

**COUNTY OF EL DORADO DEVELOPMENT SERVICES  
BOARD OF SUPERVISORS  
STAFF REPORT**



**Agenda of:** October 18, 2011

**Staff:** Tom Purciel

## **PARCEL MAP REVISION**

**FILE NUMBER:** P07-0025-R

**APPLICANT:** Wesley Hagstrom

**AGENT:** Patrick Soluri, Esq.

**REQUEST:** A revision to approved Tentative Parcel Map P07-0025 to: (1) Amend Conditions of Approval Nos. 1, 16, 25 and 47, regarding approval of the project Fire Safe Plan, and reaffirming approval of a design waiver allowing for creation of a 5,280 foot dead-end road; and (2) Approval of the project Fire Safe Plan.

**LOCATION:** On the north side of Rattlesnake Bar Road, approximately 5.0 miles southwest of State Highway 49, in the Pilot Hill area, Supervisorial District 4 (Exhibit A).

**APN:** 104-100-67 (Exhibit B)

**ACREAGE:** 129.43 acres

**GENERAL PLAN:** Rural Residential-Important Biological Corridor (RR-IBC)  
(Exhibit C)

**ZONING:** Estate Residential (RE-10)  
(Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Previous Mitigated Negative Declaration pursuant to Section 15162(b) of the CEQA Guidelines (Exhibit E)

**SUMMARY RECOMMENDATION:** Staff recommends the Board of Supervisors take the following actions:

1. Find the project revision is covered by the scope of the previous Mitigated Negative Declaration and pursuant to Section 15162(b) of the CEQA Guidelines, no further documentation is necessary;
2. Approve the modifications to Conditions of Approval Nos. 1, 16, 25 and 47 for Parcel Map Revision P07-0025-R as revised by staff and listed in Attachment 1; and
3. Approve the Fire Safe Plan dated December 1, 2010, shown as Exhibit K.

**STAFF ANALYSIS:**

**BACKGROUND:** The project site is located in the Pilot Hill area. The project was initially reviewed by the Planning Commission on May 22, 2008 and approved by the Board of Supervisors on June 17, 2008. The original approval included a General Plan Amendment to change the General Plan Land Use Designation from Rural Residential, Important Biological Corridor (RR-IBC) and Commercial-Platted Lands (C-PL) to Rural Residential (RR), a Zone Change from Estate Residential (RE-10), Estate Residential Five-Acre (RE-5), Commercial (C) and Exclusive Agricultural (AE) to Estate Residential (RE-10) and a Tentative Parcel Map to create 4 lots ranging in size from 20 to 47.22 acres. Included with the Parcel Map application was a design waiver request to allow for the creation of a 5,280 foot dead-end road.

There is an existing residence located in the southwest corner of the project site, approximately 200 feet north of the intersection of Burkett Lane and Rattlesnake Bar road. Off-site access for parcels 1, 3, and 4 was to be taken off of Burkett Lane, a dead-end private road that serves 10 parcels north of the project parcel. In accordance with Fire District and Department of Transportation Design Guidelines, this road was to be developed to a 20-foot width (18-foot travel width with one-foot shoulders). Off-site access for Parcel 2 was to be taken from Rattlesnake Bar Road. Given that Burkett Lane will exceed the 2,640-foot road length guideline established by the DISM Volume II, Section 3.A.12, a design waiver was requested to allow Burkett Lane to remain the sole access for proposed parcels 1, 3 and 4, allowing for the creation of a 5,280 foot dead-end road. For reference, the approved Tentative Parcel Map is included as Exhibit G. The following table provides the approved parcel details:

Parcel Number	Parcel Size (acres)
1	41.22
2	47.77
3	20.00
4	20.91

Due to the policy issues surrounding the provision of adequate access for fire safety, the Development Services Director decided to have the requested condition modifications heard directly by the Board of Supervisors, as opposed to the Zoning Administrator.

**Modification Request:** The applicant is preparing to file the Parcel Map and is working to complete the Conditions of Approval. Conditions Nos. 1, 16, 25 and 47 require the approval of a Fire Safe Plan prior to the filing of the Parcel Map. As part of this Fire Safe Plan, Condition 16 required an exhibit showing that Burkett Lane will comply with the DISM and Fire Safe Regulations as well as (the creation of) "a secondary access road or acceptable alternative". Further, Condition 25 required the applicant to provide either a secondary access road or, as an alternative, to "provide evidence of a fire safe plan in accordance to the corresponding Fire District, prior to the filing of the Parcel Map." In addition, Condition 47 mandated a deed restriction for a Fire District / Cal Fire-approved Fire Safe Plan for the project. As conditioned, this Fire Safe Plan was to be reviewed and approved by the El Dorado County Fire Protection District. To date, the El Dorado County Fire Protection District has determined that the District would not approve a final Fire Safe Plan without a secondary access road. Fire District Comments are included as Exhibit L.

The applicant has requested to revise the above conditions to clarify: 1) that a secondary access road will not be required as part of the above discussed Fire Safe Plan for the project, and 2) that proposed off-site access, including requested design waivers, constitutes an "acceptable alternative" to a secondary access road, as referenced in Condition 16. Further, the applicant requests to modify the requirement for El Dorado County Fire District/Cal Fire approval as part of the final Fire Safe Plan, as referenced in Conditions 25 and 47. This is due to the fact that, to date, all required on-site and off-site access improvements have been completed for both Burkett Lane and Rattlesnake Bar Road and both meet the full requirements of the DISM and Fire Safe Regulations, as verified by DOT.

Since the Fire District will not approve the project Fire Safe Plan, as submitted, without a secondary access, the applicant requests that the Board of Supervisors utilize their authority to review and approve the final Fire Safe Plan in lieu of the Fire District, in accordance with Section 1270.70 of State Fire Regulations, which states that "approval of an exception to the fire safe regulations (can be) made by the "inspection authority." The term "inspection authority," in turn, is defined in section 1270.05 and includes "local jurisdictions where these regulations have been implemented through that jurisdiction's building permit or subdivision approval process." [14 CCR 1270.05, subd. (a)(3)]. Accordingly, El Dorado County would be the "inspection authority" for the project, and its determination to allow an exception would be binding upon County Fire and Cal Fire.

Details of completed on-site and off-site access improvements are reviewed under the DOT Comments section below. Requested changes to Conditions 1, 16, 25 and 47 are included as part of Attachment 1.

Further, staff is recommending modification of Condition 1 (project description) to remove all references to General Plan Amendment A08-0004 and Rezone Z07-0026, as these legislative actions have been previously completed.

**DOT Comments:** The DOT has reviewed the applicant's request to amend the above described Conditions of Approval and supports the elimination of a secondary access for the following reasons:

- 1) The applicant has successfully completed all of the required on-site and off-site improvements (Grading Permits No. 193525, 193526 & 193527) including the on-site roadways for Burkett Lane, off-site roadway on Burkett Lane, the encroachment of Burkett Lane onto Rattlesnake Bar Road and visibility and turnout improvements at three one-lane bridges along Rattlesnake Bar Road.
- 2) While the secondary access requirement is a part of DOT's standard conditions, it contains language that allows for variances (such as water tanks on site) that are approved by the local fire agency and included in typical fire safe plans. Accordingly, DOT would support staff's recommendation to remove said secondary access.

For reference, DOT comments have been included as Exhibit J.

**General Plan:** The following General Plan policies apply to this project, as it relates to Fire Safe Plans, including adequate vehicular access and infrastructure:

**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.

Consistent: Adequate road access would be conditioned to be improved to minimum DOT, Caltrans and Fire Safe standards prior to filing the map. As the project is located within a very high fire hazard area, with the exception of the above requested design waiver, all existing and proposed structures, driveways and access ways would be required to comply with minimum fire safety requirements applying to very high fire hazard areas including, but not limited to, defensible space, road width and turn-around requirements, as mandated by Section 4291 of the State Public Resources Code and Sections 1273.01 through 1273.10 of the State Natural Resources Code. In addition, the El Dorado County Fire Protection District has conditioned the project to comply with the above fire safe requirements prior to filing the parcel map. Power and phone are onsite. Future property owners will utilize individual wells to provide domestic water. Future property owners will be required to demonstrate that adequate water exists prior to issuance of building permits for residences.

Further, the previously approved General Plan Amendment and Rezone from a prior Land Use Designation of Commercial (C) to Rural Residential (RR) and Zone District of Commercial (C) to Estate Residential (RE-10) reduced the development potential of the property. For example, as part of this project, approximately 10 acres of Commercial-Zoned land have been permanently converted to residential use. Accordingly, impacts to existing roadways, utilities, and other public service infrastructure or wildfire hazards would be permanently reduced.

**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.

Consistent: The project would be served by existing domestic wells, and would be conditioned to meet the minimum water supply, water storage, conveyance and access requirements of the El Dorado County Fire Protection District which would be reviewed and approved by the District prior to filing the final parcel map.

**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.

Consistent: The project would be served by Burkett Lane and Rattlesnake Bar Road, both dead-end roads. Both roads would be improved to Fire District and Department of Transportation standards. However, the 5,280 foot length of Burkett Lane exceeds that allowed by the DOT. A Design Waiver has been requested to allow the road to exceed the 2,640-foot standard, allowing a 5,280 foot dead-end road. Since Burkett Lane will only be serving two additional parcels than what it already serves, and Rattlesnake Bar Road will only serve one additional parcel, the impact is expected to be insignificant. The Design Waiver request is supported by the El Dorado County Department of Transportation and Development Services Department.

**Conclusion:** The project has been reviewed in accordance with the El Dorado County 2004 General Plan Policies and it has been determined that the project, as revised, would be consistent with all applicable policies of the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

## **ENVIRONMENTAL REVIEW**

Staff has determined that the project revision is covered by the scope of the previous Mitigated Negative Declaration prepared for A08-0004/Z07-0026/P07-0025 and pursuant to Section 15162(b) of the CEQA Guidelines, no further documentation is necessary.

## SUPPORT INFORMATION

### Attachments to Staff Report:

Attachment 1 .....	Conditions of Approval
Attachment 2 .....	Findings for Approval
Exhibit A .....	Location Map
Exhibit B .....	Assessor's Parcel Number Page
Exhibit C .....	General Plan Land Use Map
Exhibit D .....	Zone District Map
Exhibit E .....	A08-0004/Z07-0026/P07-0025 Environmental Checklist Form and Discussion of Impacts
Exhibit F .....	A08-0004/Z07-0026/P07-0025 Staff Report (without attachments); Planning Commission/May 22, 2008
Exhibit G .....	Approved Tentative Parcel Map
Exhibit H .....	Planning Commission Minutes/May 22, 2008
Exhibit I .....	Board of Supervisors Minutes/June 17, 2008
Exhibit J .....	Department of Transportation Memo; August 4, 2011
Exhibit K .....	(Draft) Fire Safe Plan, December 1, 2010
Exhibit L .....	El Dorado County Fire Protection District Comment Letter; June 21, 2011

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

Parcel Map Revision P07-0025-R  
Board of Supervisors/October 18, 2011

### Conditions of Approval

1. The project, as approved, consists of the following:

**P07-0025 Project Description:** ~~This General Plan land use designation amendment, rezone, and tentative parcel map are based upon and limited to compliance with the project description, the Planning Commission hearing exhibit Marked Exhibits A-K (General Plan amendment/rezone/tentative parcel map) dated May 22, 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 will constitute a violation of permit approval.~~

Approval of this project allows the following: ~~amendment to the General Plan land use designation from Rural Residential, Important Biological Corridor (RR-IBC) and Commercial Platted Lands (C-PL) to Rural Residential (RR) on the 129.42-acre lot referenced as Assessor's Parcel Number 104-100-67; a rezone to change zoning designation from RE-10 (Estate Residential, Ten Acre), RE-5 (Estate Residential, Five Acre), C (Commercial) and AE (Exclusive Agricultural) to RE-10 (Estate Residential, Ten Acre) and~~ A tentative parcel map to subdivide an existing 129.43-acre parcel into four parcels ranging in size from 20.00 to 47.22-acres. Future development (structural improvements, grading, utilities, paving, etc) will be limited to building envelopes designated on Exhibit G. Building envelopes are designated on areas of less than 30% slope, outside setback areas for water courses and water bodies, and outside setbacks required by the RE-10 zone district. Access for Parcel 2 will be provided from Rattlesnake Bar Road. Access for Parcels 1, 3, and 4 will be provided by Burkett Lane. Burkett Lane will be improved to Fire Department and Department of Transportation standards.

**P07-0025-R Project Description:** Request to revise approved Tentative Parcel Map P07-0025 to: (1) amend Conditions of Approval Nos. 1, 16, 25 and 47, regarding approval of the project Fire Safe Plan and (2) reaffirm approval of a design waiver allowing for creation of a 5,280 foot dead-end road.

2. All site improvements shall conform to Exhibits E-G.

### **Environmental Review (Mitigation Measures)**

3. **MM Bio-1:** All grading, improvement, and building plans shall state: "It is the applicant and contractor's responsibility to comply with all applicable state and federal laws and regulations including the Federal and State Endangered Species Acts and the Clean Water act for all on-site impacts. The County Grading Permit does not authorize Contractor to conduct activities not permitted by applicable State and Federal agencies in areas subject to State and Federal jurisdiction."

*Timing/Implementation: Prior to issuance of grading and building permits*

*Enforcement/Monitoring: El Dorado County Planning*

4. **MM Bio-2:** In order to avoid impacts to sensitive habitat for State- and/or Federally-listed species, species of concern; impacts due to erosion and sedimentation, and impacts drainages, watercourses, and water bodies, building/development envelopes shall be designated consistent with Exhibit G, dated April 21, 2008. No development or earth disturbance shall occur outside of these areas. Construction equipment operation shall be confined to the approved development envelopes. Prior to final map recordation, a Notice to Property Owner (NTPO) stating this limitation and including a figure depicting the development envelope location shall be recorded with the County Clerk-Recorder. The development envelope shall be shown on all plans submitted for land use and building permits. Development envelope boundaries shall be staked in the field.

*Timing/Implementation: Prior to issuance of final map recordation*

*Enforcement/Monitoring: El Dorado County Planning*

5. **MM Bio-3:** Any oak trees removed from the site shall be mitigated as specified in the Interim Interpretive Guidelines for El Dorado County as adopted by the County on November 9, 2006. Mitigation for loss of tree canopy shall be implemented to reduce impacts from oak tree loss. Fulfillment of any one of the following options will reduce impacts to a less than significant level:

- a. For tree replacement under Policy 7.4.4.4 of the General Plan, oak trees shall be replanted at a rate of 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 or qualified biologist 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 or biologist 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.



- b. Payment of all fees required under Option B of General Plan Policy 7.4.4.4 to the county's Integrated Natural Resources Management Plan (INRMP). Payment of fees shall be at a migration ratio of 2:1 and based on all impacted oak woodland acreage. Payment of fees and successful completion of this alternative is dependent upon county adoption and implementation of the INRMP by the County and approval of Planning Services.

*Timing/Implementation: Prior to issuance of grading and building permits*  
*Enforcement/Monitoring: El Dorado County Planning*

6. **MM Bio-4:** If option a. above is utilized, the applicant shall provide an update letter to be prepared by a qualified professional about the health and progress of the re-planted oak saplings and/or oak acorns for this project.

*Timing/Implementation: Prior to issuance of occupancy permits*  
*Enforcement/Monitoring: El Dorado County Planning*

7. **MM Bio-5:** If option a. above is utilized, Covenants, Conditions, and Restrictions (CC&Rs) shall be established and recorded for this project that would, in part, ensure the survival of replanted oaks by requiring that each property owner share equally in the responsibility in the long term monitoring and maintenance of replanted oaks. The CC&Rs shall require that the property owners coordinate a one year, three years, five years, and ten year monitoring survey to be prepared by a qualified professional for both oak and saplings that would be replaced, as well as a similar fifteen year survey update for acorns. In the event that the replanted saplings or acorns not survive, they shall be replaced (at the sole and equally shared cost of each property owner) based on County adopted policies and standards, and based on the input of a qualified professional.

*Timing/Implementation: Prior to issuance of grading and building permits*  
*Enforcement/Monitoring: El Dorado County Planning*

8. **MM Bio-6:** A conservation easement, consistent with Exhibit G contained herein, shall be designated on the parcel map for the sole purpose of providing an area for the replacement of oak trees disturbed or removed consistent with Option A of General Plan Policy 7.4.4.4. This conservation easement shall be recorded prior to filing of the parcel map. The conservation easement may be modified subject to review and approval by Planning Services with appropriate documentation from the property owner in the form of an oak tree canopy report and tree replacement and preservation plan prepared by a certified project arborist or qualified biologist. The plan shall evaluate potential impacts of future development activities within designated building envelopes. Modification of the conservation easement will require formal application to El Dorado County Planning Services for a map revision.

*Timing/Implementation: Prior to filing of the parcel map*  
*Enforcement/Monitoring: El Dorado County Planning*

9. **MM Bio-7:** Prior to issuance of grading permits, the property owner shall select one building envelope on Parcel 3 upon which development activities are to occur. Grading permits and building permits shall specify the proposed envelope on an exhibit to be provided to the contractor designated to perform the grading and construction activities.

*Timing/Implementation: Prior to issuance of grading and building permits*  
*Enforcement/Monitoring: El Dorado County Planning*

10. **MM Bio-8:** Fencing shall be limited to areas around barns and or homes for the purposes of protecting livestock or landscaping. The property owner shall submit a fencing plan to El Dorado County Planning with the submission of building permits for review and approval.

*Timing/Implementation: Prior to issuance of building permits*  
*Enforcement/Monitoring: El Dorado County Planning*

#### **Planning Services**

11. 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.
12. The applicant shall be required to pay Park-in-Lieu fee of \$150.00 payable to El Dorado County, pursuant to El Dorado County Subdivision Ordinance Chapter 16.12.090. A receipt showing compliance with this condition shall be submitted by the applicant to the Planning Services prior to filing of the final parcel map.
13. The applicant shall make the actual and full payment of planning processing fees for the general plan amendment, rezone and the tentative parcel map application prior to filing the parcel map.
14. 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 parcel map, 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.

## El Dorado County Department of Transportation

### Project Specific DOT Conditions

15. **On-site Access Improvements:** The applicant shall widen the on-site portion of Burkett Lane to a 20-ft wide roadway with 10-ft shoulders on each side consistent with the provisions of the El Dorado County Design and Improvement Standards Manual (DISM), Standard Plan, 101C and *DISM II.3.A.12.a*, in effect at the time improvement plans are submitted for review and approval. 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.
16. **Off-site Access Improvements:** The applicant shall construct and /or verify that the off-site portion of Burkett Lane from the project boundary to Rattlesnake Bar Road, meets the requirements of El Dorado County Standard Plan 101C, and *DISM II.3.A.12.a*, a 20-foot roadway width with 10-foot wide shoulders on each side of the roadway, as required in Section 3.A.2.c.ii, of the DISM, and Fire Safe Regulations. The applicant shall provide an exhibit to the DOT, Planning, and the Fire Agency that shows that Burkett Lane complies with the DISM and Fire Safe Regulations, ~~as well as a secondary access road or acceptable alternative.~~ No secondary access road shall be required for this project. 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.
17. **Off-site Access Easements:** The applicant shall provide proof of access to the project site from a State or County maintained road. Said proof shall be provided by and through a "Parcel Map Guarantee" which shall be submitted to the County Surveyor's Office with the first map check for the parcel map.
18. The applicant shall grant a 60-foot road and public utility easement (R & PUE) where Rattlesnake Bar Road is located within the property boundaries prior to the filing of the parcel map. This offer will be accepted by the County.
19. A vehicular restriction must be placed on the existing road located within the existing 50-foot road easement (PM 15-86) for Parcels 1, 2, and 3 prior to the filing of the parcel map.

20. The applicant shall grant a 60-foot road and public utility easement (R & PUE) where Burkett Lane is located within the property boundaries prior to the filing of the parcel map. This offer will be rejected by the County.
21. Per the El Dorado County Design and Improvement Standards Manual (DISM) Section 3.B.2, the roadway shown at approximately STA 21+00 Burkett Lane shall be reconstructed so as to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than 70 degrees. The improvement plans shall provide bearings on the centerline of proposed roadway to show said condition is met.
22. The applicant shall construct the roadway encroachment of Burkett Lane onto Rattlesnake Bar Road to the provisions of DISM Standard Plan 103D and shall be paved per recommendations of geotechnical engineer. 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.
23. The applicant shall provide for unobstructed visibility at the one-lane bridges (3 locations on Rattlesnake Bar Road) and provide/verify turnouts with a minimum 25-foot taper on each end. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an 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.
24. The applicant shall form and/or verify the existence of an entity, to the satisfaction of DOT, for maintenance of all on-site roads and/or drainage facilities not maintained by the County, prior to the filing of the parcel map.
25. Per Pursuant to the Design and Improvement Standards Manual [Section 3 A) 9) & 12]) the applicant shall be required to provide a secondary access to this site ~~or provide evidence of a fire safe plan in accordance to the corresponding fire department, prior to the filing of the parcel map,~~ or in lieu of a secondary access, submit a Fire Safe Plan to the County. The Board of Supervisors shall have authority to grant approval of said Fire Safe Plan, subject to satisfaction of all applicable DISM and Fire Safe Regulations for improvements related to Burkett Lane. Required improvements for Burkett Lane 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.
26. 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 twenty-percent (20%) 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.

