northern access roadway to a roadway standard, a 20-ft wide in accordance to the El Dorado County Design and Improvements Standard Manual (DISM) Standard Plan 101C capable of supporting 75,000 pounds of weight, consistent with the 2007 CA Fire Code. 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.
22. **Turnaround:** The applicant shall provide a turn around at the end of the roadway to the provisions of County Standard Plan 114 or approved equivalent. 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.
23. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
24. **Road & Public Utility Easements:** The applicant shall provide a 50 foot wide non-exclusive road and public utility easement for the on-site access roadway prior to the filing of the parcel map.
25. **Maintenance Entity:** The proposed project must form an entity for the maintenance of any private roads, parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does

not sufficiently address maintenance of the roads, parking facilities, landscaping, signs, and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the parcel map.

26. **Parcel Map Improvement Agreement & Security:** If the required improvements are not completed prior to filing of the map, the developer shall enter into a Parcel Map Improvement Agreement (PMIA) with the Department of Transportation for onsite roadway, drainage infrastructure, grading, etc. The developer shall also provide a security to guarantee performance of the PMIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map. The improvements shall be installed to the satisfaction of DOT prior to filing of the map. This condition shall appear as a note on the recorded parcel map.
27. **Grading Permit / Plan:** If more than 50 cubic yards of earth movement are required for improvements, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the DOT 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. All applicable plan check fees shall be paid at the time of submittal of improvement plans. All applicable inspection fees shall be paid prior to issuance of a permit. The improvements and grading shall be completed to the satisfaction of the DOT or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.
28. **Electronic Documentation:** 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 drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
29. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.

Environmental Management Department (EMD)

30. Prior to filing the parcel map, a water treatment system or device that would provide safe potable water to the dwellings shall be installed to the satisfaction of the EMD. Plans and specifications for the selected treatment method shall be submitted to the EMD for review prior to installation.
31. The water treatment system shall be maintained and operated per the manufacturer’s instructions as determined by the EMD.

32. Prior to filing the parcel map, documentation verifying this property's surface water rights shall be submitted to the EMD for review.

Surveyor's Office

33. All survey monuments must be set prior to filing the parcel map.
34. Prior to filing the parcel map, 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 referenced and retraced deeds clearly noted on the parcel map.
35. The roads serving the development shall be named by filing a completed Road Name Petition with the County Surveyor's Office. Proof of any signage required by the Surveyor's Office must be provided to the Surveyor's Office prior to filing the parcel map.
36. Prior to filing the parcel map, a letter will be required from all agencies that have placed conditions on the map stating that "all conditions placed on P09-0004 by that agency have been satisfied." The letter is to be sent to the County Surveyor and copied to the consultant and applicant.

Tahoe Regional Planning Agency

37. Prior to filing the parcel map, a letter shall be submitted to the County Surveyor's Office from the Tahoe Regional Planning Agency (TRPA) confirming that all TRPA requirements have been satisfied.

ATTACHMENT 2

FINDINGS

PARCEL MAP P09-0004/Jonsson Zoning Administrator/June 2, 2010

FINDINGS FOR APPROVAL

1.0 CEQA FINDINGS

- 1.1 The Zoning Administrator has determined that the proposed project will have no significant impact on the environment and is exempt from CEQA pursuant to 15061(b)(3) of the CEQA Guidelines.
- 1.2 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, 95667.

2.0 GENERAL PLAN FINDINGS

- 2.1 As proposed, the project is consistent with the Adopted Plan (AP) land use designation of the subject site, as defined by General Plan Policy 2.2.1.2, which refers to the Tahoe Regional Planning Agency's Regional Plan, because the parcel is located within TRPA Plan Area Statement (PAS) 151, Glenridge, which is primarily intended for residential use.
- 2.2 The proposal is consistent with all applicable Policies of the General Plan including 2.2.1.2 (land use density), 2.2.5.21 (compatibility with the surrounding neighborhood), and 5.2.1.2 (adequate water supply). As conditioned, the project provides adequate access and site design that ensure compatibility with the surrounding permitted land uses, and is consistent with the General Plan policies identified above.

3.0 ZONING FINDINGS

- 3.1 The project, as proposed and conditioned, is consistent with the El Dorado County Zoning Ordinance Development Standards because the proposed parcels meet the development standards of the TR1 zone district pursuant to section 17.56.040 for minimum parcel areas and lot widths, and to permit the yard setbacks required of future residential development.

4.0 ADMINISTRATIVE FINDINGS

4.1 Tentative Parcel Map

- 4.1.1 *The proposed tentative map, including design and improvements, is consistent with the General Plan and Specific Plan, where applicable. As proposed and conditioned, the*

tentative map conforms to the AP General Plan land use designation and applicable General Plan policies concerning adequate roadways, utilities and other public services, compatibility with the surrounding neighborhood, and adequate water supply because the proposed parcels are already developed.

