

**ELDORADO COUNTY DEVELOPMENT SERVICES  
PLANNING COMMISSION STAFF REPORT**



**Agenda of:** January 10, 2008

**Item No.:** 8.a.

**Staff:** Jonathan Fong

**REZONE/PLANNED DEVELOPMENT/SUBDIVISION MAP**

**FILE NUMBER:** Z06-0029/PD06-0020/TM06-1420 Bass Lake Estates

**APPLICANT:** Carmichael Investment Group

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

**REQUEST:** A Rezone, Planned Development, and Tentative Subdivision Map.

The rezone would add the planned development overlay to change the parcel zoning from One-Family Residential- Airport Safety (R1-AA) to R1-AA-PD.

The planned development would allow for flexibility in the development standards of the R1 zone district.

The tentative subdivision map would create 36 residential parcels, ranging in size from 3,020 to 5,665 square feet. Three open space lots would be created totaling 2.37- acres (Exhibit B).

Five design waivers have been requested for the following:

- a) Reduce the right-of-way (ROW) width from 60 feet to 50 feet for Trout Lake Court;
- b) Reduce the sidewalk requirement on Trout Lake Court from six feet to five feet and to limit the sidewalk improvements to one side of the road only;
- c) Allow a joint access for Parcels 1 and 2;
- d) Reduce the length of turn pockets and tapers onto Bass Lake Road;
- e) Waive the sidewalk requirement for Bass Lake Road.

**LOCATION:** The project is located on the southeast side of Bass Lake Road, approximately 175 feet southwest of the intersection with Woodleigh Lane, in the Cameron Park area, Supervisorial District I (Exhibit A).

**APN:** 115-030-06

**ACREAGE:** 7.45-acres

**GENERAL PLAN:** High Density Residential (HDR) (Exhibit C)

**ZONING:** One-Family Residential- Airport Safety (R1-AA) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Negative Declaration

**SUMMARY RECOMMENDATION:** Recommend approval of Z06-0029/ PD06-0020/ TM 06-1420, approve Design Waivers A, B, C, and D, and deny Design Waiver E.

**BACKGROUND:** On April 15, 1997 the Board of Supervisors approved Ordinance #4445 to rezone the project parcel from Estate Residential Five-Acre (RE-5) to One-family Residential (R1). On March 13, 1997 the Planning Commission approved a Tentative Subdivision Map (TM96-1320) to create 20 residential lots on the parcel. The map was not finalized and a Time Extension application was made. The Time Extension application is pending and would be withdrawn pending the outcome of the current application.

Project TM96-1320 was filed prior to the adoption of the 2004 General Plan. Policy 2.2.5.13 of the 2004 General Plan requires application of the Planned Development (PD) overlay due to the project location within Safety Zone 3 of the Cameron Park Airport. The current project PD application has been requested by the applicant in order to be consistent with this policy.

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

**Project Description:** The project request includes a Rezone, Planned Development, and a Tentative Map. The Rezone would add the PD zoning overlay to change the parcel zoning from One-Family Residential (R1) to One-Family Residential- Planned Development (R1-PD). The Tentative Map would create 36 residential lots ranging from 3,020 to 5,665 square feet in size. Additionally, three (3) open space lots would be provided ranging from 0.56-acres to 1.13-acres in size. Five Design Waivers have been requested as part of the project. The Design Waivers would allow for variations of the requirements of Standard Plan 101B, modify the sidewalk improvement requirements, and to allow a joint access for two of the parcels.

**Adjacent Land Uses:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	RE-10	MDR	Undeveloped Residential Land
<b>North</b>	RE-10	MDR	Single Family Residential
<b>South</b>	RE-5	MDR	Single Family Residential
<b>East</b>	R1	AP	Single Family Residential
<b>West</b>	RE-10	MDR	Single Family Residential

**General Plan:** The General Plan designates the subject site as High Density Residential (HDR), which permits a residential density of one to five dwelling units per acre. The project would create 36 residential parcels on a 7.45-acre site. The project would result in a density of 4.8 dwelling units per acre which would be consistent within the HDR land use designation.