27. The applicant shall adhere to all DOT standard conditions as specified in Attachment A.

#### **Standard DOT Conditions**

28. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee the performance of the Improvement Agreement as set forth within the County of El Dorado Subdivision Ordinance, prior to filing of the parcel map.
29. If site improvements are to be made, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado "Design and Improvement Standards Manual," the "Grading, Erosion, and Sediment Control Ordinance", the "Drainage Manual", the "Off-Street Parking and Loading Ordinance", and the State of California Handicapped Accessibility Standards.
30. 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.
31. Any import, or export to be deposited within El Dorado County, shall require an additional grading permit for that offsite grading.
32. The applicant shall provide a drainage report at the 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.

33. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to the DOT with the approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.
34. The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.
35. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.
36. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and potential discharge of pollutants into drainages.
37. The applicant shall submit a soils and geologic hazards report (meeting the requirement for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading and design plans shall incorporate the findings of detailed geologic and geotechnical investigations.
38. Grading plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation (DOT). The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the DOT shall consider the imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. The County shall issue no building permits until the DOT approves the final grading and erosion control plans and the grading is completed.
39. The timing and construction and method of revegetation shall be coordinated with the El Dorado Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the DOT. The DOT shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
40. 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 record drawings in TIF format.

41. Construction activities shall be conducted in accordance with the County noise regulation or limited to the following hours and days: 7:00 a.m. and 5:00 p.m. on any weekday; 8:00 a.m. and 5:00 p.m. on Saturdays; and prohibited on Sundays and holidays.
42. For projects that disturb more than one acres of land area (43,560 square feet), the Developer 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). The condition is mandated by 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 construction.

#### **El Dorado County Fire Protection District**

43. Submit a review fee of \$120.00.
44. Fire flow for this project is 1,000 gpm @ 20 psi for two hours with additional fire hydrants.
45. In place of requirements for hydrants and fire flow the applicant may enter into a deed restriction for parcels 1, 2, and 4 for a "Fire District approved NFPA 13D Fire Sprinkler System with 3,000 gallons of water storage for all new structures."
46. The existing home on Parcel 3 is required to have a 3,000 gallon storage tank that is Fire District approved and within 500 feet of the home.
47. A deed restriction for an El Dorado County Fire District and a California Department of Forestry (CDF) approved Fire Safe Plan is required for this TPM. a final Fire Safe Plan is required for this Tentative Parcel Map. The Fire Safe Plan shall be reviewed and approved by El Dorado County Fire Protection District. Said Fire Safe Plan shall be submitted to the County, and shall be subject to satisfaction of all applicable DISM and Fire Safe Regulations for Burkett Lane. The DOT shall review and approve the final Fire Safe Plan prior to the filing of the parcel map.
48. Existing non-conforming access roads serving this TPM will meet at a minimum Fire Safe Standards for width, surface, grade, radius, turnarounds, and turnouts, one-way and dead-end roads.
49. El Dorado County DOT standards may be more stringent and will supercede these requirements.
50. All Fire Protection District Requirements shall be completed prior to filing of the parcel map.

**El Dorado County Office of County Surveyor**

51. All survey monuments must be set prior to filing the parcel map.
52. 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**

#### **Parcel Map Revision P07-0025-R Board of Supervisors/October 18, 2011**

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 Staff has determined that the project revision is covered by the scope of the previous Negative Declaration and pursuant to Section 15162(b) of the CEQA Guidelines, no further documentation is necessary.
- 1.2 No significant impacts to the environment as a result of this project were identified in the Previous Initial Study.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in custody of the Development Services Department-Planning Services at 2850 Fairlane Court, Placerville, CA 95667.

##### **2.0 APPLICABLE GENERAL PLAN CONSISTENCY FINDINGS**

- 2.1 The proposal, as revised and conditioned, is consistent with the intent of Policies 2.1.1.7, 5.7.1.1, 6.2.3.2, and because, upon completion of the conditions, there will be adequate roadways, utilities, and other public service infrastructure available. The project is consistent with the dominant lot pattern of development in the direct project vicinity and wildfire hazards have been addressed.

##### **3.0 DESIGN WAIVER APPROVAL FINDINGS FROM TENTATIVE PARCEL MAP P07-0025**

- 3.1 To allow the length of a dead end street from 2,640 feet to a length of 5,280 feet, in compliance with the El Dorado County Department of Forestry SRA Fire Safe Regulations 1273.09(a) Dead End Roads which allows the maximum length of a dead-end road not to exceed 5,280 feet.

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

The proposed access road would meet the County's road standards in terms of width but can not be looped because Burkett Lane is cut off by the American River to the north, as is Rattlesnake Bar Road. There are no other alternatives for secondary access.

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

The project would only result in the creation of two additional lots to be served by Burkett Lane, which presently serves 10 additional parcels to the north. Because of existing zoning and environmental constraints on these parcels, future discretionary development is unlikely to occur north of the proposed project. The requirement to create an additional access or looped road would therefore be burdensome on this proposed project. Such a requirement also seems unnecessary given that traffic volumes are low and the applicant will be required to develop a Fire Safe Plan acceptable to the El Dorado County Fire Protection District and DOT prior to final map recordation. Further, the applicant has reduced the future development potential of the property and previously received approval of a General Plan amendment and rezone of approximately 10 acres of the project from a General Plan Land Use Designation of Commercial (C) to Rural Residential (RR) and a Zone District of Commercial (C) to Estate Residential, Ten Acre (RE-10).

- 3.1.3 *The waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.*

As approved and conditioned, on-site and off-site access improvements would be consistent with applicable DISM and Fire Safe Regulations. In addition, all existing and proposed structures, driveways and access ways would be required to comply with the approved Fire Safe Plan. Accordingly, the granting of the waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.

- 3.1.4 *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

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 the County Code or any of the other applicable ordinances discussed within the staff report.

# P07-0025-R LOCATION MAP

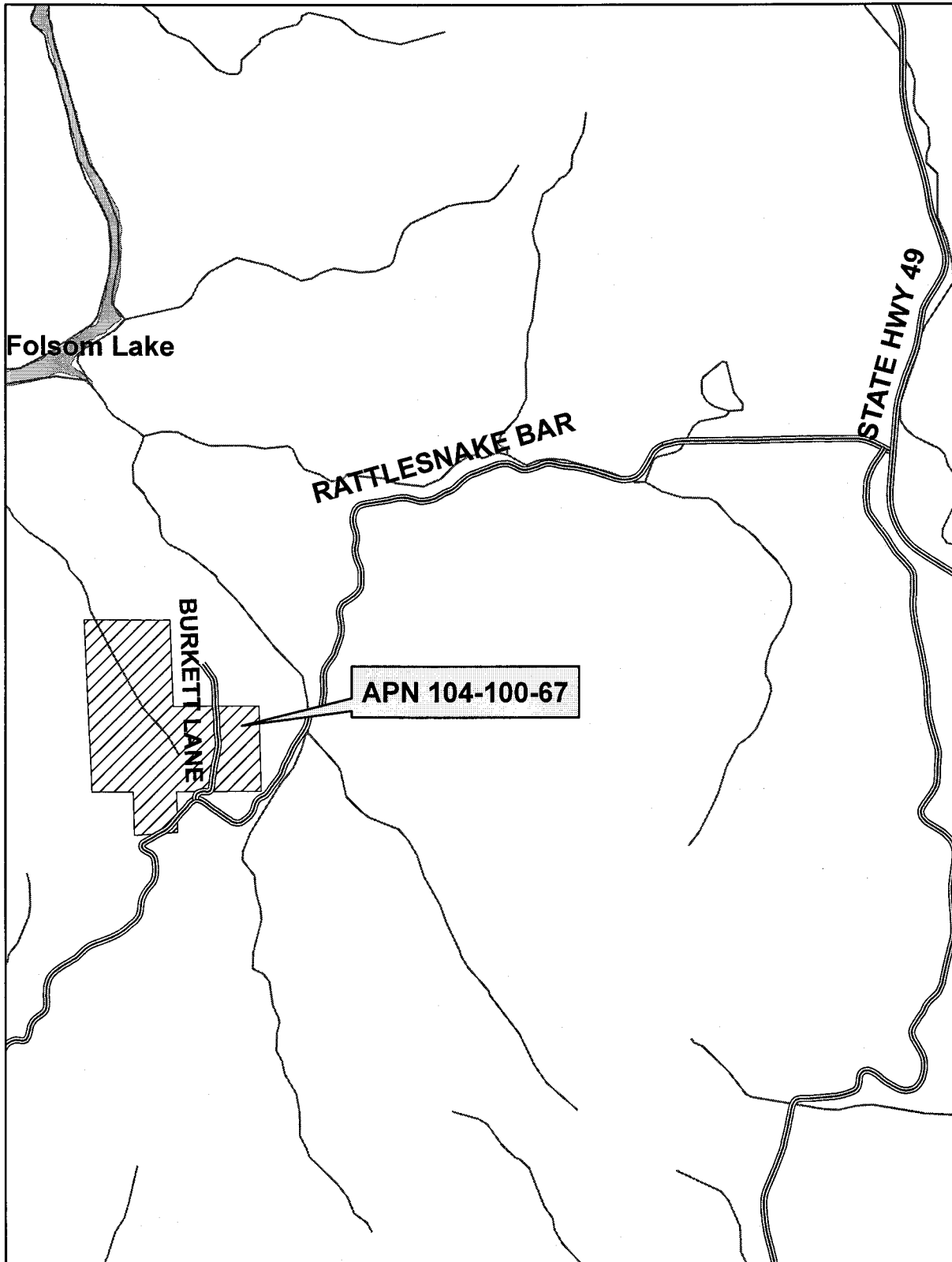
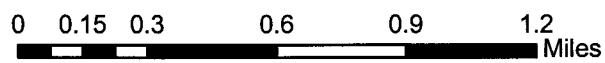


EXHIBIT A



### Exhibit B- Assessor's Parcel Map

JUL 2 9 1996

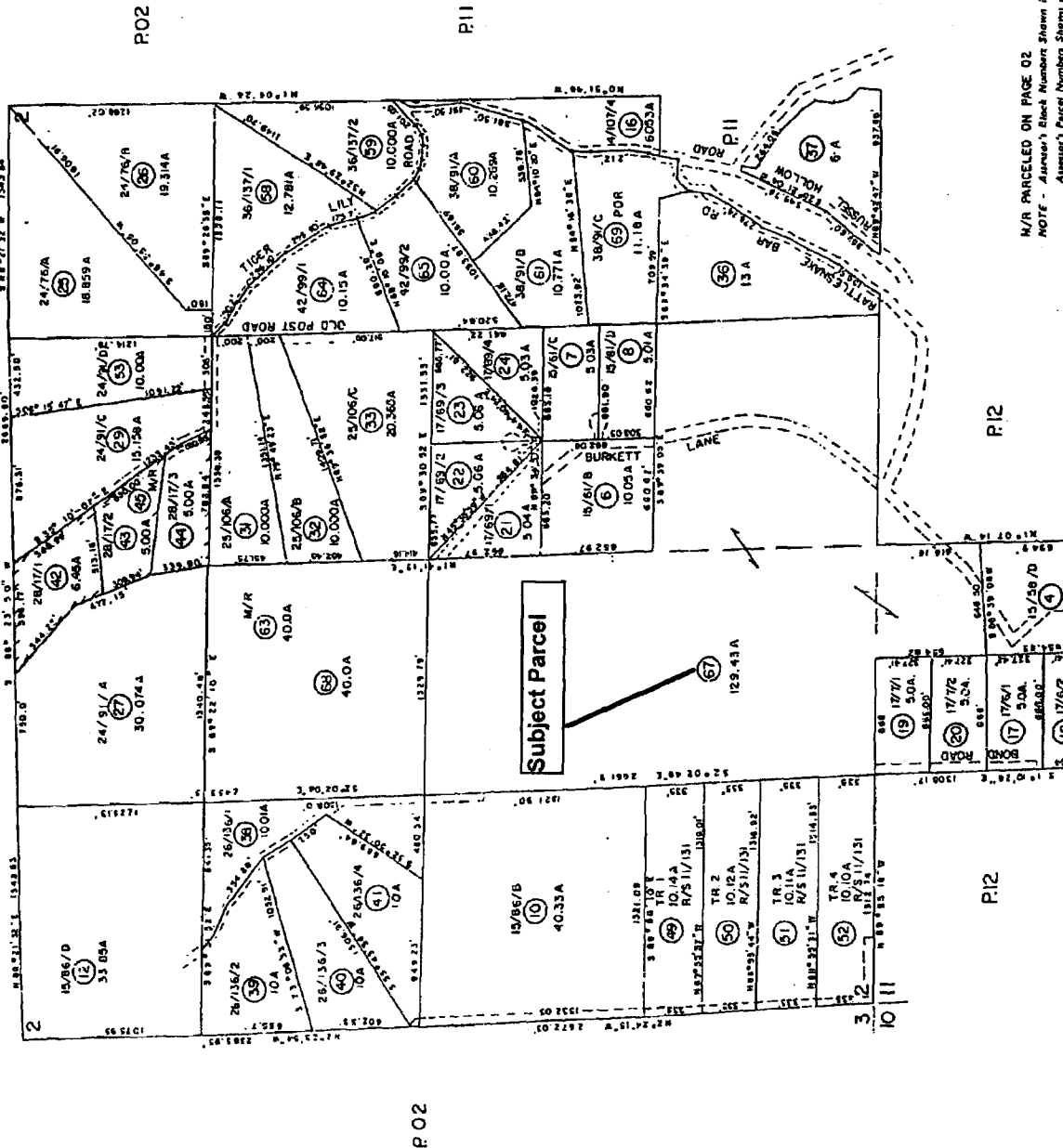
Assessor's Map Bk. 104 - Pg. 10  
County of El Dorado, California

AMC 0 0 0 0 0

M/R PARCELED ON PAGE 02  
NOTE - Assessor's Block Numbers Shown in Ellipse  
Assessor's Parcel Number Shown in Circle

POR. SECS. 2 & 11, T11N, R. 8E, M.D.M.

BK. 71 P. 04



# EXHIBIT B

# P07-0025-R GENERAL PLAN LAND USE MAP

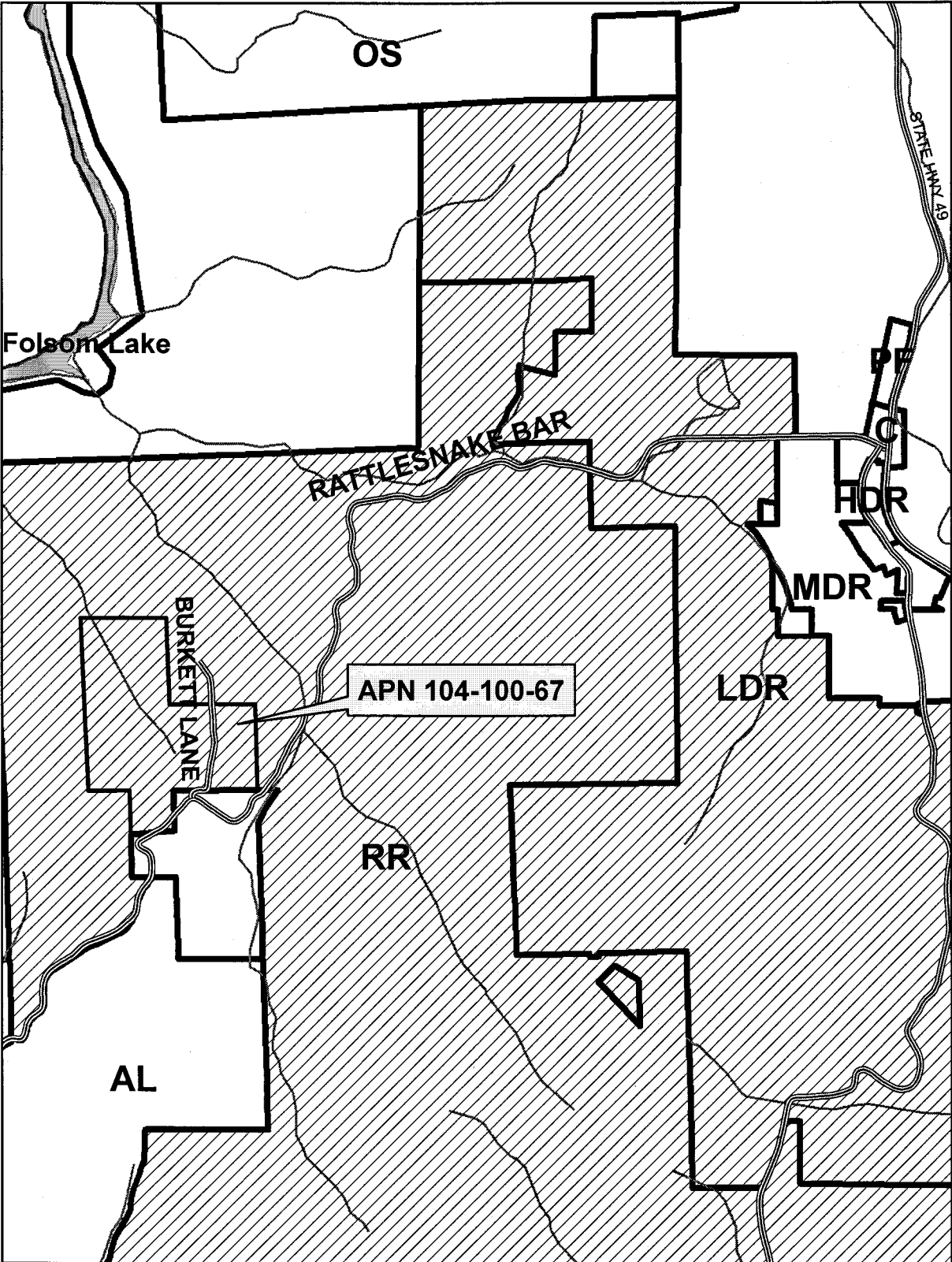
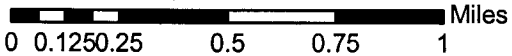


EXHIBIT C



 Important Biological Corridor (IBC)

# P07-0025-R ZONE DISTRICT MAP

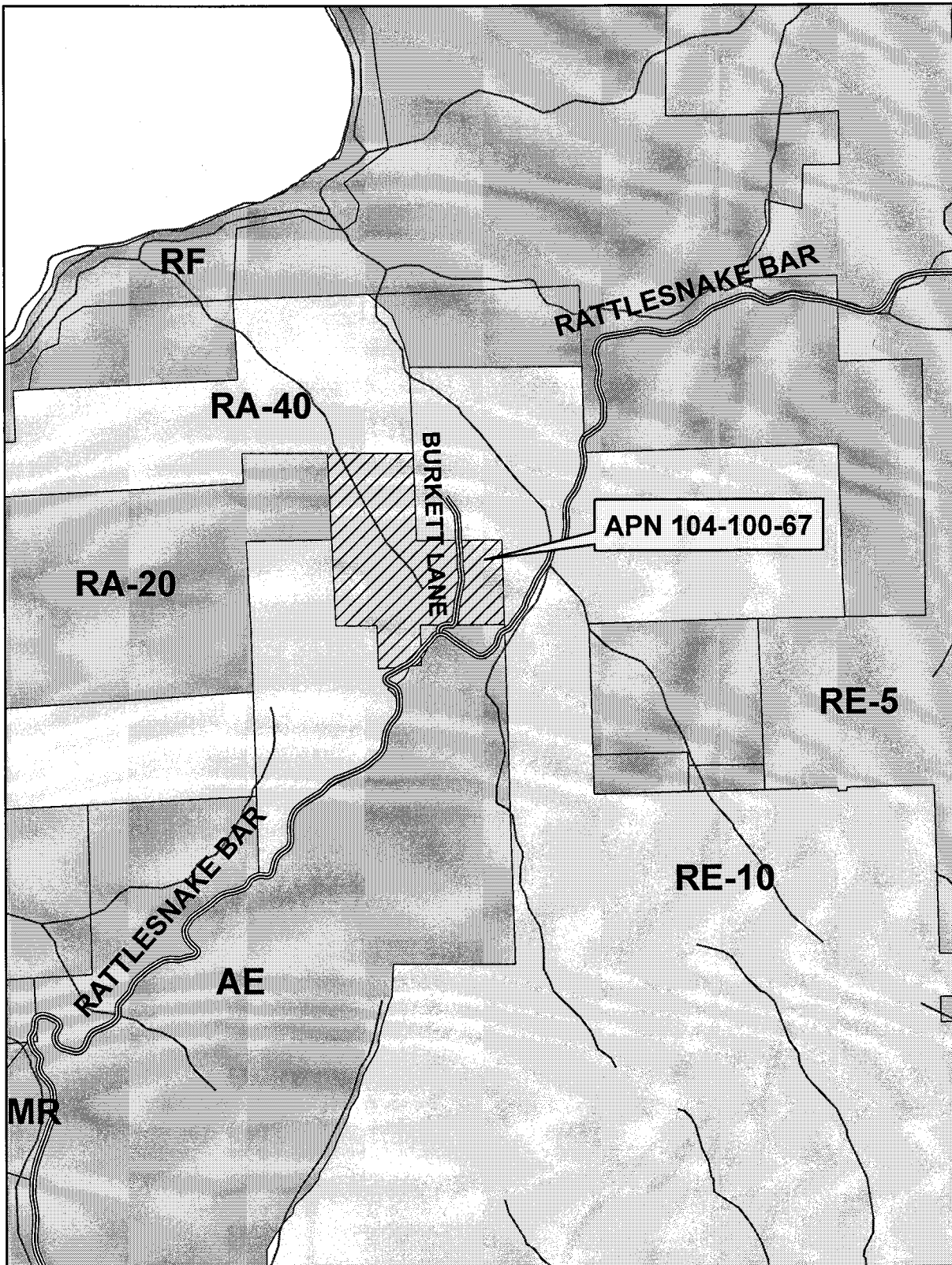
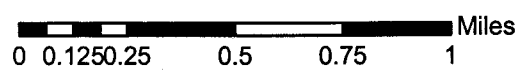


EXHIBIT D





**EL DORADO COUNTY PLANNING SERVICES  
2850 FAIRLANE COURT  
PLACERVILLE, CA 95667**

**ENVIRONMENTAL CHECKLIST FORM  
AND DISCUSSION OF IMPACTS**

**Project Title:** Burkett Lane - Hagstrom Parcel Map (General Plan Amendment A08-0004, Rezone Z07-0026, Parcel Map P07-0025)

**Lead Agency Name and Address:** El Dorado County, 2850 Fairlane Court, Placerville, CA 95667

**Contact Person:** Gordon Bell

**Phone Number:** (530) 647-1932

**Property Owner's Name and Address:** Wesley Hagstrom, 3215 Stagecoach Road, Placerville, CA 95667

**Project Applicant's Name and Address:** Carlton Engineering, 3883 Ponderosa Road, Shingle Springs, CA

**Project Agent's Name and Address:** Ted Woessner, 3883 Ponderosa Road, Shingle Springs, CA 95682

**Project Engineer's / Architect's Name and Address:** Carlton Engineering (see above address)

**Project Location:** North side of Rattlesnake Bar Road 100 feet north of the intersection with Burkett Lane

**Assessor's Parcel Number(s):** 104-100-67 (129.43 acres)

**Zoning:** RE-10,(Estate Residential Ten-Acres), RE-5 (Residential Five-Acres), C (Commercial), AE (Exclusive Agricultural)

**Section:** 2&11 T: 11N R: 8E

**General Plan Designation:** Rural Residential (RR)/ Commercial-Platted Lands (C-PL)

**Description of Project:** The proposed project consists of the following actions:

1. Request to change land use designation from RR (Rural Residential) & C-PL (Commercial-Platted Lands) to RR (Rural Residential)
2. Request to change zoning designation from RE-10 (Estate Residential Ten-Acres), RE-5 (Residential Five-Acres), C (Commercial) and AE (Exclusive Agricultural) to RE-10 (Estate Residential Ten-Acres)
3. Request to divide a 129.43 acre parcel into 4 parcels ranging in size from 20 to 49 acres.