- 4.1.2 *The tentative map conforms to the applicable standards and requirements of the County's zoning regulations and Minor Land Division Ordinance.* The proposed parcel sizes of 1.09, 1.15, 1.24, and 1.25 acres conform to the 10,000 square foot minimum parcel size of the TR1 zone district. The project conforms to the applicable provisions of the Minor Land Division Ordinance because the proposed parcels are already developed.
- 4.1.3 *The site is physically suitable for the proposed type and density of development.* The creation of three additional parcels at the 4.73 acre site is compatible with the surrounding existing residential land use densities and has been designed in a manner which avoids environmental impacts.
- 4.1.4 *The proposed subdivision is not likely to cause substantial environmental damage.* This project has been found to be exempt from the requirements of CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines stating that "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." As such, the proposed subdivision of existing structures through the tentative parcel map process is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Further, TRPA permit conditions of approval would preclude future development of the four proposed parcels

5.0 DESIGN WAIVER FINDINGS

5.1 Permit proposed parcels A and B to exceed the depth to width lot ratio.

- 5.1.1 *There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.* Proposed parcel A has a width of approximately 140 feet and a depth of approximately 460 feet. Therefore, proposed parcel A only exceeds the maximum lot depth by 40 feet. Proposed parcel B has a width of approximately 135 feet and a depth of approximately 430 feet. Therefore, proposed parcel B only exceeds the maximum lot depth by 25 feet. Further, the original parcel has an irregular shape as well.
- 5.1.2 *Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.* Strict compliance with the DISM would prevent compliance with Chapter 20 of the TRPA Code of Ordinances. The proposed parcel line configuration is consistent with the TRPA requirements for land coverage.

- 5.1.3 *The adjustment or waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.* The waiver will not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public as proposed parcels A and B only exceed the maximum lot depth by 40 feet and 25 feet respectively.
- 5.1.4 *The waivers 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 requested design waiver will not hinder the County's implementation of the Subdivision Map Act as outlined in Article II of Chapter 16 of County Code or any of the other applicable ordinances discussed within the staff report.
- 5.2 Permit the on-site portion of the northern access roadway to remain 10 feet wide rather than be improved to 20 feet wide as required by the El Dorado County Design and Improvement Standards Manual**
- 5.2.1 *There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.* According to the applicant, the existing northern paved access road is 10 feet wide. Meeks Bay Fire Protection District reviewed the requested design waiver and design alternatives and supported several of the design alternatives. However, DOT and CAL FIRE recommend the on-site portion of the northern access roadway be widened to 20 feet as required by the DISM and California Fire Code. As such, DOT and CAL FIRE are not supportive of the design waiver request and design alternatives. There are not sufficient special conditions to the property which would justify the waiver of minimum fire safe requirements.
- 5.2.2 *Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.* Strict application of the DISM would not cause extraordinary and unnecessary hardship in developing the property as there is sufficient space available at the project site to make the minimum required road improvements, but the applicant is not willing to make the improvements
- 5.2.3 *The adjustment or waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.* Both DOT and CAL FIRE reviewed the design waiver request and have concerns regarding the existing 10 foot-wide access roadway not being improved to meet minimum fire safe standards. The project site is located within a very high fire hazard area. As such, the waiver would be injurious to adjacent properties and detrimental to the health, safety, convenience and welfare of the public.
- 5.2.4 *The waivers 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 requested design waiver will hinder the County's implementation of the Subdivision Map Act as outlined in

Article II of Chapter 16 of County Code because the project would result in inadequate emergency access to the subject site.

5.3 Permit the off-site portion of the northern access roadway to remain 10 feet wide rather than be improved to 20 feet wide as required by the *El Dorado County Design and Improvement Standards Manual*

- 5.3.1 *There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.* According to the applicant, the existing northern paved access road is 10 feet wide. Meeks Bay Fire Protection District reviewed the requested design waiver and design alternatives and supported several of the design alternatives. However, DOT and CAL FIRE recommend the off-site portion of the northern access roadway be widened to 20 feet as required by the DISM and California Fire Code. As such, DOT and CAL FIRE are not supportive of the design waiver request and design alternatives. There are not sufficient special conditions to the property which would justify the waiver of minimum fire safe requirements.
- 5.3.2 *Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.* Strict application of the DISM would not cause extraordinary and unnecessary hardship in developing the property as there is sufficient space available off-site to make the minimum required road improvements, but the applicant is not willing to make the improvements
- 5.3.3 *The adjustment or waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.* Both DOT and CAL FIRE reviewed the design waiver request and have concerns regarding the existing 10 foot-wide access roadway not being improved to meet minimum fire safe standards. The project site is located within a very high fire hazard area. As such, the waiver would be injurious to adjacent properties and detrimental to the health, safety, convenience and welfare of the public.
- 5.3.4 *The waivers 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 requested design waiver will hinder the County's implementation of the Subdivision Map Act as outlined in Article II of Chapter 16 of County Code because the project would result in inadequate emergency access to the subject site.