The project would include the application of the Planned Development concept which pursuant to General Plan Policy 2.2.3.1 requires dedication of at least 30% of the project site as open space. As demonstrated in the table below, the project would dedicate 31.8% of the project site as open space.

Planned Development Required Open Space

<b>Parcel Size</b>	7.45-acres
<b>Required 30% Open Space</b>	2.24-acres
<b>Proposed Open Space</b>	2.37-acres
<b>Percent Open Space Proposed</b>	31.8%

General Plan Policy 7.4.4.4 requires retention and replacement of affected oak canopy. As determined by an arborist report prepared for the project site, 1.1-acres of oak canopy is located onsite. The onsite canopy would constitute approximately 13% of the site which requires 90% retention of the total canopy.

The arborist report prepared by North Fork Associates dated May 2007 states that the project would result in the removal of 0.1-acres of oak canopy and would be consistent with the retention requirements of Policy 7.4.4.4. Additionally, the project would be required to replant the impacted oak canopy at a 1:1 ratio as required in the Oak Woodlands Interim Interpretative Guidelines. The arborist report identifies potential replanting areas in the proposed open space areas located onsite. Prior to issuance of a grading permit a final arborist report and a replanting and habitat mitigation plan would be required demonstrating compliance with Policy 7.4.4.4.

Policy 2.2.5.3: Future rezoning shall be evaluated based on the General Plan's direction as to minimum parcel size or maximum density and to assess whether changes in conditions would support a higher density. Specific Criteria to be considered include, but are not limited to, the following:

**1. Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;**

The project parcel would be required to connect to EID for public water and wastewater services. The Facilities Improvement Letter (FIL) submitted dated July 2006 for the project indicates that adequate water and wastewater services are available to serve the project. The El Dorado Local Agency Formation Commission provided comments regarding the project August 9, 2006 regarding the project. The EID service area is located to the south and east sides of the site and would require annexation into the service district to receive service. The project would be conditioned to process and obtain annexation into the EID service district prior to final map filing.

**2. Availability and capacity of public treated water system;**

See #1 above.

**3. Availability and capacity of public waste water treatment system;**

See #1 above.

**4. Distance to and capacity of the serving elementary and high schools;**

The project is located approximately ½ mile south of the Green Valley School. School impact fees would be collected at the time of building permit issuance. The Rescue Union School District was distributed the project and

**5. Response time from nearest fire station handling structure fires;**

The project site is located within the Cameron Park CSD Fire Protection District. The Fire District has determined that adequate fire protection services exist to serve the project.

**6. Distance to nearest Community Region or Rural Center;**

The project site is located within the Cameron Park Community Region.

**7. Erosion hazard;**

All grading activities are subject to the provisions of the El Dorado County Grading, Erosion, and Sediment Control Ordinance which would reduce potential erosion hazards to a less than significant level.

**8. Septic and leach field capability;**

The residential development would be served by EID public water and sewer facilities. No septic systems or leach fields are proposed.

**9. Groundwater capability to support wells;**

The residential development would be served by EID public water and sewer facilities. No well systems are proposed.

**10. Critical flora and fauna habitat areas;**

The biological assessment performed by Michael Baad PhD dated August 2006 for the project site determined that no special status species are located onsite. The project site is located within Mitigation Area 1 which would require payment of Mitigation In-Lieu fees at the time of building permit issuance.

**11. Important timber production areas;**

**12. Important agricultural areas;**

**13. Important mineral resource areas;**

The project parcel is not located in or near important timber production areas, agricultural areas, or important mineral resource areas.

**14. Capacity of the transportation system serving the area;**

A traffic study has been prepared for the project. The Department of Transportation has reviewed the study and determined that widening of Bass Lake Road and the construction of a new interior access road would be sufficient in reducing the impacts to the existing transportation system in the area.

The project has requested Design Waivers to modify the road improvement requirements of the County Design Manual. The Department of Transportation has recommended approval of four of the Design Waivers to allow a reduced right-of-way, reduced onsite sidewalk, and to allow a joint access for Parcels 1 and 2.