**Surrounding Land Uses and Setting:**

	<u>Zoning</u>	<u>General Plan</u>	<u>Land Use</u> (e.g., Single Family Residences)
Site:	RE10, RE5, C, AE	RR, C	Rural residence, Open Space, Agriculture
North:	RA40	RR	Rural residence
East:	RE10	RR	Rural residence
South:	RE10, AE	RR	Rural residence
West:	RA20, RE10	RR	Rural residences

**Briefly Describe the environmental setting:** The project site is situated between 920 and 1,440 feet elevation on property that encompasses the headwaters and both sides of an ephemeral tributary of the North Fork of the American River, which it joins approximately ¾ of a mile northwest of the project site. Slopes on-site vary from nearly flat alongside Burkett Lane to 57 percent east of the creek near the center of the parcel; slopes east of the creek average 24 percent and those west of the creek average 37 percent.

EXHIBIT E

There are six seasonal drainages on the parcel that contribute water to the ephemeral tributary. There are also two small reservoirs located on the drainage, and a third water impoundment which was formed in an ATV track within a swale below the existing house.

Soils on the site are classified in the Auburn, Boomer and Sobrante series. The soil types are Auburn silt loam (AwD), Auburn very rocky silt loam (AxD and AxE), Boomer very rocky loam (BkE) and Sobrante silt loam (SuC). Boomer rocky loam is the predominant soil type; it is replaced by Auburn soils outside of the main ephemeral drainage.

Vegetation on the project site consists of three series: Mixed oak woodland, Ponderosa pine, and annual grassland. Mixed oak woodland is the predominant vegetation found on the parcel, replaced by Ponderosa pine woodland within the steepest ravines.

There is an existing residence located in the southwest corner of the parcel approximately 200 feet north of the intersection of Burkett Lane and Rattlesnake Bar Road. A dirt road bisects the parcel from south to north along the ephemeral drainage. This road provides access to residences north of the site.

**Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):**

1. El Dorado County Building Services: Grading permit and on site road improvements
2. El Dorado County Air Quality Management District: require an approved Asbestos Dust Mitigation Plan for air quality impacts during project construction.
3. El Dorado County Department of Transportation: Encroachment Permits for off-site road improvements
4. El Dorado County Fire Protection District: Approval of Fire Safe Plan



**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Agriculture Resources		Air Quality
X	Biological Resources		Cultural Resources		Geology / Soils
	Hazards & Hazardous Materials		Hydrology / Water Quality		Land Use / Planning
	Mineral Resources		Noise		Population / Housing
	Public Services		Recreation		Transportation/Traffic
	Utilities / Service Systems		Mandatory Findings of Significance		

**DETERMINATION**

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by mitigation measures based on the earlier analysis as described in attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION**, pursuant to applicable standards; and b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: Gordon Bell Date: April 30, 2008

Printed Name: Gordon Bell For: El Dorado County

Signature: Pierre Rivas Date: 4-30-08

Printed Name: Pierre Rivas For: El Dorado County

## **EVALUATION OF ENVIRONMENTAL IMPACTS**

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. the significance criteria or threshold, if any, used to evaluate each question; and
  - b. the mitigation measure identified, if any, to reduce the impact to less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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**ENVIRONMENTAL IMPACTS**

<b>I. AESTHETICS. <i>Would the project:</i></b>			
a. Have a substantial adverse effect on a scenic vista?			X
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X
c. Substantially degrade the existing visual character quality of the site and its surroundings?			X
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X

**Discussion:**

A substantial adverse effect to Visual Resources would result in the introduction of physical features that are not characteristic of the surrounding development, substantially change the natural landscape, or obstruct an identified public scenic vista.

- a. **Scenic Vista.** The proposed project has the potential to result in the construction of additional residences, outbuildings and appurtenant structures on each of the parcels. These structures would be constructed on large lots which are surrounded by trees and located relatively distant from public roadways that may provide a scenic vista. Based on the proposed building envelopes, none of these structures would have the potential to impinge upon any scenic vistas, as they are located outside the viewshed from Rattlesnake Bar Road down the ephemeral drainage. There would be no impact.
- b. **Scenic Highways.** There are no scenic highways within the project vicinity, and thus there is no potential for damage to scenic resources. There would be no impact.
- c. **Visual Character.** As discussed in (a), the project has the potential to introduce residences, outbuildings and appurtenant structures on each of the proposed parcels. This type of development on parcels in excess of 20 acres would not degrade the existing visual quality of the site and its surroundings, as it would be in character with rural residential development on surrounding parcels. There would be no impact.
- d. **Light and Glare.** No new lighting will directly result subject of these current application requests. All future outdoor lighting for future development will be required conform to Section 17.14.170 of the El Dorado County Zoning Ordinance, and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Impacts would be less than significant.

**Finding:** The proposed project has the potential to result in the construction of future residences and other structures on large residential parcels. This development is entirely consistent with the character of surrounding rural residential development, much of which occurs on smaller lots sizes. Future building is not expected to impinge upon existing scenic vistas, and no scenic resources exist within the project vicinity. Light and glare associated with construction of new residences in previously undeveloped areas is not expected to be significant and would be required to conform to zoning ordinance requirements. For this "Aesthetics" category, impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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II. AGRICULTURE RESOURCES. <i>Would the project:</i>			
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Locally Important Farmland (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?			X
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			X

**Discussion:**

A substantial adverse effect to Agricultural Resources would occur if:

- There is a conversion of choice agricultural land to nonagricultural use, or impairment of the agricultural productivity of agricultural land;
- The amount of agricultural land in the County is substantially reduced; or
- Agricultural uses are subjected to impacts from adjacent incompatible land uses.

- a. **Conversion of Prime Farmland.** The proposed project would not convert any prime farmland, unique farmland, farmland of statewide importance, or locally important farmland to non-agricultural use. The El Dorado County Conservation District has reviewed the project and did not identify important Agricultural Preserves or Districts within the project area. There would be no impact.
- b. **Williamson Act Contract.** The project site is not currently under Williamson Act Contract. Only a small portion of the property is currently zoned for agricultural use (AE- Exclusive Agriculture), approximately 0.314 acres. The Agricultural Commission reviewed this project on August 15, 2007 and determined that the conversion of this small amount of agriculturally zoned land is insignificant given that the agricultural portion is not under Williamson Act Contract, is not fenced, and is not adjacent to other agriculturally zoned land. There would be no impact.
- c. **Non-agricultural Use.** This project is located in an area designated for rural residential use, and not agriculture. There would be no impact.

**Finding:** No impacts to agricultural land are expected and no mitigation is required. The general plan amendment, rezone request and parcel map is compatible with the surrounding neighborhood. For this "Agriculture" category, there would be no impact.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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III. AIR QUALITY. <i>Would the project:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?				X
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d. Expose sensitive receptors to substantial pollutant concentrations?				X
e. Create objectionable odors affecting a substantial number of people?				X

**Discussion:**

A substantial adverse effect on Air Quality would occur if:

- Emissions of ROG and No<sub>x</sub>, will result in construction or operation emissions greater than 82lbs/day (See Table 5.2, of the El Dorado County Air Pollution Control District – CEQA Guide);
- Emissions of PM<sub>10</sub>, CO, SO<sub>2</sub> and No<sub>x</sub>, as a result of construction or operation emissions, will result in ambient pollutant concentrations in excess of the applicable National or State Ambient Air Quality Standard (AAQS). Special standards for ozone, CO, and visibility apply in the Lake Tahoe Air Basin portion of the County; or
- Emissions of toxic air contaminants cause cancer risk greater than 1 in 1 million (10 in 1 million if best available control technology for toxics is used) or a non-cancer Hazard Index greater than 1. In addition, the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.

- a. **Air Quality Plan.** The El Dorado County/California Clean Air Act Plan has set a schedule for implementing and funding Transportation Control Measures to limit mobile source emissions. The proposed project will not conflict with or obstruct the implementation of this plan. Impacts would be less than significant.
- b,c. **Air Quality Standards.** Currently, El Dorado County is classed as being in "severe non-attainment" status for Federal and State ambient air quality standards for ozone (O<sub>3</sub>). Additionally, the County is classified as being in "non-attainment" status for particulate matter (PM<sub>10</sub>) under the State's standards. The California Clean Air Act of 1988 requires the County's air pollution control program to meet the State's ambient air quality standards. The El Dorado County Air Pollution Control District (EDCAPCD) administers standard practices for stationary and point source air pollution control. Projected related air quality impacts are divided into two categories:

Short-term impacts related to construction activities; and  
 Long-term impacts related to the project operation.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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Short-term, superficial, minor grading and excavation activities that could be associated with grading associated with roadway/driveway development and building pads, but that type of construction typically would only last a few days and intermittently at that.

Mobile emission sources such as automobiles, trucks, buses, and other internal combustion vehicles are responsible for more than 70 percent of the air pollution within the County, and more than one-half of California's air pollution. In addition to pollution generated by mobile emissions sources, additional vehicle emission pollutants are carried into the western slope portion of El Dorado County from the greater Sacramento metropolitan area by prevailing winds. Future grading would potentially emit minor, temporary and intermittent criteria air pollutant emissions from vehicle exhaust and would be subject to El Dorado County Air Pollution Control District standards at that time. Impacts would be less than significant with adherence to APCD Rules and Regulations.

- d. **Sensitive Receptors.** The El Dorado County AQMD has reviewed the project and sensitive receptors were not identified in the area and thus no such receptors would be affected by this project. Impacts would be less than significant.
- e. **Odors.** Residential development is not classified as an odor generating facility within Table 3.1 of the El Dorado County AQMD CEQA Guide. The parcel map would create a less than significant impact onto the environment from odors.

**Finding:** Standard County conditions of approval have been included as part of the project permit to maintain a less than significant level of impact in the 'Air Quality' category. Impacts would be less than significant.

IV. BIOLOGICAL RESOURCES. <i>Would the project:</i>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state				X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>IV. BIOLOGICAL RESOURCES. <i>Would the project:</i></b>			
habitat conservation plan?			

**Discussion:**

A substantial adverse effect on Biological Resources would occur if the implementation of the project would:

- Substantially reduce or diminish habitat for native fish, wildlife or plants;
- Cause a fish or wildlife population to drop below self-sustaining levels;
- Threaten to eliminate a native plant or animal community;
- Reduce the number or restrict the range of a rare or endangered plant or animal;
- Substantially affect a rare or endangered species of animal or plant or the habitat of the species; or
- Interfere substantially with the movement of any resident or migratory fish or wildlife species.

a. **Special Status Species and Sensitive Natural Communities.** The applicant has prepared a biological study that evaluates the potential impacts of the proposed project to candidate, sensitive, or special status species (*Biological Resources Evaluation Report for Hagstrom Parcel Map*, Ruth A. Wilson – Consulting Biologist, May 2007). The report concluded that potential habitat exists on site for four state- or federal-listed species, which included one invertebrate, two amphibians, and one plant species. Specifically, these species included Vernal pool fairy shrimp (*Branchinecta lynchi*), California tiger salamander (*Ambystoma californiease*), California red-legged frog (*Rana aurora draytonii*) and Boggs Lake hedge-hyssop (*Gratiola heterosepala*) during searches of the site in April 2007. Potential habitat was also found for thirty-six species of concern.

The introduction of human activities associated with proposed development and ongoing habitation of the proposed parcels has the potential to result in incidental take of state- and/or federally-listed species, although none of the above referenced species were observed onsite. Proposed mitigation including the establishment of building envelopes to preclude development in sensitive habitat areas and the inclusion of notes on recorded maps to make contractors aware of potential state and federal regulations should mitigate impacts to less than significant levels.

b. **Riparian Habitat.** The biological study identified an ephemeral drainage to the American River (bisects the project site from south to north) and six seasonal drainages on the property that flow into this ephemeral drainage. All drainages were dry during April and May surveys. While all of these drainages on site carry water seasonally, none of the drainages (including the main ephemeral drainage) exhibit riparian characteristics (Telecommunication with Ruth Wilson, consulting biologist, April 14, 2008). Building envelopes recommended as mitigation measures to protect other resources would also protect any potential riparian habitat that exists within these drainages. There would be no impact.

c. **Wetlands.** Two small reservoirs are located on the main ephemeral drainage, and a third water impoundment which was formed by an ATV track within a swale below the existing house. Wetland vegetation was observed around the ponds located on proposed Parcel 3. Onsite drainages did not exhibit wetland characteristics because slope gradients were too steep. Setbacks and building envelopes have been incorporated into the project and required as mitigation to avoid impacts to biological resources. With incorporation of these measures, impacts would be less than significant.

d. **Wildlife corridors.** Review of the Department of Fish and Games Migratory Deer Herd Maps and General Plan DEIR Exhibit V-8-4 indicate no mapped deer migration corridors exist on the project site. The project would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with any established native

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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resident or migratory wildlife corridors, or impede the use of wildlife nursery sites in any manner that does not currently exist. There would be no impact.

- e. **Biological Resources.** The proposed project is located within an Important Biological Corridor as defined in El Dorado County General Plan Policy 7.4.2.9. Guidelines in Policy 7.4.2.9 state, "Lands located within the overlay district shall be subject to the provisions listed in the table below. The table describes the guidelines and how the project intends to meet these guidelines:

Guideline	Project Design Feature
Increased minimum parcel size	The project proposes a general plan amendment and rezone to a 10-acre minimum parcel size. However, parcel sizes proposed by the parcel map all exceed 20 acres.
Higher canopy-retention standards and/or different mitigation standards for oak woodlands	The applicant has proposed building envelopes on Parcels 1, 2, and 4 which would limit oak tree disturbance and maintain canopies in excess of that require by General Plan policy 7.4.4.4. Building envelopes are generally situated in areas that are already cleared or have minimum oak tree canopies. Mitigation limiting project development in these building envelopes is required. A conservation easement is also required to promote oak tree replacement.
Lower thresholds for grading permits	Building envelopes required as part of project mitigation will minimize grading by limiting development to areas of less than 30% slope.
Higher wetlands/riparian retention standards and/or more stringent mitigation requirements for wetland/riparian habitat loss	Building envelopes are established outside of all wetland/riparian areas. No wetland/riparian habitat loss will occur as a result of the project.
Increased riparian corridor and wetland setbacks	Building envelopes have been established outside of a 110 foot setback for the ponds on site, and 55 feet for all water channels on site.
Greater protection for rare plants (e.g., no disturbance at all or disturbance only as recommended by U.S. Fish and Wildlife Service/California Dept. of Fish & Game).	No rare plants were found on the project site, nor does it have soils suitable for listed species known to inhabit the Pine Hill area.
Standards for retention of contiguous area/large expanses of other (non-oak or non-sensitive) plant communities	With designation of building envelopes, large areas, primarily the central portion of the site along the valley bisecting the project site, will be maintained as a plant community.
Building permits discretionary or some other type of "site review" to ensure that canopy is retained	Prior to issuance of building permits, the applicant shall be required to provide the County with an Oak Tree Evaluation to ensure that canopy is retained in accordance with General Plan Policy 7.4.4.4.
More stringent standards for lot coverage, floor area ratio (FAR) and building height	Project approval would be contingent upon development being limited to proposed building envelopes only. This condition is more stringent than that typically required for parcel maps.
No hindrances to wildlife movement (e.g., no fences that would restrict wildlife movement)	Mitigation requiring fencing to be limited to areas around barns and or homes for the purposes of protecting



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	livestock or landscaping is required as part of project approval.
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The proposed project has the potential to significantly impact biological resources including, but not limited to, state- and federally-listed species and their associated habitat. Impacts to these listed species and associated habitat may occur due to vegetation/habitat removal, erosion and sedimentation, and introduction of human activities in biological corridors. This is considered a potentially significant but mitigable impact. Limiting development to designated building envelopes on areas of less than 30 percent slopes, areas outside of drainage areas and water bodies, and areas outside dense woodlands will significantly lessen potential impacts to biological resources discussed above.

The proposed project has the potential to result in tree removal that is in excess of the retention and replacement provisions of General Plan Policy 7.4.4.4., although with varying degrees on each of the proposed parcels. Proposed parcels 1, 2, and 4 all maintain significant areas devoid of woodland habitat suitable for development. With the exception of potential impacts to oak trees from the widening of Burkett Lane to fire department and Department of Transportation standards (see Proposed Grading & Drainage Plan), and possibly a driveway to access proposed building areas on Parcel 1, all oak trees and their canopies can be avoided by development activities, and mitigation is required to ensure maximum avoidance. Adherence to development within proposed building envelopes would ensure project consistency with retention policies of General Plan Policy 7.4.4.4, and reduce impacts to a level of insignificance.

Development on proposed Parcel 3 has the potential to result in significant tree removal, even with the designation of building envelopes. The applicant has designated two building envelopes for Parcel 3, the largest of which is 6.7 acres. In order to ensure consistency with retention policies that would require at least 60 percent retention on a parcel which currently maintains 80-100% canopy cover, the applicant shall be required to select one building envelope prior to issuance of grading permits. Limiting development to one building envelope on this parcel will reduce impacts to oak woodland to less than significant levels.

As the applicant is also required to replace oak trees disturbed or removed pursuant to General Plan Policy 7.4.4.4, an area has been designated as a potential mitigation area for replacement oak trees. This 8.2-acre area is located on the eastern portion of the project site in an area that is sparsely populated with oak trees. Mitigation requiring designation of this area as a conservation easement solely for the purpose of providing a replanting area is included in order to ensure that appropriate mitigation can occur pursuant to General Plan Policy 7.4.4.4 as discussed above.

Mitigation Measures for Biological Resources

**MM Bio-1:** All grading, improvement, and building plans shall state: "It is the applicant and contractor's responsibility to comply with all applicable state and federal laws and regulations including the Federal and State Endangered Species Acts and the Clean Water act for all on-site impacts. The County Grading Permit does not authorize Contractor to conduct activities not permitted by applicable State and Federal agencies in areas subject to State and Federal jurisdiction."

*Timing/Implementation: Prior to issuance of grading and building permits*

*Enforcement/Monitoring: El Dorado County Planning*

**MM Bio-2:** In order to avoid impacts to sensitive habitat for State- and/or Federally-listed species, species of concern; impacts due to erosion and sedimentation, and impacts drainages, watercourses, and water bodies, building/development envelopes shall be designated consistent with Exhibit A, dated April 14, 2008. No

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development or earth disturbance shall occur outside of these areas. Construction equipment operation shall be confined to the approved development envelopes. Prior to final map recordation, a Notice to Property Owner (NTPO) stating this limitation and including a figure depicting the development envelope location shall be recorded with the County Clerk-Recorder. The development envelope shall be shown on all plans submitted for land use and building permits. Development envelope boundaries shall be staked in the field.

*Timing/Implementation: Prior to issuance of final map recordation*

*Enforcement/Monitoring: El Dorado County Planning*

**MM Bio-3:** Any oak trees removed from the site shall be mitigated as specified in the Interim Interpretive Guidelines for El Dorado County as adopted by the County on November 9, 2006. Mitigation for loss of tree canopy shall be implemented to reduce impacts from oak tree loss. Fulfillment of anyone of the following options will reduce impacts to a less than significant level:

- a. For tree replacement under Policy 7.4.4.4 of the General Plan, oak trees shall be replanted at a rate of 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 or qualified biologist 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 or biologist 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.
- b. Payment of all fees required under Option B of General Plan Policy 7.4.4.4 to the county's Integrated Natural Resources Management Plan (INRMP). Payment of fees shall be at a migration ratio of 2:1 and based on all impacted oak woodland acreage. Payment of fees and successful completion of this alternative is dependent upon county adoption and implementation of the INRMP by the County and approval of Planning Services.

*Timing/Implementation: Prior to issuance of grading and building permits*

*Enforcement/Monitoring: El Dorado County Planning*

**MM Bio-4:** If option a. above is utilized, the applicant shall provide an update letter to be prepared by a qualified professional about the health and progress of the re-planted oak saplings and/or oak acorns for this project.

*Timing/Implementation: Prior to issuance of occupancy permits*

*Enforcement/Monitoring: El Dorado County Planning*

**MM Bio-5:** If option a. above is utilized, Covenants, Conditions, and Restrictions (CCRs) shall be established and recorded for this project that would, in part, ensure the survival of replanted oaks by requiring that each property owner share equally in the responsibility in the long term monitoring and maintenance of

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replanted oaks. The CCRs shall require that the property owners coordinate a one year, three years, five years, and ten year monitoring survey to be prepared by a qualified professional for both oak and saplings that would be replaced, as well as a similar fifteen year survey update for acorns. In the event that the replanted saplings or acorns not survive, they shall be replaced (at the sole and equally shared cost of each property owner) based on County adopted policies and standards, and based on the input of a qualified professional.

*Timing/Implementation: Prior to issuance of grading and building permits*

*Enforcement/Monitoring: El Dorado County Planning*

**MM Bio-6:** A conservation easement, consistent with Exhibit G contained herein, shall be designated on the parcel map for the sole purpose of providing an area for the replacement of oak trees disturbed or removed consistent with Option A of General Plan Policy 7.4.4.4. This conservation easement shall be recorded prior to filing of the parcel map. The conservation easement may be modified subject to review and approval by Planning Services with appropriate documentation from the property owner in the form of a oak tree canopy report and tree replacement and preservation plan prepared by a certified project arborist or qualified biologist. The plan shall evaluate potential impacts of future development activities within designated building envelopes. Modification of the conservation easement will require formal application to El Dorado County Planning Services for a map revision.

*Timing/Implementation: Prior to filing of the parcel map.*

*Enforcement/Monitoring: El Dorado County Planning*

**MM Bio-7:** Prior to issuance of grading permits, the property owner shall select one building envelope on Parcel 3 upon which development activities are to occur. Grading permits and building permits shall specify the proposed envelope on an exhibit to be provided to the contractor designated to perform the grading and construction activities.

*Timing/Implementation: Prior to issuance of grading and building permits*

*Enforcement/Monitoring: El Dorado County Planning*

**MM Bio-8:** Fencing shall be limited to areas around barns and or homes for the purposes of protecting livestock or landscaping. The property owner shall submit a fencing plan to El Dorado County Planning with the submission of building permits for review and approval.

*Timing/Implementation: Prior to issuance of building permits*

*Enforcement/Monitoring: El Dorado County Planning*

**Finding:** There would be a less than significant impact to listed local, state, or federal biological resources and to recognized or defined jurisdictional waters of the US, wetlands, or watercourses with the incorporation of measures that require avoidance of these resources through the establishment of development envelopes and recordation of a conservation easement. There would be no significant impacts to biological resources, oak trees and/or oak woodland tree canopy with mitigation. Impacts to wildlife migration throughout the site would be less than significant with incorporation of mitigation limiting fencing. As such, the impacts in the 'Biological Resources' category would be less than significant for this project.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES. <i>Would the project:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
b. Cause a substantial adverse change in the significance of archaeological resource pursuant to Section 15064.5?				X
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d. Disturb any human remains, including those interred outside of formal cemeteries?				X

**Discussion:**

In general, significant impacts are those that diminish the integrity, research potential, or other characteristics that make a historical or cultural resource significant or important. A substantial adverse effect on Cultural Resources would occur if the implementation of the project would:

- Disrupt, alter, or adversely affect a prehistoric or historic archaeological site or a property or historic or cultural significant to a community or ethnic or social group; or a paleontological site except as a part of a scientific study;
- Affect a landmark of cultural/historical importance;
- Conflict with established recreational, educational, religious or scientific uses of the area; or
- Conflict with adopted environmental plans and goals of the community where it is located.

- a. **Historical Resources.** A cultural resources study was prepared for the proposed project in April of 2007 (*Cultural Resources Study of Assessor's Parcel No. 104-100-67 Near Rattlesnake Bar Road, El Dorado County, CA*, Historic Resource Associates, April 2007). The study investigated both the likelihood of discovering both pre-historic and historic resources onsite. The study did identify two historic gold mining features located on site. These features included a group of two open adits, and another group of mine adits and placer tailings within and adjacent to the intermittent stream that flows into the North Fork of the American River. The study concluded that based upon the physical characteristics of both features, and a review of the documentation regarding historic mining in the Pilot Hill area, that neither feature represented a significant resource for the purposes of CEQA. The finding is based upon the premise that while the adits reflect an important chapter in the history of mineral development in El Dorado County, the adits produced little gold and were inconsequential as compared to other much larger hardrock gold mines in the county. The gold placer tailings distributed along the intermittent drainage also reflect an important chapter in the early gold mining history in the county, but, due to their size and lack of integrity from subsequent flood or rain events, they do not appear to represent a significant resource. No mitigation is required, and impacts are less than significant.
- b. **Pre-Historic Resources.** As discussed in (a.), a cultural resource study was prepared for the proposed project. The study included a records search and a pedestrian archaeological survey of the project site. In terms of prehistoric sites, site sensitivity was deemed to be low. The records search and the archaeological survey did not result in the discovery of any archaeological sites on the subject property. As such impacts to archaeological resources are determined to be less than significant.

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- c. **Paleontological Resources.** There are no unique paleontological or geologic features located on the project site. As such, impacts to these resources are less than significant.
- d. **Human Remains.** Based on the results of the cultural resource study, the project is unlikely to disturb any human remains. In the event that remains are discovered, all work shall be halted and the significance of the remains shall be evaluated in accordance with California Health and Safety Code Section 7050.5; Public Resources Code Sections 5097.94, 5097.98, and 5097.99. Impacts are considered to be less than significant.

**Finding:** Based upon the cultural resources report prepared for the site, it is determined that there are no significant historic or pre-historic resources on the subject property. As a result, impacts are considered to be less than significant. For this "Cultural Resources" category, the thresholds of significance have not been exceeded.

<b>VI. GEOLOGY AND SOILS. <i>Would the project:</i></b>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				
ii) Strong seismic ground shaking?				
iii) Seismic-related ground failure, including liquefaction?				
iv) Landslides?				
b. Result in substantial soil erosion or the loss of topsoil?				
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial risks to life or property?				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				

**Discussion:**

A substantial adverse effect on Geologic Resources would occur if the implementation of the project would:

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- Allow substantial development of structures or features in areas susceptible to seismically induced hazards such as groundshaking, liquefaction, seiche, and/or slope failure where the risk to people and property resulting from earthquakes could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards;
  - Allow substantial development in areas subject to landslides, slope failure, erosion, subsidence, settlement, and/or expansive soils where the risk to people and property resulting from such geologic hazards could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards; or
  - Allow substantial grading and construction activities in areas of known soil instability, steep slopes, or shallow depth to bedrock where such activities could result in accelerated erosion and sedimentation or exposure of people, property, and/or wildlife to hazardous conditions (e.g., blasting) that could not be mitigated through engineering and construction measures in accordance with regulations, codes, and professional standards.
- a. **Seismicity, subsidence and liquefaction.** There are no Earthquake Fault Zones subject to the Alquist-Priolo Earthquake Fault Zoning Act (formerly Special Studies Zone Act) in El Dorado County. No other active or potentially active faults have been mapped at or adjacent to the project site where near-field effects could occur. Although there are no known faults on the project site, the project site is located in a region of the Sierra Nevada foothills where numerous faults have been mapped. The nearest active fault, according to Alquist-Priolo criteria, is the Dunnigan Hills Fault 45 miles to the northwest. There would be no impacts.
- b,c. **Soil Erosion and loss of topsoil.** All grading activities exceeding 250 cubic yards of graded material or grading completed for the purpose of supporting a structure must meet the provisions contained in the *County of El Dorado - Grading, Erosion, and Sediment Control Ordinance* (Ordinance No. 3983, adopted 11/3/88). This ordinance is designed to limit erosion, control the loss of topsoil and sediment, limit surface runoff, and ensure stable soil and site conditions for the intended use in compliance with the El Dorado County General Plan. During site grading and construction of any onsite and off site road improvements, there is potential for erosion, changes in topography, and unstable soil conditions.
- The Department of Transportation (DOT) and the Development Services Department would review the grading plans for the required road improvements. On and off site grading would be required to comply with the Grading and Erosion control Ordinance. Impacts would be less than significant.
- The El Dorado County Resource Conservation District reviewed the project in July of 2007 and had concerns regarding cumulative impacts dealing with erosion control and surface water drainage for this area, in particular for proposed Parcels 1 and 2. Due to the steepness of slopes on these lots and the high erosion hazard of the soils on these lots, the y recommended that lot grading be held to a minimum and erosion control be given a high emphasis. In order to address these potential impacts, the applicant has designated building envelopes in areas outside 30% slopes and surface water drainages in order to minimize grading and erosion impacts. With the incorporation of these measures into the project description, impacts to erosion and sedimentation are less than significant.
- d. **Expansive soils** are those that greatly increase in volume when they absorb water and shrink when they dry out. The central half of the County has a moderate expansiveness rating while the eastern and western portions are rated low. These boundaries are very similar to those indicating erosion potential. When buildings are placed on expansive soils, foundations may rise each wet season and fall each dry season. This movement may result in cracking foundations, distortion of structures, and warping of doors and windows. Table 18-1-B of the Uniform Building Code establishes a numerical expansion index for soil types ranging from very low to very high. Soils on the project site have been classified per the USDA Soil Survey as Auburn series soils (AxD , AwD and AxE), Boomer series soils (BkD), and

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Sobranite series (SuC). All three soil types are characterized by a low to moderate shrink-swell potential. Impacts would be less than significant.

- e. **Septic Systems.** Future homes on the project site would all be served by septic systems. A Wastewater Disposal Study was prepared for the proposed project by Carlton Engineering in May 2007. The report concludes that there is suitable area on each of the 20-acre plus parcel for wastewater disposal via a septic system. The suitable areas correspond to proposed building envelopes which are located in areas of less than 30% slope, away from watercourses and water bodies, and also away from the existing well. There would be no impact.

**Finding:** No significant geophysical impacts are expected from the general plan amendment, rezone and parcel map either directly or indirectly. For this "Geology and Soils" category, the thresholds of significance have not been exceeded.

VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

**Discussion:**

A substantial adverse effect due to Hazards or Hazardous Materials would occur if implementation of the project would:

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- Expose people and property to hazards associated with the use, storage, transport, and disposal of hazardous materials where the risk of such exposure could not be reduced through implementation of Federal, State, and local laws and regulations;
  - Expose people and property to risks associated with wildland fires where such risks could not be reduced through implementation of proper fuel management techniques, buffers and landscape setbacks, structural design features, and emergency access; or
  - Expose people to safety hazards as a result of former on-site mining operations.
- a-b. **Hazardous Substances.** No hazardous substances are involved with the parcel map and rezone. Temporary use of heavy equipment for driveway and building improvements would be required. A diesel fuel storage tank may be located on site for the heavy equipment. The potential storage and transport of diesel fuel in such quantities that would create a hazard to people or the environment would require an approved hazardous material business plan issued from the El Dorado County Environmental Management Department. Said hazardous material business plan would identify potential impacts to the environment and require mitigation measures to reduce any potential impacts. Based on the amount of site improvements required (grading of three building pads and associated driveways) and the duration of heavy equipment on site and off site to complete the site improvements, and that fuel storage would most likely not occur, impacts would be less than significant. Impacts related to diesel fuel spillage would be less than significant with an approved hazardous materials business plan.
- c. **Hazardous Emissions.** There are no schools within ¼ mile of the project site. The proposed project would not include any operations that would use acutely hazardous materials or generate hazardous air emissions. There would be no impact.
- d. **Hazardous Materials Sites.** The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (*California Department of Toxic Substances Control, Hazardous Waste and Substances Site List (Cortese List)*, [http://www.dtsc.ca.gov/database/Calsites/Cortese\\_List](http://www.dtsc.ca.gov/database/Calsites/Cortese_List), accessed September 23, 2004; *California Regional Water Quality Control Board, Central Valley Region, Leaking Underground Storage Tanks Quarterly Report, April 2004*; *California Regional Water Quality Control Board, Central Valley Region, Site Cleanup List, April 2004*). There would be no impact.
- e. **Public Airport Hazards.** The project site is not within any airport safety zone or airport land use plan area. There would be no impact.
- f. **Private Airstrip Hazards.** There is no private airstrip(s) in the immediate vicinity that is identified on a U.S. Geological Survey Topography Map. There would be no impact.
- g. **Emergency Response Plan.** The project site is accessed by Rattlesnake Bar Road (a county-maintained, dead end road) and Burkett Lane (a private road). At this time there no adopted emergency response or evacuation plans for the area. Fire response and fire safety issues have been reviewed by the El Dorado County Fire Protection District. The Fire Department would require a Fire Safe Plan prepared by a registered professional forester. Based upon the conditions of approval for on-site and off-site road improvements and fire safety measures (sufficient water storage & sprinklering), impacts would be less than significant.
- h. **Fire Hazards.** The project site is located in an area that is designated as having a high fire hazard (*El Dorado County Planning Department, El Dorado County General Plan Draft Environmental Impact Report (SCH#2001082030), May 2003, Exhibit 5.8-4*). In order to mitigate the potential fire safety impacts of establishing additional residences in this



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area, the Fire Department will require as conditions of approval that the applicant incorporate fire safety measures that will include a Fire Safe Plan to be prepared by a registered professional forester, sprinklering of all habitable structures, siting of a 3000 gallon water storage tank within 500 feet of proposed residences, and development of accesses to Fire Department standards.

**Finding:** No Hazards or Hazardous conditions are expected with the general plan amendment, rezone, and parcel map either directly or indirectly. For this "Hazards" category, the thresholds of significance have not been exceeded.

<b>VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i></b>				
a. Violate any water quality standards or waste discharge requirements?				X
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f. Otherwise substantially degrade water quality?				X
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j. Inundation by seiche, tsunami, or mudflow?				X

**Discussion:**

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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A substantial adverse effect on Hydrology and Water Quality would occur if the implementation of the project would:

- Expose residents to flood hazards by being located within the 100-year floodplain as defined by the Federal Emergency Management Agency;
- Cause substantial change in the rate and amount of surface runoff leaving the project site ultimately causing a substantial change in the amount of water in a stream, river or other waterway;
- Substantially interfere with groundwater recharge;
- Cause degradation of water quality (temperature, dissolved oxygen, turbidity and/or other typical stormwater pollutants) in the project area; or
- Cause degradation of groundwater quality in the vicinity of the project site.

a-f. **Water Quality Standards.** The applicant has prepared a Wastewater Disposal Study for the proposed project (Carlton Engineering, May 2007). The study investigates the potential suitability of the project site to accommodate wastewater disposal and provide long-term water sources to the proposed parcels. The study concludes through test pits on each of the proposed parcels and drawdown tests on the existing well, that there will be adequate disposal capability and adequate water supply for the proposed parcels and associated residences. Because areas investigated by the report were adequately setback from existing drainage courses and water bodies on the subject site and proposed parcels, impacts to water quality would be less than significant.

b. **Groundwater.** The proposed parcels would be served by individual water wells drawing water from local groundwater supplies. Given the large parcel sizes, adjacent water courses, and the fact that only three new parcels are being created, impacts to groundwater resources are less than significant.

c-d. **Drainage Patterns.** The proposed project would not alter or change any existing on site or off site drainage patterns. Project development will be limited to proposed building envelopes which are located outside of all drainages, water courses, and waterbodies. All access routes will also be located outside any drainage patterns, with all development occurring on upland areas. There would be no impact.

e. **Stormwater Runoff.** The proposed project would eventually result in the construction of three single family dwellings and appurtenant structures on relatively flat portions of the project site. At this time, no drainage improvements are proposed as part of the general plan amendment, rezone, and parcel map. However, given the large parcel sizes, distance from drainage courses, and the likelihood that roads are to be constructed of generally pervious surfaces, additional stormwater runoff from impervious building is expected to be absorbed in surrounding soils which generally have moderate permeability. There would be no impact.

g-j. **Flooding.** There are no 100-year flood hazard areas at or adjacent to the site. The site is not in an area subject to seiche, tsunami, or mudflow. The site is not in an area subject to flooding as a result of levee or dam failure. The Flood Insurance Rate Map (Panel No. 060040 0425 B, last updated October 18, 1983) for the project area establishes that the project site is not within a mapped 100-year floodplain. There would be no impact.

**Finding:** No significant hydrological impacts are expected with the general plan amendment, parcel map, and rezone either directly or indirectly. For this "Hydrology" category, the thresholds of significance have not been exceeded.

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IX. LAND USE PLANNING. <i>Would the project:</i>			
a. Physically divide an established community?			X
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?			X

**Discussion:**

A substantial adverse effect on Land Use would occur if the implementation of the project would:

- Result in the conversion of Prime Farmland as defined by the State Department of Conservation;
  - Result in conversion of land that either contains choice soils or which the County Agricultural Commission has identified as suitable for sustained grazing, provided that such lands were not assigned urban or other nonagricultural use in the Land Use Map;
  - Result in conversion of undeveloped open space to more intensive land uses;
  - Result in a use substantially incompatible with the existing surrounding land uses; or
  - Conflict with adopted environmental plans, policies, and goals of the community.
- a. **Established Community.** The proposed project is not located within an established community, but is instead located within an unincorporated rural area. Impacts are less than significant.
- b. **Land Use Plan.** The proposed project has a mixed land use designation of RR (Rural Residential) and C (Commercial). The project proposes to amend the land use to RR only. This land use designation would be consistent with surrounding land use designations and land uses, and as such the General Plan Amendment is considered to be a beneficial impact.

The proposed project is located within an Important Biological Corridor (IBC) overlay zone as adopted by the El Dorado County General Plan. The project has been designed to avoid impacts to important biological resources through the incorporation of certain measures. These measures include incorporation of building envelopes in areas outside of 30% or greater slopes, riparian areas, and designated wetland areas. No development is proposed within the ephemeral drainage that bisects the site, including road improvements. All development would occur in relatively flat areas that have been previously disturbed due to grading or agricultural activities. As such, impacts are considered to be less than significant.

- c. **Habitat Conservation Plan.** There are no adopted habitat conservation plans or natural community plans within the project vicinity. Impacts are less than significant.

**Finding:** The proposed use of the land would be consistent with the zoning and the General Plan policies for rural residential uses. There would be no significant impact from the project due to a conflict with the General Plan or zoning designations for use of the property. No significant impacts are expected. For this "Land Use" category, the thresholds of significance have not been exceeded.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>X. MINERAL RESOURCES. <i>Would the project:</i></b>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

**Discussion:**

A substantial adverse effect on Mineral Resources would occur if the implementation of the project would:

- Result in obstruction of access to, and extraction of mineral resources classified MRZ-2x, or result in land use compatibility conflicts with mineral extraction operations.
- a,b. **Mineral Resources.** The project site is not in an area where mineral resources classified as MRZ-2a or MRZ-2b by the State Geologist is present (El Dorado County General Plan, Figure CO-1). Approximately 8.75 miles to the east from the proposed project are MRZ-2-classified areas, and the project site has not been delineated in the General Plan or in a specific plan as a locally important mineral resource recovery site. There are no current mining activities adjacent to or in the vicinity of the project site that could affect existing uses. As discussed in the Cultural Resources section, historical mineral recovery on this parcel was likely to be very sparse. There would be no impact.

**Finding:** No impacts to energy and mineral resources are expected with the proposed project either directly or indirectly. For this "Mineral Resources" category, the thresholds of significance have not been exceeded.