**15. Existing land use pattern;**

The project would allow residential development consistent with the Land Use Designation and Zoning in the project vicinity.

**16. Proximity to perennial water course;**

No perennial water features are located on or adjacent to the site. The nearest perennial feature is Green Springs Creek which is located approximately 400 feet south of the site. The project would not significantly impact the Creek.

**17. Important historical/ archeological sites;**

The cultural resource study performed for the project site determined that no cultural or archeological features exist on the site.

**18. Seismic hazards and present active faults.**

The project site is not located in an area known to be exposed to seismic hazards or located near active faults.

**19. Consistency with existing Conditions, Covenants, and Restrictions.**

The project would not conflict with existing CC&Rs. The project would be required to record additional CC&Rs in order to manage the onsite open space areas and to ensure the long term maintenance of the replaced oak canopy.

As discussed above, the project is consistent with applicable General Plan Policies.

**Zoning:** The subject site is zoned One-family Residential (R1) which permits a minimum parcel size of 6,000 square feet. The project would create residential parcels which would range in size from 3,020 square feet to 5,665 feet. The project includes the zoning overlay which would allow modifications to the Development Standards of the R1 Zone District. Pursuant to Section 17.040.030 B of the Zoning Ordinance, the Planning Commission must make Findings of Approval prior to approval of a PD. These findings have been included in Attachment 2 of the Staff Report.

Section 17.28.030 of the Zoning Ordinance establishes the Development Standards of the R1 Zone District:

**A. Minimum lot area, six thousand square feet when the lot is served with public water supply and sewage system;**

The project would be served by EID public water and sewer. The lot sizes would range from 3,020 to 5,665 square feet. The reduced lot size is acceptable in order to minimize impacts to the oak canopy onsite and to accommodate the required open space.

**B. Maximum lot coverage, thirty- five percent (including accessory buildings);**

No development is proposed in conjunction with the project. Prior to issuance of development permits on the future parcels, Planning Services would review the permits to determine consistency with this requirement.

**C. Minimum lot width, sixty feet;**

The average lot width for the proposed parcels would be 45 feet with the minimum width of 26 feet for the parcels in the southeast corner of the project site. The reduced lot width would be consistent with the reduced lot sizes proposed as part of the PD.

**D. Minimum yards: front, twenty feet; sides, five feet, except the side yard shall be increased one foot for each additional foot of building height in excess of twenty- five feet (25'); rear, fifteen feet (15');**

The project would require a reduced front setback from 20 feet to 12.5 feet. Due to the reduced lot sizes the reduced front setback would allow for flexibility when developing future residential units on the lots.

**E. Maximum building height, forty feet (40').**

No development is proposed in conjunction with the project. Prior to issuance of development permits on the future parcels, Planning Services would review the permits to determine consistency with this requirement.

The project would require modifications to the Development Standards of the R1 Zone District which are allowed through the Planned Development application. The requested modifications would allow for clustering of the lots to minimize the impacts to the oak canopy onsite. Upon approval of the Planned Development, the project would be consistent with the Zoning Ordinance.

**Road Improvements:**

Road improvements would be required as part of the project. As shown on the Tentative Map, a new access road would be constructed through the project. The access road would be constructed pursuant to Standard Plan 101B which requires a 36 foot wide travel lane. The applicant has requested a Design Waiver to limit the sidewalk improvements to five feet wide and to construct the sidewalk on one side of the road only. The Department of Transportation has reviewed the Design Waiver and has recommended approval of this request.

The project site has frontage along Bass Lake Road which also fronts Phase I of the approved Silver Springs Subdivision. The Department of Transportation has conditioned the project to perform the required road improvements along Bass Lake Road which were included as conditions of approval of the Silver Springs Subdivision.