<b>XI. NOISE. <i>Would the project result in:</i></b>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XI. NOISE. <i>Would the project result in:</i>			
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise level?			X
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			X

**Discussion:**

A substantial adverse effect due to Noise would occur if the implementation of the project would:

- Result in short-term construction noise that creates noise exposures to surrounding noise sensitive land uses in excess of 60dBA CNEL;
- Result in long-term operational noise that creates noise exposures in excess of 60 dBA CNEL at the adjoining property line of a noise sensitive land use and the background noise level is increased by 3dBA, or more; or
- Results in noise levels inconsistent with the performance standards contained in Table 6-1 and Table 6-2 in the El Dorado County General Plan.

a-d. **Noise Standards.** Grading activities associated with driveway improvements and the creation of building pads would generate temporary construction noise from the large heavy equipment (dump trucks, bulldozer, graders) at a potentially significant level (greater than 60 dB  $L_{eq}$  and 70 dB  $L_{max}$  between 7:00 a.m. to 7:00 p.m. (2004 GP table 6-5 for maximum allowable noise exposure for non transportation noise sources in rural regions-construction noise). However, the site is located on a large parcel in an outlying area and no sensitive receptors are located 500 feet or greater from potential building sites. Construction operations for road improvements and building pad creation would require adherence to construction hours between 7:00 a.m. and 7:00 p.m. during weekdays and will require the heavy construction equipment to install the latest noise reduction technologies available. Short-term noise impacts would therefore be less than significant. The long-term noise impacts would be related to current vehicle traffic along Rattlesnake Bar Road and Burkett Lane which would be under the maximum noise level thresholds in the 2004 General plan table 6-1 of 60 dB  $L_{dn}$ /CNEL or less. Grading activities would occur weekdays during daylight hours and would not involve extensive use of heavy equipment that would be a substantial source of noise or vibration at the existing residence onsite or adjacent residences. No known changes in traffic-generated noise levels along Rattlesnake Bar Road or Burkett Lane would occur due to the addition of approximately 30 average daily trips on these roadways. Short-term and long-term impacts would be less than significant.

e&f. **Airport Noise.** The project site is not within the airport land use plan. There would be no impact.

**Finding:** No impacts to noise are expected either directly or indirectly. For this "Noise" category, the thresholds of significance have not been exceeded.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>XII. POPULATION AND HOUSING. <i>Would the project:</i></b>				
a. Induce substantial population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure)?				<b>X</b>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				<b>X</b>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				<b>X</b>

**Discussion:**

A substantial adverse effect on Population and Housing would occur if the implementation of the project would:

- Create substantial growth or concentration in population;
- Create a more substantial imbalance in the County's current jobs to housing ratio; or
- Conflict with adopted goals and policies set forth in applicable planning documents.

- a. **Population Growth.** The proposed project will ultimately result in the construction of three new single-family dwellings, as there is an existing dwelling on proposed Parcel 3. The project will also utilize existing roadways for access and will not create a need for new infrastructure such as water and sewer lines, as the proposed parcels will be served by water wells and septic systems. As such, the proposed project will not induce growth in the area. There would be no impact.
- b. **Housing Displacement.** The project will not displace any existing housing. The existing single family dwelling on Parcel 3 will remain. There would be no impact.
- c. **Population Displacement.** The proposed project will not displace any people. There would be no impact.

**Finding:** The project would not displace housing. There is no potential for a significant impact due to substantial growth with the proposed general plan amendment, rezone, and parcel map either directly or indirectly. For this "Population and Housing" category, the thresholds of significance have not been exceeded.

<b>XIII. PUBLIC SERVICES. <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i></b>				
a. Fire protection?				<b>X</b>
b. Police protection?				<b>X</b>
c. Schools?				<b>X</b>

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>XIII. PUBLIC SERVICES.</b> <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>			
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other government services?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

A substantial adverse effect on Public Services would occur if the implementation of the project would:

- Substantially increase or expand the demand for fire protection and emergency medical services without increasing staffing and equipment to meet the Department's/District's goal of 1.5 firefighters per 1,000 residents and 2 firefighters per 1,000 residents, respectively;
- Substantially increase or expand the demand for public law enforcement protection without increasing staffing and equipment to maintain the Sheriff's Department goal of one sworn officer per 1,000 residents;
- Substantially increase the public school student population exceeding current school capacity without also including provisions to adequately accommodate the increased demand in services;
- Place a demand for library services in excess of available resources;
- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
- Be inconsistent with County adopted goals, objectives or policies.

- a. **Fire Protection.** The project site is and would be served by the El Dorado County Fire Protection District. Development of the project would result in a minor increase in demand for fire protection services. However, it has been determined by the Fire Department that the level of service would not fall below the minimum requirements as a result of the project. The responsible Fire Department would review building permit plans to determine compliance with their fire standards. Fire Districts have been granted the authority by the State Legislature to collect impact fees at the time a building permit is secured. Impacts would be less than significant.
- b. **Police Protection.** The proposed parcel map would create three additional residential lots. Impacts to police protection services would be less than significant.
- c. **Schools.** The project is located within the Black Oak Mine Unified School District. The project has the potential to generate approximately \_ students based on the construction of three new single family dwellings. The school district has indicated that they have the potential to accommodate the additional students (personal contact with Superintendent Rob Schamberg, April 14, 2008). Future residential development would also be subject to school impact fees at time of building permit issuance. There would be no impact.
- d. **Parks.** The project is located within the Georgetown Divide Recreation District (GDRD). The GDRD does not maintain parkland standards (El Dorado County General Plan Draft EIR, 2003). The development of three single family dwellings on large parcels would create a small insignificant demand for recreational opportunities, especially in light of the fact that outdoor recreational opportunities would exist on the open space areas on these parcels. The GDRD does not currently maintain a fee program to offset impacts to recreational facilities. Given that the GDRD does not maintain standards for parkland, no threshold has been exceeded and thus there is no impact as a result of the project.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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e. **Other Government Services.** No other government services would be required as a result of the general plan amendment, rezone, and parcel map. There would be no impact.

**Finding:** As discussed above, no significant impacts are expected to public services either directly or indirectly. For this "Public Services" category, the thresholds of significance have not been exceeded.

<b>XIV. RECREATION.</b>				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

**Discussion:**

A substantial adverse effect on Recreational Resources would occur if the implementation of the project would:

- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
- Substantially increase the use of neighborhood or regional parks in the area such that substantial physical deterioration of the facility would occur.

a-b. **Parks and Recreation.** The proposed general plan amendment, rezone and parcel map would not result in a population increase that would substantially contribute to increased demand on recreation facilities or contribute to increased use of existing facilities. Park facilities are maintained by the Georgetown Divide Recreation District, and are expected to be able to handle the relatively small demand for recreational facilities created by the proposed project. There would be a less than significant impact.

**Finding:** No significant impacts to recreation and open space resources are expected either directly or indirectly given the small increase in population and existing open space resources on the parcels that will be created. For this "Recreation" category, the thresholds of significance have not been exceeded.



Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XV. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>			
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X
e. Result in inadequate emergency access?			X
f. Result in inadequate parking capacity?			X
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X

**Discussion:**

A substantial adverse effect on Traffic would occur if the implementation of the project would:

- Result in an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system;
  - Generate traffic volumes which cause violations of adopted level of service standards (project and cumulative); or
  - Result in, or worsen, Level of Service "F" traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county as a result of a residential development project of 5 or more units.
- a. **Capacity.** The proposed general plan amendment, rezone and parcel map would result in the generation of approximately 30 average daily trips (ADTs) and 3 peak hour trips (PHTs). These trips would be distributed on to Burkett Lane (a private road) and Rattlesnake Bar Road (a county maintained road). Neither of these roads are currently operating near capacity or experiencing poor levels of service. The Department of Transportation has reviewed the project and has determined that the project does not exceed the thresholds established in the 2004 General Plan. The number of vehicles associated with the parcel map and rezone would not change current vehicle trip rates and would not measurably affect traffic volumes or levels of service on a permanent basis such that County standards would be exceeded. Impacts would be less than significant.
- b. **Level of Service.** The Department of Transportation has reviewed the project and had determined the project would not decrease the level of service of the roads in the project vicinity. There would be no impact.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- c. **Traffic Patterns.** The project site is not within an airport safety zone. No changes in air traffic patterns would occur or be affected by the proposed project. There would be no impact.
- d. **Hazards.** The project site is readily accessible from Rattlesnake Bar Road and Burkett Lane. No traffic hazards such as sharp curves, poor sight distance, or dangerous intersections exist on or adjacent to the project site. Impacts would be less than significant.
- e. **Emergency Access.** The project site receives access off Rattlesnake Bar Road and Burkett Lane which would terminate on site in a fire safe approved turn around. Road improvements are required to increase the road width and emergency vehicle load ratings pursuant to fire safe regulations and are being placed upon the conditions of approvals for the parcel map prior to final map recording. Based upon the required road improvements there would be no disruption of emergency access to and from the existing residence or those in surrounding parcels. There would be no impact.
- f. **Parking.** No additional parking required for the existing residential units on the subject parcel. There would be no impact.
- g. **Alternative Transportation.** No public transportation systems, bicycle lanes or bicycle storage would be affected because such features are not present at or adjacent to the project site. There would be no impact.

**Finding:** As discussed above, no significant traffic impacts are expected either directly or indirectly. For this "Transportation/Traffic" category, the thresholds of significance have not been exceeded.

<b>XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i></b>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g. Comply with federal, state, and local statutes and regulations related to solid waste?				X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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**Discussion:**

A substantial adverse effect on Utilities and Service Systems would occur if the implementation of the project would:

- Breach published national, state, or local standards relating to solid waste or litter control;
  - Substantially increase the demand for potable water in excess of available supplies or distribution capacity without also including provisions to adequately accommodate the increased demand, or is unable to provide an adequate on-site water supply, including treatment, storage and distribution;
  - Substantially increase the demand for the public collection, treatment, and disposal of wastewater without also including provisions to adequately accommodate the increased demand, or is unable to provide for adequate on-site wastewater system; or
  - Result in demand for expansion of power or telecommunications service facilities without also including provisions to adequately accommodate the increased or expanded demand.
- a. **Wastewater.** The creation of three additional parcels with their own septic systems, would not involve discharges off untreated domestic wastewater that would violate water quality control board requirements. Storm water runoff would be negligible (see Item c, below). There would be no impact.
- b,d, e. **New Facilities.** No new or expanded water or wastewater facilities would be required for the proposed parcel since the proposed water would be from ground water and would contain an approved septic system. The existing second residence is currently served by public water. There would be no impact.
- c. **Storm Water Drainage.** All required drainage facilities for the project shall be built in conformance with the standards contained in the "*County of El Dorado Drainage Manual*," as determined by the Department of transportation. The Department of Transportation has reviewed the project proposal and has concluded that the provisions of the drainage manual would not be required. There would be no impact.
- f&g. **Solid Waste.** No substantial anticipated increases of solid waste generated from the existing residential units and proposed three additional residential units once the parcel is divided into four or affect recycling goals. There would be no impact.
- h. **Power.** Power and telephone facilities are currently in place at the existing residence and adjacent to the parcel in Rattlesnake Bar Road. No further expansion of power is anticipated from the general plan amendment, rezone, and parcel map. There would be no impact.

**Finding:** No significant utility and service system impacts are expected either directly or indirectly. For this "Utilities and Service Systems" category, the thresholds of significance have not been exceeded.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:</b>			
a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?		X	
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X

**Discussion:**

- a. There is no substantial evidence contained in the project record that would indicate that this project has the potential to significantly degrade the quality of the environment. As conditioned and mitigated, and with strict adherence to County permit requirements, this general plan amendment, rezone and parcel map and the typical residential uses expected to follow, would not appear to have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of California history or pre-history. Any impacts from the project would be less than significant due to the design of the project and required standards that would be implemented with the process of the final map and/or any required project specific improvements on or off the property.
- b. Cumulative impacts are defined in Section 15355 of the California Environmental Quality Act (CEQA) Guidelines as "two or more individual effects, which when considered together, would be considerable or which would compound or increase other environmental impacts." Based on the analysis in this study, it has been determined that the project would have a less than significant impact based on the issue of cumulative impacts.
- c. As outlined and discussed in this document, as mitigated and conditioned, this project proposes a less than significant chance of having project-related environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. Impacts would be less than significant.

**SUPPORTING INFORMATION SOURCE LIST**

The following documents are available at El Dorado County Planning Services in Placerville.

El Dorado County General Plan Draft Environmental Impact Report  
Volume 1 of 3 – EIR Text, Chapter 1 through Section 5.6  
Volume 2 of 3 – EIR Text, Section 5.7 through Chapter 9  
Appendix A  
Volume 3 of 3 – Technical Appendices B through H

El Dorado County General Plan – A Plan for Managed Growth and Open Roads; A Plan for Quality Neighborhoods and Traffic Relief (Adopted July 19, 2004)

Findings of Fact of the El Dorado County Board of Supervisors for the General Plan

El Dorado County Zoning Ordinance (Title 17 - County Code)

County of El Dorado Drainage Manual (Resolution No. 67-97, Adopted March 14, 1995)

County of El Dorado Grading, Erosion and Sediment Control Ordinance (Ordinance No. 3883, amended Ordinance Nos. 4061, 4167, 4170)

El Dorado County Design and Improvement Standards

El Dorado County Subdivision Ordinances (Title 16 - County Code)

Soil Survey of El Dorado Area, California

California Environmental Quality Act (CEQA) Statutes (Public Resources Code Section 21000, et seq.)

Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (Section 15000, et seq.)

**EL DORADO COUNTY DEVELOPMENT SERVICES  
PLANNING COMMISSION  
STAFF REPORT**



**Agenda of:** May 22, 2008  
**Item No.:** 8.  
**Staff:** Gordon Bell

**FILE NUMBER:** A08-0004/Z07-0026/P07-0025

**APPLICANT:** Wesley Hagstrom

**AGENT:** Ted Woessner (Carlton Engineering)

**REQUEST:** The project consists of the following requests:

- 1) Amendment to the General Plan Land Use Designation from Rural Residential (RR) and Commercial (C) to Rural Residential (RR)
- 2) Change in zoning from Estate Residential Ten-acre (RE-10), Estate Residential Five-acre (RE-5), Commercial-Platted Lands (C-PL) and Exclusive Agricultural (AE) to Estate Residential Ten-acre (RE-10)
- 3) Tentative parcel map creating four (4) lots ranging in size from 20 to 47.22 acres

**LOCATION:** On the north side of Rattlesnake Bar Road, approximately 5.00 miles southwest of State Route 49, in the Pilot Hill area, Supervisorial District IV. (Exhibit A)

**APN:** 104-100-67

**ACREAGE:** 129.43 acres

**GENERAL PLAN:** Rural Residential (RR) and Commercial – Platted Lands (C-PL) (Exhibit C)

**ZONING:** Estate Residential Ten-acre (RE-10), Estate Residential Five-acre (RE-5), Commercial (C), and Exclusive Agricultural (AE) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Mitigated Negative Declaration (MND)

EXHIBIT F

**SUMMARY RECOMMENDATION:** Recommended Conditional Approval

## **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:** The project request is for a General Plan Amendment, Rezone, and Tentative Subdivision Map. Discussed below are important project characteristics.

**General Plan Amendment:** Request for a General Plan Amendment to change the General Plan Land Use Designation from Rural Residential (RR) & Commercial (C) [Approximately 10 acres] to Rural Residential (RR).

**Rezone:** Request for a rezone to change the zoning of APN 104-100-67 from RE-10 (Estate Residential Ten-Acres), RE-5 (Residential Five-Acres), C (Commercial) and AE (Exclusive Agricultural) to RE-10 (Estate Residential Ten-Acres). *Current zoning on the parcel consists of RE-10 (90 acres), RE-5 (29.7 acres), Commercial (9.94 acres), and Exclusive Agricultural (0.3 acres).*

**Tentative Parcel Map:** Request to divide a 129.43-acre parcel into 4 parcels ranging in size from 20 to 49 acres. Parcel sizes would be as follows: Parcel 1- 41.22 acres, Parcel 2 – 47.77 acres, Parcel 3 – 20.00 acres, and Parcel 4 – 20.91 acres.

**Building Envelopes:** The parcel map also includes designated building envelopes on each of the parcels. Building envelopes are designated in areas that have less than 30 percent slopes and outside of setbacks from watercourses (ephemeral stream and drainages are provided a 55-foot setback each side from top of bank), and water bodies (110-foot setback around pond boundaries).

**Conservation Easement:** The parcel map also includes an 8.2-acre area designated as a conservation easement for the purposes of oak tree replacement. This area is intended to allow for mitigation of the removal of oak trees during development activities. Replacement oak trees are to be located in this conservation easement consistent with General Plan Policy 7.4.4.4.a. This conservation easement may be reduced at the discretion of Planning Commission should the applicant/property owner demonstrate (through the provision of appropriate oak tree canopy reports and appropriate tree preservation plans) that actual disturbed oak woodland area will be significantly less than the proposed 8.2-acre conservation easement.

**Private Water/Private Septic Systems:** The project would be served by individual wells on each of the parcels. There is an existing well on proposed Parcel 4. This well currently serves the home on Parcel 3; however, a new well would be drilled to serve the existing home. Pump tests done on the existing well indicates that there is adequate water in the area to serve the additional parcels.

The existing home on proposed Parcel 3 is served by an existing septic system. Individual septic systems would be developed for future residences on the proposed parcels. A wastewater disposal study prepared by the applicant indicates that there are suitable areas and soil types on each of the parcels to develop a septic system. These septic systems would be located within designated building envelopes.

Road Improvements: Access for parcels 1, 3, and 4 will be taken off of Burkett Lane, a dead-end private road that serves 10 parcels north of the project parcel. In accordance with Fire Department and Department of Transportation Design Guidelines, this road will be developed to a 20-foot width (18-foot travel width with one-foot shoulders). Access for Parcel 2 will be taken from Rattlesnake Bar Road. Given that Burkett Lane will exceed the 2,640-foot road length guideline established by Department of Transportation standards, a design waiver has been requested.

**Site Description:** The project site is situated between 920 and 1,440 feet elevation on property that encompasses the headwaters and both sides of an ephemeral tributary of the North Fork of the American River, which it joins approximately three quarters of a mile northwest of the project site. Slopes on-site vary from nearly flat alongside Burkett Lane to 57 percent east of the creek near the center of the parcel; slopes east of the creek average 24 percent and those west of the creek average 37 percent.

There are six seasonal drainages on the parcel that contribute water to the ephemeral tributary. There are also two small reservoirs located on the drainage, and a third water impoundment which was formed in an ATV track within a swale below the existing house.

Soils on the site are classified in the Auburn, Boomer and Sobrante series. The soil types are Auburn silt loam (AwD), Auburn very rocky silt loam (AxD and AxE), Boomer very rocky loam (BkE) and Sobrante silt loam (SuC). Boomer rocky loam is the predominant soil type on the site replaced by Auburn soils outside of the main ephemeral drainage.

Vegetation on the project site consists of three series: Mixed oak woodland, Ponderosa pine, and annual grassland. Mixed oak woodland is the predominant vegetation found on the parcel, replaced by Ponderosa pine woodland within the steepest ravines.

There is an existing residence located in the southwest corner of the parcel approximately 200 feet north of the intersection of Burkett Lane and Rattlesnake Bar Road. Burkett Lane provides access to the existing residence, and ten (10) parcels north of the site. A dirt road bisects the parcel from south to north along the ephemeral drainage. This road provides access to five (5) parcels north of the site.



**Adjacent Land Uses:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	RE-10 (90 acres), RE-5 (29.7 acres), C (9.94 acres), AE (0.3 acres)	RR, C	Rural residential/Single family residence
<b>North</b>	RA40	RR	Rural residential/Single family residence
<b>South</b>	RE10, AE	RR	Rural residential/Single family residence
<b>East</b>	RE10	RR	Rural residential/Single family residence
<b>West</b>	RA20, RE10	RR	Rural residential/Single family residence

**Discussion:** The project site is surrounded by low density, rural residential development. This includes 5-acre parcel sizes to the east and to the south, 10-acre and larger parcels to the west, and 30-acre and large parcels to the north. The majority of the parcels in the surrounding area are undeveloped at this time. Parcels are primarily rural residential in nature, with single-family dwellings and appurtenant structures. There is little to no agricultural use in the immediate vicinity due to the steep terrain and dense vegetative cover.

**General Plan:** The project includes a request for a General Plan Amendment from Rural Residential (RR) and Commercial-Platted Lands (C-PL) to Rural Residential. The proposed General Plan amendment would allow the property's land use designation to be consistent with surrounding land use designations which are all rural residential. Specifically, the land use designation amendment and rezone of the 9.94-acre portion of the site from C-PL and C respectively to RR and RE-10 respectively will eliminate an inherent General Plan and zone inconsistency since commercial is not consistent within the Rural Region Planning Concept area.

**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. Emergency road access would be conditioned to be improved to minimum DOT, Caltrans and Fire Safe standards prior to filing the map. The El Dorado County Fire Protection District has conditioned the project to meet their fire safe requirements prior to filing the parcel map. Power and phone are onsite. Future property owners will utilize individual wells to provide domestic water. They will be required to demonstrate that adequate water exists prior to issuance of building permits for residences.

**Policy 2.2.5.21** directs that new development be compatible with the surrounding neighborhood. The three new parcels would be in keeping with the General Plan intended development pattern expected in lands designated as Rural Residential and would be consistent with the dominant pattern of parcel development for surrounding areas which are all rural residential in nature.

**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. The project would be required to meet the required minimum fire flow requirements of the El Dorado County Fire Protection District which would be reviewed and approved by them prior to filing the final parcel map.

**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. The project will be served by Burkett Lane and Rattlesnake Bar Road, both dead-end roads. Both roads will be improved to Fire Department and Department of Transportation standards. However, the length of Burkett Lane exceeds that allowed by the DOT. A Design Waiver has been requested to allow the road to exceed the 2,640-foot standard. The applicant will be required to prepare a Fire Safe Plan to be reviewed and approved by the El Dorado County Fire Protection District. Since Burkett Lane will only be serving two additional parcels than what it already serves, and Rattlesnake Bar Road will only serve one additional parcel, the impact is not expected to be significant. The Design Waiver request is supported by the El Dorado County Department of Transportation.

**Policy 7.4.4.4 - Oak Canopy Retention:** The proposed project would impact oak woodland habitat, which pursuant to General Plan Policy 7.4.4.4 requires retention and replacement of the affected habitat. The project would result in varying degrees of disturbance to oaks and other woodland, depending on the scope of future improvements such as building pads and roads. The applicant has only analyzed potential impacts to oak trees as a result of the proposed widening of Burkett Lane to Fire Department and DOT standards. The applicant has concluded that approximately fifteen oaks (3 Live Oaks and 12 Black Oaks) would be removed and two cedars as a result of the widening of Burkett Lane on Parcel 1 (10 trees to be removed) and on Parcel 4 (5 trees to be removed).

Future development activities (other than the proposed road improvements discussed above) that would be allowed a result of the proposed project would include grading for roads/driveways, utility installation, building pads, fences, etc. This development has the potential to result in oak tree removal. Because the applicant has designated building envelopes on the parcel, which will limit said development activities to these areas, it is possible to estimate a worst-case scenario for tree removal in lieu of an oak tree canopy report and tree preservation plan. Given that the majority of the woodland area within proposed building envelopes is located on the western portion of the property, an assumption is made that if the largest building envelope on Proposed Parcel 2 is utilized then approximately 6.7 acres of woodland area would be disturbed. Building envelopes on proposed parcels 1 and 4 are located outside of significant woodland areas, and are not expected to result in significant oak tree removal, if at all. Proposed Parcel 3 is already developed, and thus no development activities other than road improvements are expected to occur on that parcel. Based on a worst-case scenario of 6.7 acres of woodland area to be disturbed on Proposed Parcel 2 and contingency to account for minor tree removal on other parcels, the applicant has designated an area for oak tree replacement on the parcel map (See Exhibit G). This area is required to be maintained as a conservation easement solely for the purposes of oak tree mitigation. Because development activities may result in a much smaller

area of oak tree disposal than that proposed in the conservation easement, the applicant does have the option of revising the parcel map at a later date to reduce the size of the conservation easement should they provide adequate documentation to Planning Services. However, this would be a discretionary action.

Development on Parcel 2 has the potential to require significant tree removal as noted above. The applicant has designated two building envelopes on this parcel, which would allow for more tree disturbance than that discussed above. For that reason, mitigation requiring the future property owner to limit development activities to only one of the proposed building envelopes would ensure that tree removal not exceed guidelines for retention set forth in Option A, and also ensure that the proposed conservation easement is adequate in size to mitigate potential impacts.

**Policy 7.4.2.9 - Important Biological Corridor:** The proposed project is located within an Important Biological Corridor as defined in El Dorado County General Plan Policy 7.4.2.9. Guidelines in Policy 7.4.2.9 state: "Lands located within the overlay district shall be subject to the provisions listed in the table below." The table describes the guidelines and how the project intends to meet these guidelines:

Guideline	Project Design Feature
Increased minimum parcel size	The project proposes a general plan amendment and rezone to a 10-acre minimum parcel size. However, parcel sizes proposed by the parcel map all exceed 20 acres.
Higher canopy-retention standards and/or different mitigation standards for oak woodlands	The applicant has proposed building envelopes on Parcels 1, 2, and 4 which would limit oak tree disturbance and maintain canopies in excess of that require by General Plan policy 7.4.4.4. Building envelopes are generally situated in areas that are already cleared or have minimum oak tree canopies. Mitigation requiring project development in these building envelopes is required.
Lower thresholds for grading permits	Building envelopes required as part of project mitigation will minimize grading by limiting development to areas of less than 30% slope.
Higher wetlands/riparian retention standards and/or more stringent mitigation requirements for wetland/riparian habitat loss	Building envelopes are established outside of all wetland/riparian areas. No wetland/riparian habitat loss will occur as a result of the project.
Increased riparian corridor and wetland setbacks	Building envelopes have been established outside of a 110 foot setback for the ponds on site, and 55 feet for all water channels on site.
Greater protection for rare plants (e.g., no disturbance at all or disturbance only as recommended by U.S. Fish and Wildlife Service/California Dept. of Fish & Game).	No rare plants were found on the project site, nor does it have soils suitable for listed species known to inhabit the Pine Hill area.
Standards for retention of contiguous area/large expanses of other (non-oak or non-sensitive) plant	With designation of building envelopes, large areas, primarily the central portion of the site along

Guideline	Project Design Feature
communities	the valley bisecting the project site, will be maintained as a plant community.
Building permits discretionary or some other type of "site review" to ensure that canopy is retained	Prior to issuance of building permits, the applicant shall be required to provide the County with an Oak Tree Evaluation to ensure that canopy is retained in accordance with General Plan Policy 7.4.4.4.
More stringent standards for lot coverage, floor area ratio (FAR) and building height	Project approval would be contingent upon development being limited to proposed building envelopes only. This condition is more stringent than that typically required for parcel maps.
No hindrances to wildlife movement (e.g., no fences that would restrict wildlife movement)	Mitigation requiring fencing to be limited to areas around barns and or homes for the purposes of protecting livestock or landscaping is required as part of project approval.

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

**Rezone:** The project request includes a rezone which pursuant to **General Plan Policy 2.2.5.3** requires that the following criteria to be evaluated prior to approval of a Rezone request:

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

Discussion: The project would not utilize a public water source, but will instead be served by private wells.

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

Discussion: The project would not connect to public treated water systems.

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

Discussion: The project would not connect to public wastewater treatment systems.

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

Discussion: The project site is located within the Black Oak Mine School District. The District is currently operating over capacity but has indicated they could accommodate the additional students generated by the proposed project. Prior to building permit issuance for each of the proposed lots, payment of school fees would be required.

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

Discussion: The project site is located within the El Dorado County Fire Protection District. The nearest fire station is located in Pilot Hill at 4731 Pedro Hill Road, approximately 4.2 miles from the project site. The District has reviewed the project and has determined with the required conditions of approval, the District would be able to provide adequate fire protection to the site.

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

Discussion: The closest rural center is Pilot Hill located approximately 4 miles northeast of the project site.

7. *Erosion hazard;*

Discussion: The grading necessary for the onsite and offsite road improvements and building pads would be required to comply with applicable grading and erosion control policies established by the County. The Department of Transportation would review the grading plans to verify conformance with established policy. Adherence to these rules would ensure that erosion hazards would be prevented. In addition, building envelopes have been designated that would prohibit grading on slopes on 30 percent slopes or greater, further reducing potential erosion hazards.

8. *Septic and leach field capability;*

Discussion: The project would be served by private septic wastewater facilities. A Wastewater Disposal Study has been prepared by the applicant that indicates that adequate area and soil types exist on each of the parcels for wastewater disposal. These areas are located within proposed building envelopes. The El Dorado County Department of Environmental Health would be required to review septic reports for individual homes prior to issuance of building permits.

9. *Groundwater capability to support wells;*

Discussion: The project would be served by private wells on each of the parcels. An existing well on proposed parcel 4 currently serves the existing residence. A drawdown test performed on this well indicates that there is adequate water in the area for domestic water supply. Prior to issuance of building permits for individual homes on each of the proposed parcels, the property owners will be required to demonstrate that adequate water supply exists for each parcel.

10. *Critical flora and fauna habitat areas;*

Discussion: The project site is not located within a rare plant mitigation area. A biological study prepared for the proposed project did not identify any critical flora or fauna habitat areas onsite.

11. *Important timber production areas;*

Discussion: The project site does not contain or is adjacent to any important timber production areas.

12. *Important agricultural areas;*

Discussion: The project site is not located adjacent to any important agricultural areas. The El Dorado County Agricultural Commissioner's office reviewed the project on August 15, 2007 and recommended approval of the project based on the fact that the project was not adjacent to ongoing agricultural operations, is not located in an important agricultural area, and is not under or adjacent to land under Williamson Act Contract.

13. *Important mineral resource areas;*

Discussion: The project site does not contain or is located adjacent to any important mineral resource areas. While mining sites exist on the property, the cultural resource report prepared for the project concluded that no significant production resulted from these onsite mining activities.

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

Discussion: The Department of Transportation has reviewed and determined that completion of the required road improvements and payment of Traffic Impact Mitigation Fees prior to building permit issuance would reduce impacts to the existing traffic system in the area. There are currently no capacity issues on the area roadways, nor are any future impacts anticipated.

15. *Existing land use pattern;*

Discussion: The project site is surrounded by land designated for rural residential uses. The proposed rezone would be entirely consistent with that land use pattern.

16. *Proximity to perennial water course;*

Discussion: There are no perennial water courses on the project site. The closest perennial water course is the North Fork of the American River located approximately ½-mile north of the project site.

17. *Important historical/archeological sites;*

A Cultural Resources Study was prepared for the project which identified several historic features associated with mining activities during the mid-1800s. These features were determined to have insignificant value in the context of regional historical mining features.

No archaeological features were found on the project site or in the nearby vicinity.

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

**Discussion:** The project site does not contain or is adjacent to seismic hazards or active faults. Adherence to standard construction practices would prevent any seismic related hazards.

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

**Discussion:** The project parcels do not have any existing CC&Rs. CC&Rs would be required for the maintenance of the onsite roads and preservation of the proposed open space lots and oak tree replacement mitigation area. The CC&Rs would require review and approval from DOT and Planning Services.

**Development Standards:** Section 17.28.210 A-H of the Zoning Ordinance establishes the requirements for development within the RE-10 Zone District:

A. *Minimum lot area, ten acres*

The project would create four (4) parcels ranging in size from 20.00 acres to 47.22 acres. All would exceed the 10-acre minimum lot area.

B. *No maximum building coverage.*

Future development of the residential lots would include single family residences and accessory buildings. The project would not conflict with this requirement.

C. *Minimum Lot Width, one hundred feet.*

All proposed lots would have a lot width well in excess of one hundred feet.

D. *Minimum yard setbacks: front and rear, thirty feet; sides, thirty feet except the side yard shall be increased one foot for each additional foot of building height in excess of twenty-five feet (25'); (Ord. 4236, 1992)*

Building envelopes shown on Exhibit \_ would all meet required setbacks as set forth in this development standard. In addition, individual homes will be required to meet all setback requirements and will be reviewed for consistency during building permit review.

E. *Minimum agriculture structural setbacks of fifty feet on all yards;*

Surrounding properties are all rural residential in nature and there is no ongoing agriculture on surrounding parcels. However, the large parcel sizes afford the ability to meet this requirement of a fifty foot setback on all yards if necessary.

F. *Maximum building height, forty-five feet (45') (Ord 4236, 1992)*

No development is proposed on the lots. Future development on each lot would require compliance with the maximum height requirements of the RE-10 zone.

G. *Minimum dwelling unit area, six hundred square feet of living area and two rooms:*

Future development of each lot would require compliance with the minimum dwelling unit size of the RE-10 zone.

H. *Location of the Parcel in Relation to Surrounding Land Use. The success and stability of agricultural enterprises can be profoundly influenced by the zoning and use of immediately adjacent lands. A buffer area of fifty feet will be required on the inside of a boundary where land zoned estate residential five acres abuts planned agricultural zone lands which are currently not in horticultural and timber production. Variances to the above will be considered upon recommendation of the agricultural commission. The development of a dwelling or noncompatible use shall be one hundred feet from any existing horticultural or timber enterprises. Noncompatible uses are defined as, but not limited to:*

1. Residential structures,
2. Nursing homes,
3. Public and private schools,
4. Playgrounds,
5. Swimming pools,
6. Fish ponds. (Ord. 3606 §15, 1986: Ord. 3366 §§10, 11, 1983; prior code §9412.2(e))

**Discussion:** Surrounding land uses are all rural residential in nature. The proposed general plan amendment and rezone would bring the proposed land use designation into consistency with surrounding land uses. No future agriculture is contemplated in the area, and thus agricultural buffers are not necessarily required.

**Conclusion:** As discussed above, staff finds that the project can be found to conform with the intent of the Zoning Code and that the necessary findings can be made to support the request for a General Plan land use designation change, a rezone, and tentative parcel map creating four parcels. The details of those findings are contained in Attachment 2.



**Agency and Public Comments:** Appropriate conditions from each reviewing agency are included in the project permit. The following agencies provided comments and/or conditions for this project:

El Dorado County Fire Protection District  
El Dorado County Department of Transportation  
El Dorado County Environmental Management  
El Dorado County Air Quality Management District  
El Dorado County Resource Conservation District  
El Dorado County Transportation Authority  
El Dorado County Local Agency Formation Commission (LAFCO)  
Office of the County Surveyor  
El Dorado County Agricultural Commission

## **ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project has a significant effect on the environment. Based on the Initial Study, staff finds that the project could have a significant effect on biological resources. However, the project has been modified to incorporate the mitigation measures identified in the Initial Study which will reduce the impacts to a level considered to be less than significant. Therefore, a Mitigated 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 \$50.00 recording fee, is to 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 States fish and wildlife resources

**RECOMMENDATION:** Staff recommends the Planning Commission forward a recommendation that the Board of Supervisors take the following actions:

1. Adopt the Mitigated Negative Declaration based on the Initial Study reviewed by staff;
2. Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the conditions of approval and mitigation measures in Attachment 1;
3. Approve General Plan Amendment A08-0004 and Rezone Z07-0026 based on the findings in Attachment 2;

4. Approve Tentative Parcel Map Application P07-0025, subject to the conditions in Attachment 1, based on the findings in Attachment 2; and
5. Approve the design waiver of a dead end road from 2,640 feet to a length of 5,280 feet, since appropriate findings have been made as noted in Attachment 2:

## SUPPORT INFORMATION

### Attachments:

Attachment 1 .....	Conditions of Approval
Attachment 2 .....	Findings
Exhibit A .....	Vicinity Map
Exhibit B .....	Assessor's Parcel Map
Exhibit C .....	General Plan Land Use Map
Exhibit D .....	Zoning Map
Exhibit E .....	Tentative Parcel Map, dated June 2007
Exhibit F .....	Grading & Drainage Plan, dated June 2007
Exhibit G .....	Map Showing Building Envelopes & Mitigation Area
Exhibit H .....	Aerial Photo
Exhibit I .....	Soils Map
Exhibit J .....	Pilot Hill U.S.G.S. Quadrangle
Exhibit K .....	Draft Mitigated Negative Declaration

# Tentative Parcel Map

Beckler Lane - Redwood, San Joaquin County  
 BEING A PORTION OF THE SOUTH 1/2 OF SECTION 2  
 AND A PORTION OF THE NORTHWEST 1/4 OF SECTION  
 11, T. 11 N., E. 6 E., M.D.A.

COUNTY OF EL DORADO STATE OF CALIFORNIA  
 JUNE, 2007 1'-200'

OWNER/APPLICANT:

WESTLY HUSLON  
 3000 FORTY-NINTH ROAD  
 PLACENTIA, CA 92667

MAP PREPARED BY:

**CE**  
 CARLSON ENGINEERING, INC.  
 3000 FORTY-NINTH ROAD  
 SHINGO SPRINGS, CA 92682  
 (562) 677-9550

SCALE OF MAP:

1" = 200'

CONTOUR INTERVAL:

ONE FOOT (30')

SOURCE OF TOPOGRAPHY:

USGS QUADRANGLE MAP

SECTION, TOWNSHIP, RANGE:

FOR SECTIONS 2 & 11, T. 11 N., E. 6 E.

ASSESSOR'S PARCEL NO.:

847-009-07

PRESENT ZONING:

RE-3, RE-3.5, C, AE

PROPOSED ZONING:

RE-3P

TOTAL PARCEL AREA:

29.897 ACRES

MINIMUM PARCEL AREA:

4 ACRES

WATER SUPPLY:

WELL

SEWAGE DISPOSAL:

PRIVATE / SEPTIC

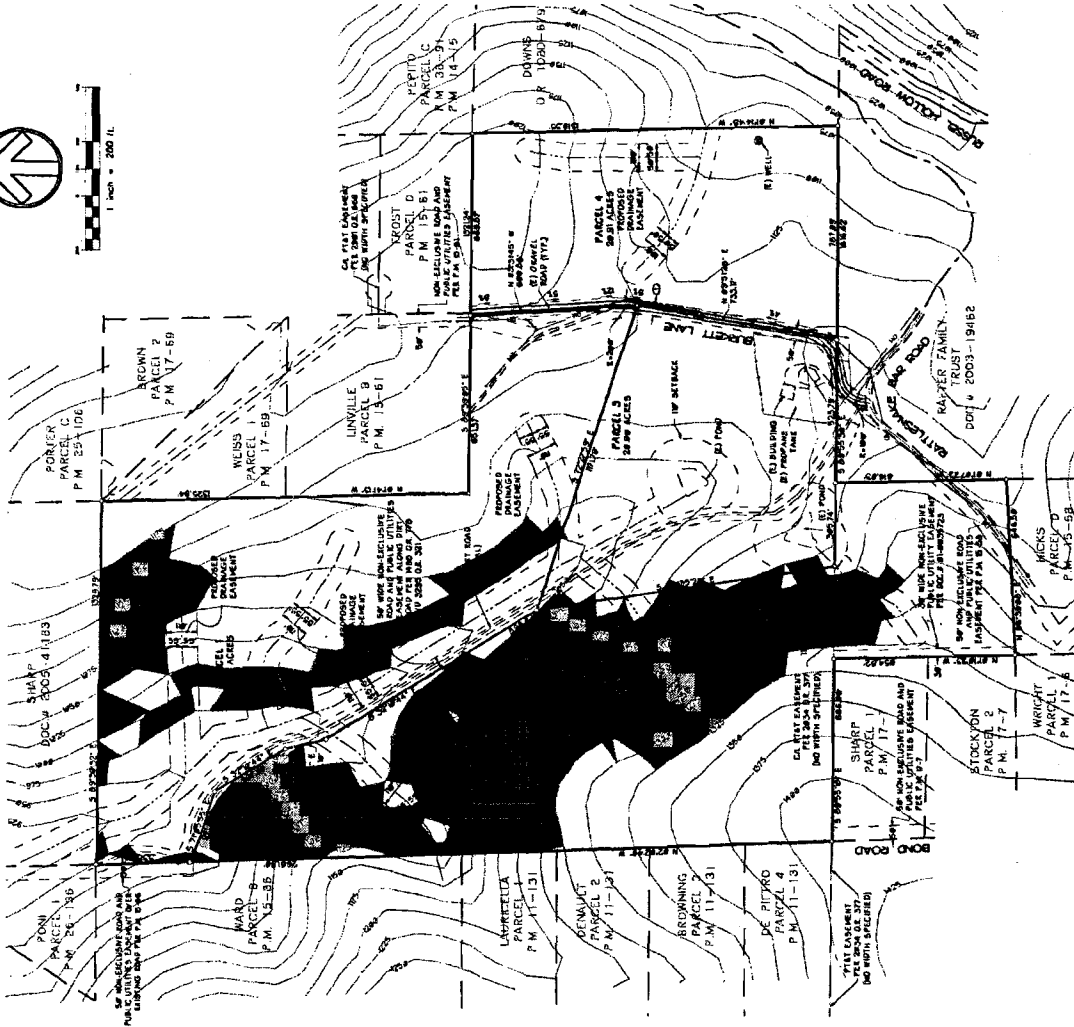
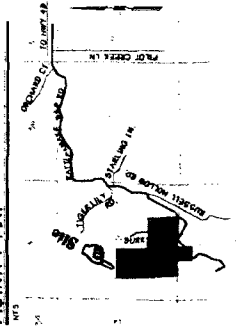
STRUCTURAL FIRE PROTECTION:

EL DORADO COUNTY FPD.

DATE OF PREPARATION:

JUNE, 2007

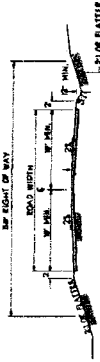
## VICINITY MAP



## LEGEND

- SLOPES GREATER THAN 30%
- THE HYDRAULIC
- CONDUIT
- POLE OR POWER PILE
- UTILITY
- OPEN ROAD UTILITIES
- 50' WIDE NON-EXCLUSIVE ROAD AND PUBLIC UTILITIES EASEMENT

## TYPICAL ROAD SECTION - EDC DS 101C



## NOTES

1. TO THE NEW NON-EXCLUSIVE ROAD AND PUBLIC UTILITIES EASEMENT PER MAP IS THE NEW NON-EXCLUSIVE ROAD AND UTILITY EASEMENT TO BE 50' FROM THE LANE OF THE INTERSECTION OF CENTERLINE SHOWN.
2. THE DISTANCE FROM PARCELS LANE INTERSECTION WITH THE EXISTING PROPERTY EASEMENTS TO THE INTERSECTION OF INTERSECTION LANE AND PARCELS LANE IS SHOWN ALONG THE LANE ALONG THE EXISTING ROAD ALIGNMENT. MODEL HOLLOW IS NOT TO BE USED.
3. PROPOSED DRAINAGE DISBURSERS ARE RETAINING ARE SHOWN PER THE SITE SPECIFIC RETAINING SHEET PREPARED FOR THIS PROJECT.