**Design Waiver(s) Discussion:** Five Design Waivers have been requested as part of the project.

Pursuant to Section 16.08.020B of the Subdivision Ordinance, approval of a Design Waiver is subject to four findings:

- a. **There are special conditions or circumstances peculiar to the property proposed to be subdivided which would justify the waiver,**
- b. **Strict application of the design or improvement requirements of this chapter would cause extraordinary and unnecessary hardship in developing the property,**
- c. **The waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public,**
- d. **The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.**

Each Design Waiver request is considered below

**a) The project request to reduce the Right-of-way (ROW) width from 60 feet to 50 feet for Trout Lake Court;**

The applicant has requested the reduced right of way in order to reduce the grading and to allow for more flexibility in the design of future driveways. The Department of Transportation has reviewed the requested Design Waiver and has recommended approval of this request pursuant to Section 16.08.020 B of the Subdivision Ordinance. The reduced ROW would allow for the road width and sidewalk improvements recommended for Trout Lake Court.

**b) The project request to reduce the sidewalk requirement on Trout Lake Court from six (6) feet to five (5) feet and to limit the sidewalk improvements to one side of the road only;**

The applicant has requested the reduced sidewalk improvement requirements to reduce the grading impacts and to allow for more flexibility in the design of future driveways. The project would construct a five-foot wide sidewalk on one side of Trout Lake Court. The Department of Transportation has reviewed the requested Design Waiver and has recommended approval of this request pursuant to Section 16.08.020 B of the Subdivision Ordinance.

**c) The project request to allow a joint access for Parcels 1 and 2;**

The applicant has proposed a joint access for Parcels 1 and 2 to avoid the construction of a 28 foot wide road to serve two parcels. In order to preserve existing oak canopy, parcels 1 and 2 would be located approximately 130 feet east of Trout Lake Court. The proposed joint access would allow for an 18 foot wide access to the parcels. The reduced width would avoid additional impacts to oak canopy and would reduce the amount of grading necessary for the access. The Department of Transportation has reviewed this request and had recommended approval pursuant to Section 16.08.020 B of the Subdivision Ordinance.

**d) The project request to reduce the length of turn pockets and tapers in Bass Lake Road;**



The applicant has requested to reduce the length of the turn pocket along Bass Lake Road to minimize the additional grading necessary to construct the turn pocket. The Department of Transportation has reviewed this request and has recommended approval pursuant to Section 16.08.020 B of the Subdivision Ordinance.

**e) The project request to waive the sidewalk requirement on Bass Lake Road.**

The applicant has requested to waive the sidewalk improvement requirement because the Silver Springs Subdivision located on the other side of Bass Lake Road has been conditioned to construct a six (6) foot sidewalk on the west side of Bass Lake Road. The applicant believes that the improvement of sidewalk on one side of the road would be sufficient due to the absence of sidewalk improvements in the vicinity along Bass Lake Road. The Department of Transportation has reviewed this request and has recommended denial of the request. General Plan Policy TC-5A requires sidewalk improvements throughout residential subdivisions which create parcels less than 10,000 square feet in area. Approval of this Design Waiver would be inconsistent with the General Plan.

**Agency Comments:** The following agencies have provided comments for the project. The comments have been incorporated into conditions of approval listed in Attachment 1 of the project.

**Department of Transportation:** The project would be required to construct the road improvements along the project frontage of Bass Lake Road consistent with the Silver Springs Subdivision. Curb, gutter and sidewalk would be required on the project side of Bass Lake Road. Sidewalk extension would be required from the project site north to the adjacent subdivision. The internal access road would be constructed to Standard Plan 101B with sidewalk on one side of the road.

**Fire Department:** Additional fire hydrants would be required for the project. A firesafe plan would be required for the project. Due to the reduced road width of the access road, parking would be limited to one side of the road only.

**El Dorado Irrigation District:** The project would be required to annex into the EID service district for public water and sewer services. The district has determined that adequate services are available in the area for the project.

**Air Quality Management District:** The project would be required to obtain a Fugitive Dust Plan for all construction activities relating to the project. The project would be required to adhere to all District rules during project construction.

**Surveyor's Office:** All survey monuments must be set prior to presentation of the final map to the Board of Supervisors. The proposed access road is to be named by filing a completed Road Name Petition with the Surveyor's Office prior to filing the Final Map.