EXISTING ADJACENT PARCEL MAPS: 847-009-07

ZONING ADMINISTRATOR	APPROVAL / DENIAL DATE
BOARD OF SUPERVISORS	APPROVAL / DENIAL DATE

EXHIBIT G

Building B = four, 2-bedroom condominiums, and one, 3-bedroom condominium and five bathrooms for commercial office space.

**Surveyor's Office**

59. 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.

8. **GENERAL PLAN AMENDMENT/REZONE/TENTATIVE PARCEL MAP**  
(Public Hearing)

**A08-0004/Z07-0026/P07-0025** submitted by WESLEY HAGSTROM (Engineer: Carlton Engineering, Inc.) to amend the General Plan land use designation from Rural Residential (RR) and Commercial (C) to Rural Residential (RR); rezone the same property from Estate Residential Ten-acre (RE-10), Estate Residential Five-acre (RE-5), Commercial (C), and Exclusive Agricultural (AE) to Estate Residential Ten-acre (RE-10); and tentative parcel map creating four lots ranging in size from 20 to 49 acres with a design waiver request to allow the development to be served by a dead-end road exceeding 2,640 feet in length. The property; identified by Assessor's Parcel Number 104-100-67, consisting of 129.43 acres, is located on the north side of Rattlesnake Bar Road, approximately 5.0 miles southwest of State Route 49, in the **Pilot Hill area**, Supervisorial District IV. (Mitigated negative declaration prepared)

Pierre Rivas introduced Gordon Bell, contract planner, who recommended approval to the Board of Supervisors.

Chair Tolhurst asked why this property was designated Commercial. Mr. Rivas commented it was adopted with the Area plan and carried through with the adoption of the current General Plan.

Eileen Crawford, Department of Transportation, proposed modification to Conditions 15, 16, 20, and 23.

Commissioner Machado asked for clarification on the access. Mr. Bell explained. Commissioner Machado asked about the linear feet of fencing. Mr. Bell said the building envelopes will restrict the fencing.

Commissioner Machado asked about the IBC. A biological study was prepared on this property, and nothing was found. He asked what plants are being protected. Mr. Rivas does not believe any plants are being protected. It is the migration of wildlife.

Peter Maurer said staff will be going back to the Board next month with an update on the INRMP and the IBC.

Commissioner Mac Cready said they are only going to be 20-acre parcels. Why ask for ten-acre zoning? Mr. Bell commented the surrounding zoning is ten-acre, and the proposed zoning would

EXHIBIT H

be consistent with that zoning. Because of the topography and required road improvements, it does not appear you could split the parcels further.

Ted Woessner thanked the County for allowing a contract planner to process this project. The majority of the property is already ten-acre. Unless there are substantial improvements made to Rattlesnake Bar Road, there could not be further divisions.

Don Denault, resident in the area, said Rattlesnake Bar Road does not provide safe passage at the present time. He believes it would be poor policy to approve more parcel splits on this road until the road is improved. Rattlesnake Bar Road cannot be brought up to fire safe standards without a lot of money. There have been a lot of trees already removed on the property. Mr. Renault does not believe it will be a responsible project and does not believe it should be approved.

There was no further input.

Commissioner Machado believes the project improves some of the fire safe hazards in the area.

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MACHADO AND CARRIED BY THE FOLLOWING VOTE: AYES – COMMISSIONERS KNIGHT, MAC CREADY, MACHADO, AND TOLHURST; NOES – COMMISSIONER MATHEWS, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTION: 1. ADOPT THE MITIGATED NEGATIVE DECLARATION, AS PREPARED; 2. APPROVE A08-0004 CHANGING THE LAND USE DESIGNATION ON ASSESSOR'S PARCEL NUMBER 104-100-67 FROM RURAL RESIDENTIAL (RR) AND COMMERCIAL (C) TO RURAL RESIDENTIAL (RR), BASED ON THE FINDINGS PROPOSED BY STAFF; 3. APPROVE Z07-0026 REZONING THE SAME PROPERTY FROM ESTATE RESIDENTIAL TEN-ACRE (RE-10), ESTATE RESIDENTIAL FIVE-ACRE (RE-5), COMMERCIAL (C), AND EXCLUSIVE AGRICULTURAL (AE) TO ESTATE RESIDENTIAL TEN-ACRE (RE-10), BASED ON THE FINDINGS PROPOSED BY STAFF; AND 4. APPROVE P07-0025 BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

### **Findings**

#### **1.0 CEQA Finding**

- 1.1** El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The proposed project, as conditioned, will not have a significant effect on the environment. The Mitigated 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 Planning Commission finds that through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.

- 1.3 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with the corresponding permit monitoring requirement, is hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 1.4 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of the Development Services Department, Planning Services Division at 2850 Fairlane Court, Placerville, CA.

## 2.0 General Plan Consistency Findings

- 2.1 The land use amendment from Rural Residential to Low Density Residential is consistent with Objective 2.1.3 in that the 5.0 to 5.5-acre parcel size would maintain the open character. Amending the land use designation to Low Density Residential is found to be in the public interest because of the public benefit of creating an emergency fire exit road to California Fire Code and SRA Fire Safe Standards. The proposed tentative parcel map, as conditioned, is consistent with the Low Density Residential General Plan land use designation for parcel size, density and land use.
- 2.2 The proposal, as conditioned, is consistent with the intent of Policies 2.1.1.7, 2.2.5.21, 5.7.1.1, 6.2.3.2, 7.4.2.9, 7.4.4.4 and because, upon completion of the conditions, there will be adequate roadways, utilities, and other public service infrastructure available. The project is consistent with the dominant lot pattern of development in the direct project vicinity and wildfire hazards have been addressed. As mitigated, impacts to the native oak tree canopy will be less than significant with the project.

## 3.0 Zoning Findings

- 3.1 The project is proposed to be zoned Estate Residential Ten-Acre (RE-10) which establishes a minimum parcel size of 10 acres. The project would create four parcels ranging in size from 20 to 49.00-acres in size which is consistent within the RE-10 zone district. The proposed parcels conform to the current zoning. All four parcels have the size and natural conditions to allow single-family development to meet the development standards in Section 17.28.210.

## 4.0 Tentative Map Findings

- 4.1 **The proposal conforms to the County's zoning regulations and Minor Land Division Ordinance** because they exceed the minimum parcel size required for the RE10 zone district and, as conditioned, there will be adequate emergency and regular vehicular access, public facilities and existing utilities to support the residential uses required by the parcels.

- 4.2 **The site is physically suitable for the proposed type and density of development** because the parcels have the capability to provide private facilities (water and wastewater disposal) to support the residential uses. Other utilities currently exist on and adjacent to the proposed parcels.
- 4.3 **The proposed tentative map is not likely to cause substantial environmental damage** because the project has been conditioned to provide building envelopes which would minimize environmental impacts to biological resources and erosion and sedimentation impacts. Access will be improved to current safety standards and the impacts from all other potential improvements (building pads and driveways) have been analyzed in the Initial Study and, as conditioned, have been found to be less than significant.

#### 5.0 DESIGN WAIVER APPROVAL FINDINGS

To allow the length of a dead end street from 2,640 feet to a length of 5280 feet, in compliance with the El Dorado County Department of Forestry SRA Fire Safe Regulations 1273.09(a) Dead End Roads which allows the maximum length of a dead-end road for parcels zoned for 20 acres or larger not to exceed 5,280 feet.

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

The proposed access road would meet the County's road standards in terms of width but can not be looped because Burkett Lane is cut off by the American River to the north, as is Rattlesnake Bar Road. There are no other alternatives for secondary access.

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

The project would only result in the creation of two additional lots to be served by Burkett Lane, which presently serves 10 additional parcels to the north. Because of existing zoning and environmental constraints on these parcels, future discretionary development is unlikely to occur north of the proposed project. The requirement to create an additional access or looped road would therefore be burdensome on this proposed project. Such a requirement also seems unnecessary given that traffic volumes are low and the applicant will be required to develop a Fire Safe Plan acceptable to the El Dorado County Fire Protection District and DOT prior to final map recordation.

#### Conditions

1. The project, as approved, consists of the following:

This General Plan land use designation amendment, rezone, and tentative parcel map are based upon and limited to compliance with the project description, the Planning Commission hearing exhibit marked Exhibits A-K (General Plan amendment/

rezone/tentative parcel map) dated May 22, 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 will constitute a violation of permit approval.

**Project Description:** Approval of this project allows the following: amendment to the General Plan land use designation from Rural Residential (RR) and Commercial-Platted Lands (C-PL) to Rural Residential (RR) on the 129.43-acre lot referenced as Assessor's Parcel Number 104-100-67; a rezone to change zoning designation from RE-10 (Estate Residential Ten-Acres), RE-5 (Residential Five-Acres), C (Commercial) and AE (Exclusive Agricultural) to RE-10 (Estate Residential Ten-Acres), and a tentative parcel map to subdivide the existing 129.43-acre parcel into four parcels ranging in size from 20.00 to 47.22-acres. Future development (structural improvements, grading, utilities, paving, etc) will be limited to building envelopes designated on Exhibit G. Building envelopes are designated on areas of less than 30% slope, outside setback areas for water courses and water bodies, and outside setbacks required by the RE10 zone district. Access for Parcel 2 will be provided from Rattlesnake Bar Road. Access for Parcels 1, 3, and 4 will be provided by Burkett Lane. Burkett Lane will be improved to Fire Department and Department of Transportation standards.

2. All site improvements shall conform to Exhibits E-G.

#### **Environmental Review (Mitigation Measures)**

3. **MM Bio-1:** All grading, improvement, and building plans shall state: "It is the applicant and contractor's responsibility to comply with all applicable state and federal laws and regulations including the Federal and State Endangered Species Acts and the Clean Water act for all on-site impacts. The County Grading Permit does not authorize Contractor to conduct activities not permitted by applicable State and Federal agencies in areas subject to State and Federal jurisdiction."

*Timing/Implementation: Prior to issuance of grading and building permits*  
*Enforcement/Monitoring: El Dorado County Planning*

4. **MM Bio-2:** In order to avoid impacts to sensitive habitat for State- and/or Federally-listed species, species of concern; impacts due to erosion and sedimentation, and impacts drainages, watercourses, and water bodies, building/development envelopes shall be designated consistent with Exhibit G, dated April 21, 2008. No development or earth disturbance shall occur outside of these areas. Construction equipment operation shall be confined to the approved development envelopes. Prior to final map recordation, a Notice to Property Owner (NTPO) stating this limitation and including a figure depicting the development envelope location shall be recorded with the County Clerk-Recorder. The development envelope shall be shown on all plans submitted for land use and building permits. Development envelope boundaries shall be staked in the field.



*Timing/Implementation: Prior to issuance of final map recordation*  
*Enforcement/Monitoring: El Dorado County Planning*

5. **MM Bio-3:** Any oak trees removed from the site shall be mitigated as specified in the Interim Interpretive Guidelines for El Dorado County as adopted by the County on November 9, 2006. Mitigation for loss of tree canopy shall be implemented to reduce impacts from oak tree loss. Fulfillment of any one of the following options will reduce impacts to a less than significant level:
- a. For tree replacement under Policy 7.4.4.4 of the General Plan, oak trees shall be replanted at a rate of 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 or qualified biologist 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 or biologist 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.
  - b. Payment of all fees required under Option B of General Plan Policy 7.4.4.4 to the county's Integrated Natural Resources Management Plan (INRMP). Payment of fees shall be at a migration ratio of 2:1 and based on all impacted oak woodland acreage. Payment of fees and successful completion of this alternative is dependent upon county adoption and implementation of the INRMP by the County and approval of Planning Services.

*Timing/Implementation: Prior to issuance of grading and building permits*  
*Enforcement/Monitoring: El Dorado County Planning*

6. **MM Bio-4:** If option a. above is utilized, the applicant shall provide an update letter to be prepared by a qualified professional about the health and progress of the re-planted oak saplings and/or oak acorns for this project.

*Timing/Implementation: Prior to issuance of occupancy permits*  
*Enforcement/Monitoring: El Dorado County Planning*

7. **MM Bio-5:** If option a. above is utilized, Covenants, Conditions, and Restrictions (CC&Rs) shall be established and recorded for this project that would, in part, ensure the survival of replanted oaks by requiring that each property owner share equally in the responsibility in the long term monitoring and maintenance of replanted oaks. The CC&Rs shall require that the property owners coordinate a one year, three years, five years, and ten year monitoring survey to be prepared by a qualified professional for both

oak and saplings that would be replaced, as well as a similar fifteen year survey update for acorns. In the event that the replanted saplings or acorns not survive, they shall be replaced (at the sole and equally shared cost of each property owner) based on County adopted policies and standards, and based on the input of a qualified professional.

*Timing/Implementation: Prior to issuance of grading and building permits*  
*Enforcement/Monitoring: El Dorado County Planning*

8. **MM Bio-6:** A conservation easement, consistent with Exhibit G contained herein, shall be designated on the parcel map for the sole purpose of providing an area for the replacement of oak trees disturbed or removed consistent with Option A of General Plan Policy 7.4.4.4. This conservation easement shall be recorded prior to filing of the parcel map. The conservation easement may be modified subject to review and approval by Planning Services with appropriate documentation from the property owner in the form of an oak tree canopy report and tree replacement and preservation plan prepared by a certified project arborist or qualified biologist. The plan shall evaluate potential impacts of future development activities within designated building envelopes. Modification of the conservation easement will require formal application to El Dorado County Planning Services for a map revision.

*Timing/Implementation: Prior to filing of the parcel map.*  
*Enforcement/Monitoring: El Dorado County Planning*

9. **MM Bio-7:** Prior to issuance of grading permits, the property owner shall select one building envelope on Parcel 3 upon which development activities are to occur. Grading permits and building permits shall specify the proposed envelope on an exhibit to be provided to the contractor designated to perform the grading and construction activities.

*Timing/Implementation: Prior to issuance of grading and building permits*  
*Enforcement/Monitoring: El Dorado County Planning*

10. **MM Bio-8:** Fencing shall be limited to areas around barns and or homes for the purposes of protecting livestock or landscaping. The property owner shall submit a fencing plan to El Dorado County Planning with the submission of building permits for review and approval.

*Timing/Implementation: Prior to issuance of building permits*  
*Enforcement/Monitoring: El Dorado County Planning*

#### **Planning Services Site Specific and Standard Conditions**

11. 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.

12. The applicant shall be required to pay Park-in-Lieu fee of \$150.00 payable to El Dorado County, pursuant to El Dorado County Subdivision Ordinance Chapter 16.12.090. A receipt showing compliance with this condition shall be submitted by the applicant to the Planning Services prior to filing of the final parcel map.
13. The applicant shall make the actual and full payment of planning processing fees for the general plan amendment, rezone and the tentative parcel map application prior to filing the parcel map.
14. 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 parcel map, 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.

### **El Dorado County Department of Transportation**

#### **Project Specific DOT Conditions**

15. **On-site Access Improvements:** The applicant shall widen the on-site portion of Burkett Lane to a 20-foot wide roadway with ~~10-foot~~ two foot shoulders on each side consistent with the provisions of the El Dorado County Design and Improvement Standards Manual (DISM), Standard Plan, 101C *and* *DISM II.3.A.12.a*, in effect at the time improvement plans are submitted for review and approval. 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.
16. **Off-site Access Improvements:** The applicant shall construct and /or verify that the off-site portion of Burkett Lane from the project boundary to Rattlesnake Bar Road, meets the requirements of El Dorado County Standard Plan 101C, *and* *DISM II.3.A.12.a*, a 20-foot roadway width with ~~10-foot~~ two foot wide shoulders on each side of the roadway, as required in Section 3.A.2.c.ii, of the DISM, and Fire Safe Regulations. The applicant shall provide an exhibit to the DOT, Planning, and the Fire Agency that shows that Burkett Lane complies 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.
17. **Off-site Access Easements:** The applicant shall provide proof of access to the project site from a State or County maintained road. Said proof shall be provided by and through a "Parcel Map Guarantee" which shall be submitted to the County Surveyor's Office with the first map check for the parcel map.
  18. The applicant shall grant a 60-foot road and public utility easement (R & PUE) where Rattlesnake Bar Road is located within the property boundaries prior to the filing of the parcel map. This offer will be accepted by the County.
  19. A vehicular restriction must be placed on the existing road located within the existing 50-foot road easement (PM 15-86) for Parcels 1, 2, and 3 prior to the filing of the parcel map.
  20. The applicant shall grant a ~~60-foot~~ 50 foot road and public utility easement (R & PUE) where Burkett Lane is located within the property boundaries prior to the filing of the parcel map. This offer will be rejected by the County.
  21. Per the El Dorado County Design and Improvement Standards Manual (DISM) Section 3.B.2, the roadway shown at approximately STA 21+00 Burkett Lane shall be reconstructed so as to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than 70 degrees. The improvement plans shall provide bearings on the centerline of proposed roadway to show said condition is met.
  22. The applicant shall construct the roadway encroachment of Burkett Lane onto Rattlesnake Bar Road to the provisions of DISM Standard Plan 103D and shall be paved per recommendations of geotechnical engineer. 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.
  23. The applicant shall provide for unobstructed visibility at the one-lane bridges (3 locations on Rattlesnake Bar Road) and provide/verify turnouts with a minimum 25-foot taper on each end. Where turnouts are not feasible the applicant shall be allowed to widen the pavement to a width of 22 feet for a distance of 50 feet measured from the bridge. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an 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.
  24. The applicant shall form and/or verify the existence of an entity, to the satisfaction of DOT, for maintenance of all on-site roads and/or drainage facilities not maintained by the County, prior to the filing of the parcel map.

25. Per the Design and Improvement Standards Manual [Section 3 A) 9) & 12)] the applicant shall be required to provide a secondary access to this site or provide evidence of a fire safe plan in accordance to the corresponding fire department, prior to the filing of the parcel map.
26. 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 twenty-percent (20%) 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.

27. The applicant shall adhere to all DOT standard conditions as specified in Attachment A.

**Standard DOT Conditions**

28. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee the performance of the Improvement Agreement as set forth within the County of El Dorado Subdivision Ordinance, prior to filing of the parcel map.
29. If site improvements are to be made, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado "Design and Improvement Standards Manual," the "Grading, Erosion, and Sediment Control Ordinance", the "Drainage Manual", the "Off-Street Parking and Loading Ordinance", and the State of California Handicapped Accessibility Standards.

30. 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.
31. Any import, or export to be deposited within El Dorado County, shall require an additional grading permit for that offsite grading.
32. The applicant shall provide a drainage report at the 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.
33. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to the DOT with the approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.
34. The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.
35. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.
36. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and potential discharge of pollutants into drainages.
37. The applicant shall submit a soils and geologic hazards report (meeting the requirement for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading and design plans shall incorporate the findings of detailed geologic and geotechnical investigations.
38. Grading plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation (DOT). The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the DOT shall consider the imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. The County shall issue no building permits until the DOT approves the final grading and erosion control plans and the grading is completed.

39. The timing and construction and method of revegetation shall be coordinated with the El Dorado Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the DOT. The DOT shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
40. 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 record drawings in TIF format.
41. Construction activities shall be conducted in accordance with the County noise regulation or limited to the following hours and days: 7:00 a.m. and 5:00 p.m. on any weekday; 8:00 a.m. and 5:00 p.m. on Saturdays; and prohibited on Sundays and holidays.
42. For projects that disturb more than one acres of land area (43,560 square feet), the Developer 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). The condition is mandated by 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 construction.

**El Dorado County Fire Protection District**

43. Submit a review fee of \$120.00.
44. Fire flow for this project is 1,000 gpm @ 20 psi for two hours with additional fire hydrants.
45. In place of requirements for hydrants and fire flow the applicant may enter into a deed restriction for parcels 1, 2, and 4 for a "Fire District approved NFPA 13D Fire Sprinkler System with 3,000 gallons of water storage for all new structures."
46. The existing home on Parcel 3 is required to have a 3000 gallon storage tank that is Fire District approved and within 500 feet of the home.
47. A deed restriction for an El Dorado County Fire District and a California Department of Forestry (CDF) approved Fire Safe Plan is required for this TPM. The Fire Safe Plan shall be reviewed and approved by El Dorado County Fire Protection District.
48. Existing non-conforming access roads serving this TPM will meet at a minimum Fire Safe Standards for width, surface, grade, radius, turnarounds, and turnouts, one-way and dead-end roads.

49. El Dorado County DOT standards may be more stringent and will supercede these requirements.
50. All Fire Protection District Requirements shall be completed prior to filing of the parcel map.

**El Dorado County Office of County Surveyor**

51. All survey monuments must be set prior to filing the parcel map.
52. 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.