**ENVIRONMENTAL REVIEW**

**NOTE:** This project is not located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,850.<sup>00</sup> after approval, but prior to the County filing the Notice of Determination on the project. This fee, less \$50.<sup>00</sup> processing fee, is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

## **RECOMMENDATION**

Planning Services recommends the Planning Commission for the following recommendation to the Board of Supervisors:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff;
2. Approve Z06-0029/ PD06-0020/ TM06-1420 based on the Findings in Attachment 2 subject to the Conditions in Attachment 1;
3. Approve Design Waivers A, B, C, and D based on the Findings in Attachment2;
4. Deny Design Waiver E as the required Findings cannot be made.

## **SUPPORT INFORMATION**

### **Attachments to Staff Report:**

Attachment 1 .....	Conditions of Approval
Attachment 2 .....	Findings
Exhibit A .....	Vicinity Map
Exhibit B .....	Tentative Subdivision Map
Exhibit C .....	General Plan Land Use Map
Exhibit D .....	Zoning Map
Exhibit E .....	Parcelization Map
Exhibit F .....	Environmental Checklist and Discussion of Impacts

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

FILE NUMBER Z06-0029/ PD06-0020/ TM06-1420

### CONDITIONS OF APPROVAL

#### Planning Services:

1. This parcel map is based upon and limited to compliance with the project description, the Planning Commission hearing exhibit marked Exhibit B (tentative subdivision map) dated December 13, 2007, and conditions of approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

The project is for a Tentative Subdivision Map to create 36 residential lots ranging in size from 3,020 to 5,665 square feet, a Zone Change to add the Planned Development (PD) zoning overlay, and a Planned Development to allow the clustering of units and modification to the development standards. The project includes four design waivers to allow a reduced right-of-way from 60 feet to 50 feet on Trout Lake Court, reduced sidewalk width from six (6) feet to five (5) feet and to limit the improvements to one side of Trout Lake Court, to allow a joint access for parcels 1 and 2, and to reduce the length of the turn pockets and tapers onto Bass Lake Road.

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. The applicant shall provide to Planning Services, a meter award letter or similar document from EID, prior to filing the Final Map.
3. Prior to filing of the final map, the applicant shall complete the annexation process into EID through LAFCO and submit evidence of the satisfaction of this condition to Planning Services upon completion.

4. The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. The applicant shall pay all fees at the time of filing the Final Map.
5. The subdivider shall pay a \$150.00 appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.
6. The developer shall enter into an agreement with the School Districts to pay the sum of \$8,288.00 per residential unit constructed within the boundaries of the subdivision. The agreement shall provide for an annual adjustment in the fee by the increase in the Engineering News Record Construction Cost Index. The increase is calculated by the Districts as of January 1 of each year and implemented on July 1 of each year. The applicant shall contact the County Office of Education prior to the issuance of any building permits to verify the applicable fee at the time of building permit issuance. The owner of record shall pay the fee at the time the building permit is issued. The owner of record shall record on the property the agreement or a notice of restriction to alert subsequent owners of this obligation.
7. Any oak trees removed from the site shall be replaced as specified in the Interim Interpretive Guidelines for El Dorado County. Replacement of removed tree canopy shall be at a 200 tree saplings per acre, or 600 acorns per acre, whether on-site or off-site. A tree planting and preservation plan is required prior to issuance of a grading permit. If the applicant chooses to replace removed trees off-site, an easement for off-site replacement must be obtained prior to the recordation of the Tentative Map. A letter from the certified project arborist verifying the replacement of trees and a contract for intensive to moderate maintenance and monitoring shall be required for a minimum of 15 years after planting. The survival rate shall be 90 percent. Any trees that do not survive during this period of time shall be replaced by the property owner. The arborist contract, planting and maintenance plan, and all compliance documents necessary to meet the Oak Woodlands Interim Interpretive Guidelines shall be provided to Planning Services prior to issuance of a grading permit.
8. The developer shall pay adequate parks fees, based on County appraisal. The developer shall ensure that any CC&Rs established for the project are reviewed and approved by the Cameron Park CSD.
9. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the California Government Code.

The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or

its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

8. All Development Services Planning fees shall be paid prior to filing of the Final Map.

**The Department of Transportation:**

***SPECIFIC PROJECT DOT CONDITIONS:***

9. The applicant shall construct the following roadways:

<b>Table 1</b>		
<b>ROAD NAME</b>	<b>ROAD WIDTH</b>	<b>EXCEPTIONS/NOTES</b>
Bass Lake Road	Overall 36 ft roadway (60 ft ROW), per Std. Plan 101B with Slope easements as needed	12 foot through lanes, 4 foot shoulders, Type 2 vertical curb & gutter and 6 foot sidewalk, per DISM Std. Plan 104 & 110. Required turn pocket channelization will necessitate additional roadway improvements and right of way.
Trout Lake Court	36 ft roadway (50 ft ROW) per Std. Plan 101B with slope easements as needed	Type 1 rolled curb and gutter. 5 foot sidewalk (one side only) per DISM Std. Plan 104 & 110.
Access Road for Lots 1 & 2	18 ft roadway (25 ft ROW), per Fire Safe Regs & DISM	No curb, gutter, sidewalk, turn-around if required by Fire Prevention Officer

Notes for Condition 1 table:

Road widths in the preceding table are measured from curb face to curb face.

Curb face for rolled curb and gutter is 6" from the back of the curb.

10. The applicant shall construct the required frontage improvements to Bass Lake Road consistent with the approved improvement plans for the Silver Springs Subdivision that were prepared by Stantec Consulting Inc. The applicant shall provide curb, gutter, and sidewalk to the requirements as specified in Condition 1, and right and left turn channelization for access to this development. 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 final map.
11. The applicant shall construct Trout Lake Court to the requirements as specified in Condition 1. 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 final map.

12. The applicant shall design and construct a left turn pocket on Bass Lake Road at the northerly intersection with Trout Lake Court. The DOT will work with the applicant to limit the pocket and transitions to the extent possible while maintaining conformance with the El Dorado County curve design and speed criteria. 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 filing of the final map.
13. The applicant shall design and construct a right in/right out at the southerly intersection of Trout Lake Court and Bass Lake Road. This design shall include providing a raised traffic island and curbing to prevent left turn movements at this intersection according to the provisions of the Caltrans Highway Design Manual. 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 final map.
14. The applicant shall design and construct both roadway encroachments from Trout Creek Court onto Bass Lake Road to the provisions of DISM, Standard Plan 103D. These 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 final map.
15. The applicant shall connect the 6 foot wide sidewalk along the frontage of Bass Lake Road, southerly to the existing sidewalk that connects to the adjoining Bass Lake Village Subdivision, and northerly connecting to the Woodleigh Lane intersection according to the provisions in the DISM Std. Plan 104 & 110. 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 final map.
16. A vehicular access restriction shall be placed along the entire frontage of Bass Lake Road, except at the Trout Lake Court encroachments, prior to the filing of the final map.
17. The applicant shall irrevocably offer to dedicate, in fee, on the final map, the required right of way, with the appropriate slope easements as needed, as specified in Condition 1 for the on-site portion of Bass Lake Road along the entire property frontage. This offer will be accepted by the County.
18. The applicant shall provide a 50 foot wide non-exclusive road and public utility easement (R & PUE) for Trout Lake Court and a 25 foot wide R & PUE for the on-site access roadway that serves Parcel 1 & 2, prior to the filing of the final map.

19. All on and off-site road improvement requirements required as conditions of approval and/or mitigation measures shall be analyzed in the environmental document for this development project to the appropriate extent under CEQA . Any improvements that are not thoroughly analyzed shall include a discussion and justification under that particular impact analysis within the CEQA document as to the circumstances preventing such analysis along with a method and time frame for any future analysis. Mitigation measures that are included in the 5 year CIP must have the CEQA processing completed to fulfill this condition as funded and programmed per the 2004 General Plan Policy TC-Xf.
  
20. 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, the subdivider shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20 percent contingency:
  - a. A legal description and plat, of the land necessary to be acquired to complete the offsite 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.

21. The applicant shall adhere to all DOT standard conditions as specified on Attachment A, which were provided to the applicant on July 5, 2007.

**Cameron Park Fire Protection District:**

22. The District shall require three new hydrants. The location and type of fire hydrants shall be reviewed and approved by the Fire District prior to filing the final map.

23. The applicant shall prepare a Fire Safe Plan for the project. The Fire District shall review and approve the plan prior to filing of the final map.
24. The applicant shall stripe one side of Trout Lake Court as 'No Parking.' Adequate signage shall be required along the striped side of Trout Lake Court. The Fire District shall review and approve the striping and signage prior to filing of the final map.

#### **Cameron Park Community Services District**

27. The developer shall pay adequate parks fees, based on County appraisal. The developer shall ensure that any CC&Rs established for the project are reviewed and approval by the CSD.

#### **Department of Environmental Health- Air Quality Management District**

28. Project applicant shall adhere to Rules 223, 223.1, and 223.2 during construction. The applicant shall submit a Fugitive Dust Plan to and receive approval by the District prior to the issuance of a grading permit and start of project construction.
29. Project construction shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
30. Burning of wastes on-site requires the applicant contact the District prior to the commencement of any burning for necessary burn permit requirements. Only vegetative waste materials are permitted to be disposed of using an open outdoor fire.
31. The project construction shall adhere to District Rule 215 Architectural Coatings.
32. The applicant shall submit a list to the District stating which mitigation measures the applicant must comply with to reduce impacts to air quality from equipment exhaust emissions during all construction involved in this project for approval prior to issuance of a Grading Permit.

#### **Surveyor's Office:**

33. All survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval, or the developer shall have surety of work to be done by bond or cash deposit. Verification of set survey monuments, or amount of bond or deposit to be coordinated with the County Surveyors Office.
34. The roads serving the development shall be named by filing a completed Road Name Petition with the County Surveyors Office prior to filing the final map.



## **ATTACHMENT 2 FINDINGS OF APPROVAL**

**FILE NUMBER Z06-0029/ PD06-0020/ TM06-1420**

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

### **FINDINGS FOR APPROVAL**

#### **1.0 CEQA Findings**

**1.1** El Dorado County has considered the Negative Declaration together with the comments received and considered 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 proposal.

**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 Tentative Map Findings**

**2.1. The proposed parcel sizes are consistent with the General Plan land use map and/or policies.**

The proposed density is consistent within the High Density Residential (HDR) Land Use Designation. As required by General Plan Policy 2.2.5.13, the project has provided the required 30% open space requirements for Planned Developments. The project is consistent with the retention and replacement provisions for onsite oak canopy as required by General Plan Policy 7.4.4.4.

**2.2. The design or improvements of the proposed division are consistent with the General Plan.**

The road improvements to Bass Lake Road and the proposed width of the onsite access road are consistent with the Circulation Element of the General Plan and the Design and Improvement Standards Manual. The subdivision arrangement is consistent within the High Density Residential (HDR) land use designation and consistent with the objectives and policies relating to Planned Developments.

**2.3. The site is physically suitable for the type of development proposed.**

Adequate areas exist onsite to minimize impacts to the oak canopy onsite and to avoid slopes exceeding 30 percent. The proposed residential development would be suitable on the project site.

**2.4. The site is physically suitable for the proposed density of development.**

Adequate public utilities exist to serve the project. Upon completion of the required road improvements, adequate access exists to provide circulation within the development and to provide emergency access.

**2.5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitats.**

No special status plant species exist onsite. The site is not known to provide a habitat for wildlife or riparian species. The project would be consistent with the retention and replacement provisions for impacts to oak canopy.

**2.6. The design of the subdivision or type of improvements are not likely to cause serious public health or safety hazards.**

The proposed road improvements and extension of public utilities to the project site would not cause significant public health or safety hazards. The required road improvements on Bass Lake Road are consistent with the approved conditions of approval of the adjacent subdivision.

**2.7. The design of the subdivision or the improvements are suitable to allow for compliance with the requirements of Section 4291 of the Public Resource Code (Section 4291 establishes criteria for fire and fuel breaks around buildings).**

The Cameron Park Fire Protection District has reviewed the project and determined that the installation of fire hydrants and implementation of a Fire Safe Plan would be acceptable for emergency access.

**2.8. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed division.**

The project would not result in conflicts with existing easements. No access through the project site for public use currently exists. The project would not conflict with the existing EID water line easement that runs along the western boundary of the project.

### **3.0 Planned Development Findings**

#### **3.1. That the PD zone request is consistent with the general plan;**

The General Plan encourages the use of the PD concept in order to minimize impacts to the natural features on a project site. The project would cluster the residential lots in order to minimize impacts to the oak canopy onsite. The project would provide the required 30% open space.

#### **3.2. That the proposed development is so designed to provide a desirable environment within its own boundaries;**

The project would create open space lots and would construct sidewalks along the interior access road. The project has been designed to minimize the impacts to the natural features of the site.

#### **3.3. That any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography;**

The modifications to the Development Standards of the R1 Zone District would allow clustering of the lots to minimize impacts to the oak canopy.

#### **3.4. That the site is physically suited for the proposed uses;**

The project is not constrained by riparian areas or by slopes exceeding 30%. The development has been clustered to minimize the impacts to the oak canopy onsite.

#### **3.5. That adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities;**

The project would be served by public water and sewer. The public water supplier has determined that adequate water and sewer services are available to serve the project. The Department of Transportation has determined that the improvements to Bass Lake Road and the construction of a new interior access road would provide adequate circulation for the project.

#### **3.6. That the proposed uses do not significantly detract from the natural land and scenic values of the site.**

Scenic features onsite are limited to the mature oak canopy onsite. The project has been designed to minimize impacts to the oak canopy.

**4.0 Design Waiver Findings of Approval**

- a) Reduce the right-of-way (ROW) width from 60 feet to 50 feet for Trout Lake Court;**
- b) Reduce the sidewalk requirement on Trout Lake Court from six feet to five feet and to limit the sidewalk improvements to one side of the road only;**
- c) Allow a joint access for Parcels 1 and 2;**
- d) Reduce the length of turn pockets and tapers onto Bass Lake Road;**

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

The project would incorporate the Planned Development concept which would allow for reduced lot sizes and modifications to the Development Standards of the R1 Zone District. The proposed Design Waivers would allow for clustering of the proposed lots and would reduce the impacts to onsite oak canopy and would minimize necessary grading for the improvements. The proposed Design Waivers would further the Planned Development concept for the project.

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

The County design requirements would require wider roads, additional sidewalk improvements which would result in additional grading without providing a better designed project. The Department of Transportation has reviewed the proposed Design Waivers and recommended approval. Approval of the Design Waivers would reduce the impacts to the onsite oak canopy and would reduce the grading necessary to perform the improvements.

**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 proposed Design Waivers would allow for access roads which meet County Standards. Pedestrian traffic would be facilitated by the construction of sidewalk on one side of Trout Lake Court.

**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 Design Waivers would be consistent road improvement requirements required by County Code and would not conflict with the Zoning Ordinance, General Plan, or the Fire Safe Regulations.

**5.0. Design Waiver Findings of Denial**

**e) Waive the sidewalk requirement for Bass Lake Road.**

**5.1 The adjustment or waiver(s) would be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.**

Bass Lake Road is a major thoroughfare in the Cameron Park area. Pedestrians in the area would be subject to additional vehicular hazards and may walk in the road right-of-way without the construction of the sidewalk. General Plan Policy TC-5A requires sidewalk improvements throughout residential subdivisions which create parcels less than 10,000 square feet in area. Approval of this Design Waiver would be inconsistent with the General Plan.