**9. GENERAL PLAN AMENDMENT/ORDINANCE AMENDMENT (Public Hearing)**

~~A07-0011/Z08-0012 initiated by EL DORADO COUNTY to amend Policy 2.2.3.20 as follows: All non-residential development, all subdivisions, residential development on existing legal lots involving any structure greater than 120 4,000 square feet in size or requiring a grading permit for which land disturbance of an area of 20,000 square feet or more occurs, and all development located on lands identified as Important Biological Corridor (-IBC) on the Land Use Diagram, Figure LU-1, shall be permitted only upon a finding that the development is consistent with this General Plan and the requirements of all applicable County ordinances, policies, and regulations. For projects that do not require approval of the Planning Commission or Board of Supervisors, this requirement shall be satisfied by information supplied by the applicant demonstrating compliance. All building permits shall be consistent with the land uses described in the land use designation established for the site, as provided in Policy 2.2.1.2 and set forth on Figure LU-1. (Addendum to General Plan Environmental Impact Report prepared)~~

~~**The zoning ordinance amendment revises Section 17.22.330 of the County Code to reflect said policy amendment as follows:**~~

~~17.22.330 Applicability of General Plan Consistency Requirements. Requirements for General Plan consistency shall apply to:~~

- ~~A. All building permits for new structures, as defined in the General Plan, greater than 120 4,000 square feet, including additions to existing structures.~~
- ~~B. Building Permits or other permits that require a grading permit for which land disturbance of an area of 20,000 square feet or more occurs.~~
- ~~C. All development, as defined in the General Plan, located on lands identified as Important Biological Corridor (-IBC) on the Land Use Diagram, Figure LU-1.~~
- ~~D. Non-residential development. (Addendum to General Plan Environmental Impact Report prepared)~~



52. 08-0862

Hearing to consider the following pertaining to 129.43 acres (APN 104-100-67) in the Pilot Hill area (District IV); Applicant: Wesley Hagstrom:

- (1) Approve General Plan Amendment (A08-0004) changing the land use designation from Rural Residential (RR) and Commercial (C) to Rural Residential (RR);
- (2) Approve Rezone (Z07-0026) from Estate Residential Ten-acre (RE-10), Estate Residential Five-acre (RE-5), Commercial (C), and Exclusive Agricultural (AE) to Estate Residential Ten-acre (RE-10);
- (3) Approve Tentative Parcel Map (P07-0025) creating four lots ranging in size from 20 to 49 acres with a design waiver request to allow the development to be served by a dead-end road exceeding 2,640 feet in length; and
- (4) Adopt Ordinance **4776** for said rezone.

**Attachments:** [A08-0004 Z07-0026 P07-0025 Findings Conditions.doc](#)  
[A08-0004 Z07-0026 P07-0025 Minutes 052208.doc](#)  
[A08-0004 Z07-0026 P07-0025 Staff Report.pdf](#)

**After hearing public testimony, a motion was made by Supervisor Briggs, seconded by Supervisor Santiago to adopt the mitigated negative declaration as prepared; approve General Plan Amendment based on the findings; adopt Ordinance 4776 rezoning said property based on the findings; and approve Tentative Parcel Map based on the findings and subject to conditions.**

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago


EXHIBIT I



COUNTY OF EL DORADO  
DEPARTMENT OF TRANSPORTATION



INTEROFFICE MEMORANDUM

Date: August 4, 2011  
To: Tom Purciel, Project Planner  
From: Eileen Crawford, DOT Transportation Planning   
Subject: P 07 – 0025 R  
Project: Burkett Lane Parcel Map (Wesley Hagstrom)  
Location: North side of Rattlesnake Bar Road approximately 5 miles southwest of Highway 49, in the Pilot Hill area.  
APN: 104-100-67

RE: Off-Site Access Improvements

Project Description: The Department of Transportation (DOT) has reviewed the request to amend Conditions of Approval No. 16 (DOT COA) and No. 47 (EDC Fire Protection District COA), removing the requirement for a secondary access road as part of the project Fire Safe Plan.

**PROJECT SPECIFIC DOT CONDITIONS**

- 23. **On-site Access Improvements:** The applicant shall widen the on-site portion of Burkett Lane to a 20-ft wide roadway with 2-ft shoulders on each side consistent with the provisions of the El Dorado County Design and Improvement Standards Manual (DISM), Standard Plan, 101C and *DISM II.3.A.12.a*, in effect at the time improvement plans are submitted for review and approval. 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. **Off-site Access Improvements:** The applicant shall construct and /or verify that the off-site portion of Burkett Lane from the project boundary to Rattlesnake Bar Road, meets the requirements of El Dorado County Standard Plan 101C, and *DISM II.3.A.12.a*, a 20-foot roadway width with 10-foot wide shoulders on each side of the roadway, as required in Section 3.A.2.c.ii, of the DISM, and Fire Safe Regulations. The applicant shall provide an exhibit to the DOT, Planning, and the Fire Agency that shows that Burkett Lane complies 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.

EXHIBIT J

23. The applicant shall provide for unobstructed visibility at the one lane bridges (3 locations on Rattlesnake Bar Road) and provide/verify turnouts with a minimum 25-foot taper on each end. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an 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.

25. Per the Design and Improvement Standards Manual [Section 3 A) 9) & 12)] the applicant shall be required **to provide a secondary access** to this site or provide evidence of a fire safe plan in accordance to the corresponding fire department, prior to the filing of the parcel map.

### **ADVISORIES:**

To date, the applicant has completed all of the on-site and off-site improvements (permits #193525, 193526 & 193527) including the on-site roadways for Burkett Lane, off-site roadway on Burkett Lane, the encroachment of Burkett lane on to Rattlesnake Bar Road and visibility and turnout improvements at three one-lane bridges along Rattlesnake Bar Road.

While the secondary access requirement is a part of DOT's standard conditions it contains language that allows for variances (such as water tanks on site) that are approved by the local fire agency and included in the fire safe plan.

From DOT's point of view, all of the road improvement conditions have been met. DOT supports the modification of the above conditions to eliminate the requirement of the secondary access and fire safe plan.

**Hagstrom Parcel Split  
APN: 104-100-67  
Subdivision**

**Wildland Fire Safe Plan**

**Prepared for:**

**Wesley Hagstrom**

**EXHIBIT K**

**December 1, 2010**

## Hagstrom Parcel Split

Approved by:

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Date

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Date

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## **I. PURPOSE AND SCOPE**

Communities are increasingly concerned about wildfire safety. Drought years coupled with flammable vegetation and annual periods of severe fire weather insure the potential for periodic wildfires.

The purpose of this plan is to assess the wildfire hazards and risks of the Hagstrom parcel split, to identify measures to reduce these hazards and risks and protect the native vegetation. There are light fuel hazards and gentle topography associated with this proposed project both on and adjacent to the project.

The possibility of large fires occurring when the parcel split is complete will be greatly reduced. However, small wildfires in the open space areas and on the larger lots may occur due to the increase in public uses.

Incorporation of the fire hazard reduction measures into the design and maintenance of the future parcels will reduce the size and intensity of wildfires and help prevent catastrophic fire losses. State and County regulations provide the basic guidelines and requirements for fire safe mitigation measures and defensible space around dwellings. This plan builds on these basic rules and provides additional fire hazard reduction measures customized to the topography and vegetation of the development with special emphases on the interface of homes and wildland fuels.

The scope of the Hagstrom Parcel Split Wildland Fire Safe Plan recognizes the extraordinary natural features of the area and designs wildfire safety measures which are meant to compliment and become part of the community design. The Plan contains measures for providing and maintaining defensible space around future homes. Plan implementation measures must be maintained in order to assure adequate wildfire protection.

Homeowners who live in and adjacent to the wildfire environment must take primary responsibility along with the fire services for ensuring their homes have sufficient low ignitability and surrounding fuel reduction treatment. The fire services should become a community partner providing homeowners with technical assistance as well as fire response. For this to succeed it must be shared and implemented equally by homeowners and the fire services.

## **II. FIRE PLAN LIMITATIONS**

The Wildland Fire Safe Plan for the Hagstrom parcel split does not guarantee that wildfire will not threaten, damage or destroy natural resources, homes or endanger residents. However, the full implementation of the mitigation measures will greatly reduce the exposure of homes to potential loss from wildfire and provide defensible space for firefighters and residents as well as protect the native vegetation. Specific items are listed for homeowner's attention to aid in home wildfire safety.

### **III. THE HAGSTROM PARCEL SPLIT WILDLAND FIRE SAFE PLAN**

#### **1. PROJECT DESCRIPTION**

The Hagstrom parcel split is located on the west side of Rattlesnake Bar Road at Burkett Lane in the Pilot Hill area. The property is .85 miles from Russell Hollow to Burkett Lane. Any new road development will depend on actual building envelopes that will be utilized in the future. At the north end of the project there is an existing driveway serving an off-site parcel. Parcel 2 may have a long driveway which will comply with Fire Safe regulations. A new turn-around will be constructed at the end of the driveway. The driveway and turn-around will conform to fire department standards. All lots shall have their own well and fire hydrant/standpipe. There is not any road work anticipated to Burkett Lane. Any road construction will be to El Dorado County Department of Transportation (DOT) standards. A fuel hazard reduction zone along the entire length of Burkett Lane and any new road will be needed. This project is planning to split parcel APN:104-100-67 totaling 129.9 acres into 4 lots. Each lot will be a minimum of 20 acres in size and the largest lot will be 47.8 acres. All the lots shall have well water provided by the individual owners. The individual wells shall provide for domestic and individual fire protection. A fire department connection/standpipe will be installed near each new residence. Residential fire sprinklers shall be required by the California Residential Building Code. All houses shall have their own water tank for its domestic water and fire sprinklers. These tanks need to be a minimum of 4,250 gallons. The actual size of the tank will be determined by the fire sprinkler system once designed for each specific residence. The existing residence will be required to install a fire protection system consisting of 3,000 gallons of water with a fire department connection.

The El Dorado County Fire Protection District provides all fire and emergency medical services to this project. The California Department of Forestry and Fire Protection (CAL FIRE) has wildland fire responsibility in this state responsibility area (SRA).

#### **2. PROJECT VEGETATION (FUELS)**

For wildfire planning purposes the vegetation is classified as follows:

- (a) ground fuels- annual grasses, scattered coffeeberry, poison oak, and toyon with downed limbs (Brush)
- (b) overstory- scattered live oaks, black oaks, blue oaks, ponderosa pine and California gray pines.

The property is on north to northeast facing slopes up to approximately 30%. Fire hazard reduction of the fuels will be extremely important around the house sites and surrounding areas. Portions of the property are currently being grazed. Ladder fuels will need to be eliminated. Limbing of trees is important to reduce their susceptibility from a ground fire. Tree spacing on the slopes is a critical component to attaining the required fire safe clearances. A separation of the brush fuels and trees are essential for creating the defensible space around the residence. CDF guidelines for the 100 foot clearance requirements are attached.

#### **3. PROBLEM STATEMENTS**

- A. The brush fuels on the slopes will ignite and have a rapid rate of spread.



Fire in the grass and brush fuels on the slopes is the most serious wildfire problem for this project.

**B. Risk of fire starts will increase with development.**

The greatest risk from fire ignition will be along roads and on large lots as human use on these areas increases.

**C. Provisions must be made to maintain all fuel treatments.**

The wildfire protection values of fuel reduction are rapidly lost if not maintained. Continued review of potential ladder fuels to maintain a fire safe environment is very important. Annual maintenance by June 1 of each year is necessary.

**D. Typical home design and siting often does not recognize adequate wildfire mitigation measures.**

A review of many wildfires has conclusively shown that most home losses occur when: (1) there is inadequate clearing of flammable vegetation around a house, (2) roofs are not fire resistant, (3) homes are sited in hazardous locations, (4) firebrand ignition points and heat traps are not adequately protected and (5) there is a lack of water for suppression.

**4. GOALS**

- A. Modify the continuity of high hazard vegetation fuels.
- B. Reduce the size and intensity of wildfires.
- C. Ensure defensible space is provided around all structures.
- D. Design fuel treatments to minimize tree removal.
- E. Ensure fuel treatment measures are maintained.
- F. Identify fire safe structural features.
- G. Help homeowners protect their homes from wildfire.

**5. WILDFIRE MITIGATION MEASURES**

Wildfire mitigation measures are designed to accomplish the Goals by providing and maintaining defensible space and treating high hazard fuel areas. Fire hazard severity is reduced through these mitigation measures. The Wildland Fire Safe Plan places emphasis on defensible space around structures.

The driveway placement, fire hydrant location at each residence and fuel treatments will be extremely important in the development of these new lots. Fuel treatment zones of at least 10 feet in width shall be installed along the road and driveways and around the new fire hydrants.

All residences shall be required to have NFPA 13D fire sprinkler systems. A water storage tank shall be required. The individual water tanks for fire protection must be kept full at all times as they will be incorporated into the domestic water system. A minimum of 4,250 gallons for domestic and fire protection is required (See Table A). Actual tank size will be determined by the square footage of the residence. Consulting with El Dorado County Fire Protection shall be required for water tank sizing. It must have an external sight guage to determine the actual water level in the tank. All external plumbing shall have freeze protection. The fire hydrant on this system needs a minimum of 20psi at the hydrant. A valve with a 2 1/2" NTS male outlet shall be required on the fire hydrant. Annual maintenance should include flushing of the system and testing of the pump to ensure proper pressure.

This parcel split is in a Very High Fire Hazard Severity Zone. Wildland-Urban Interface Fire Areas Building Standards will be required in new construction. These standards address roofing, venting, eave enclosure, windows, exterior doors, siding, and decking.

Clearance along the road and around structures is very important and necessary. Fire Safe specifications state that all trees in the fuel treatment zones shall be thinned so the crowns are not touching. Branches on remaining trees shall be pruned up 10 feet as measured on the uphill side of the tree. Brush shall be removed. Grasses shall be kept mowed to a 2 inch stubble annually by June 1. Any tree crown canopy over the driveways shall be pruned at least 15 feet up from the driveway surface.

The fuel treatment zone shall continue along both sides of the common driveway and be at least 10 feet wide. This zone is in addition to the clearances required by state law. The State required Fire Safe clearances (PRC 4291) shall be implemented around all structures (See CDF Guideline). Clearances may be required at the time of construction.

**More restrictive standards may be applied by approving El Dorado County Authorities. Approval of this plan does not by itself guarantee approval of this project.**

### **Mitigation Measures:**

- **Lots 1 acre and larger shall be landscaped to Firescaping Standards Zones I and II. (See Appendix A)**
  - a. **Responsibility- homeowner at the time construction starts and completed after construction**
- **Driveways shall be 12 feet wide. Driveways shall comply with the DOT weight standards. Any driveway over 300' long shall have a turnout at or near the midpoint. Driveways over 400' in length shall have a turn-around at the residence.**
  - a. **Responsibility- homeowner**
- **All private driveway gates shall be inset on the driveway at least 30 feet from the road. Gate opening shall be 2 feet wider than the driveway. Knox lock assess shall be provided to the fire department.**
  - a. **Responsibility- homeowner**
- **All homes shall have Class A listed roof covering.**
  - a. **Responsibility- homeowner**
- **Decks that are cantilevered over the natural slope shall be enclosed.**
  - a. **Responsibility- homeowner (See Appendix C for guidelines)**
- **The houses shall be constructed with exterior wall sheathing that shall be rated noncombustible.**
  - a. **Responsibility-developer**
- **Windows and glass doors on the sides of the structure shall have tempered glass and fire resistant frames.**
  - a. **Responsibility-builder**
- **Rafter tails shall be enclosed with noncombustible material on the sides of the structure.**

- a. Responsibility-builder
- Gutters and downspouts shall be noncombustible.
  - a. Responsibility-builder
- Attic and floor vents shall be covered with ¼ inch, or less, noncombustible mesh and horizontal to the ground.
  - a. Responsibility-builder
- All lots shall have a 30 foot setback for buildings and accessory buildings and a 30 foot setback from the center of the road.
  - a. Responsibility- builder

**6. OTHER FIRE SAFE REQUIREMENTS**

- A. New driveway turn-arounds shall be constructed after consulting with El Dorado County Fire Protection District for specifications.
- B. Each new property owner prior to construction shall be required to contact El Dorado County Planning Services/Building Department to have the residential fire sprinklers plans approved. All fire sprinkler systems shall be designed and installed by a licensed contractor.
- C. Each residence on a well shall have a minimum of 3,000 gallons of water stored for domestic and fire protection usage. Water storage supply may need to be more than the minimum based on the square footage of the residence. El Dorado County Fire shall be consulted prior to construction to determine actual tank size needed. The domestic well shall be the source of water supply for this system.
- D. The residence on Parcel 3 shall install a 3,000 gallon fire protection system for external fire protection.
- E. The private fire hydrant at each residence shall be located within 150' but not closer than 50' to the residence and have a turn-around for emergency equipment. Each fire hydrant shall a valve with a 2 1/2" NTS male outlet and 20 psi at the hydrant.
- F. 10' fuel treatment zone along both sides of the road and driveways shall be installed and annually maintained by June 1 to the Fire Safe specifications.
- G. Individual lot owners shall be responsible for maintaining the fuel treatment zone along the portion of Burkett Lane involved in this project.
- H. Roads shall be posted "No Parking" on both sides of the road.
- I. A Notice of Restriction shall be filed with the final parcel map which stipulates that a Wildland Fire Safe Plan has been prepared and wildfire mitigation measures must be implemented. The road shall be built, if needed prior to the final map filing.
- J. The project shall meet all the Public Resource Codes 4290 as amended (the 1991 SRA Fire Safe Regulations- Article 2 Access, Article 3 Signing, Article 4 Water, Article 5 Fuels), County and Fire Department ordinances.

**K. The home/property owners are responsible for any future fire safe or building code changes adopted by the State or local authority.**

**L. Only fire rated composite deck material or wood shall be allowed.**

**V. Appendix**

## APPENDIX A

### HAGSTROM PARCEL SPLIT FIRESCAPING STANDARDS

Firescaping is an approach to landscaping to help protect homes from wildland fires. The goal is to create a landscape that will slow the advance of a wildfire and create a Defensible Space that provides the key point for fire fighting agencies to defend the home. This approach has a landscape zone surrounding the home containing a balance of native and exotic plants that are fire and drought resistant, help control erosion, and are visually pleasing. Firescaping is designed not only to protect the home but to reduce damage to oaks and other plants.

#### Zone I

The zone extends to not less than 30 feet from the house **or to the property line which ever is less** in all directions and has a traditional look of irrigated shrubs, flowers gardens, trees and lawns. All dead trees, brush, concentrations of dead ground fuels (tree limbs, logs etc. exceeding 1 inch in diameter) shall be removed. All native oak trees and brush species are pruned up to 10 feet above the ground as measured on the uphill side but no more than 1/3 of the live crown. The plants in this zone are generally less than 18 inches in height, must be slow to ignite from wind blown sparks and flames. Such plants should produce only small amounts of litter and retain high levels of moisture in their foliage year around. Gray pines shall be excluded from this zone. Native and exotic trees are permitted inside the Zone, but foliage may not be within 10 feet of the roof or chimney. Grass and other herbaceous growth within this zone must be irrigated or if left to cure must be mowed to a 2 inch stubble, chemically treated or removed. Such treatment must be accomplished by June 1, annually. This zone has built in firebreaks created by driveways, sidewalks etc.

#### Zone II

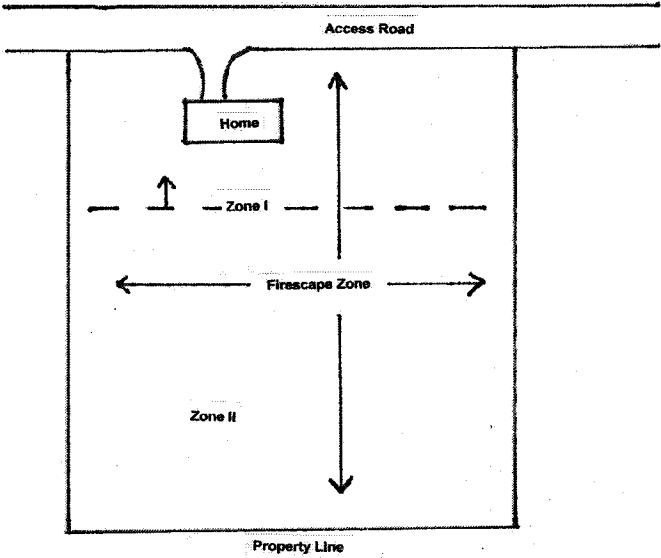
This Zone adds 70 feet to Zone I and extends a minimum of 100 feet from the house in all directions, **or to the property line which ever is less**, and is a transition area to the outlying vegetation. The zone is a band of low growing succulent ground covers designed to reduce the intensity, flame length and rate of spread of an approaching wildfire. Irrigation may be necessary to maintain a quality appearance and retain the retardant ability of the plants. All dead trees, brush, concentration of dead ground fuels (tree limbs, logs etc.) exceeding 2 inches in diameter shall be removed. Annual grasses shall be mowed after they have cured to a 2 inch stubble by June 1, annually. Native trees and brush species may be preserved and pruned of limbs up to 8 feet above the ground as measured on the uphill side.

#### For All Zones With Oaks

Mature, multi stemmed Oaks can present a serious wildfire problem if untreated. Treat the Oaks as to the following specifications: (a) remove all dead limbs and stems and (b) cut off green stems at 10 feet above the ground as measured on the uphill side that arch over and are growing down towards the ground.

**APPENDIX A-1  
FIRESCAPING ZONES  
EXHIBIT**

---



**Typical Lot in Oak Woodland**  
(SCHEMATIC, NOT TO SCALE)

## **APPENDIX B**

### **HAGSTROM PARCEL SPLIT FUEL TREATMENT SPECIFICATIONS**

**For**

### **OAK WOODLAND**

**Within The Designated Fuel Treatment Areas**

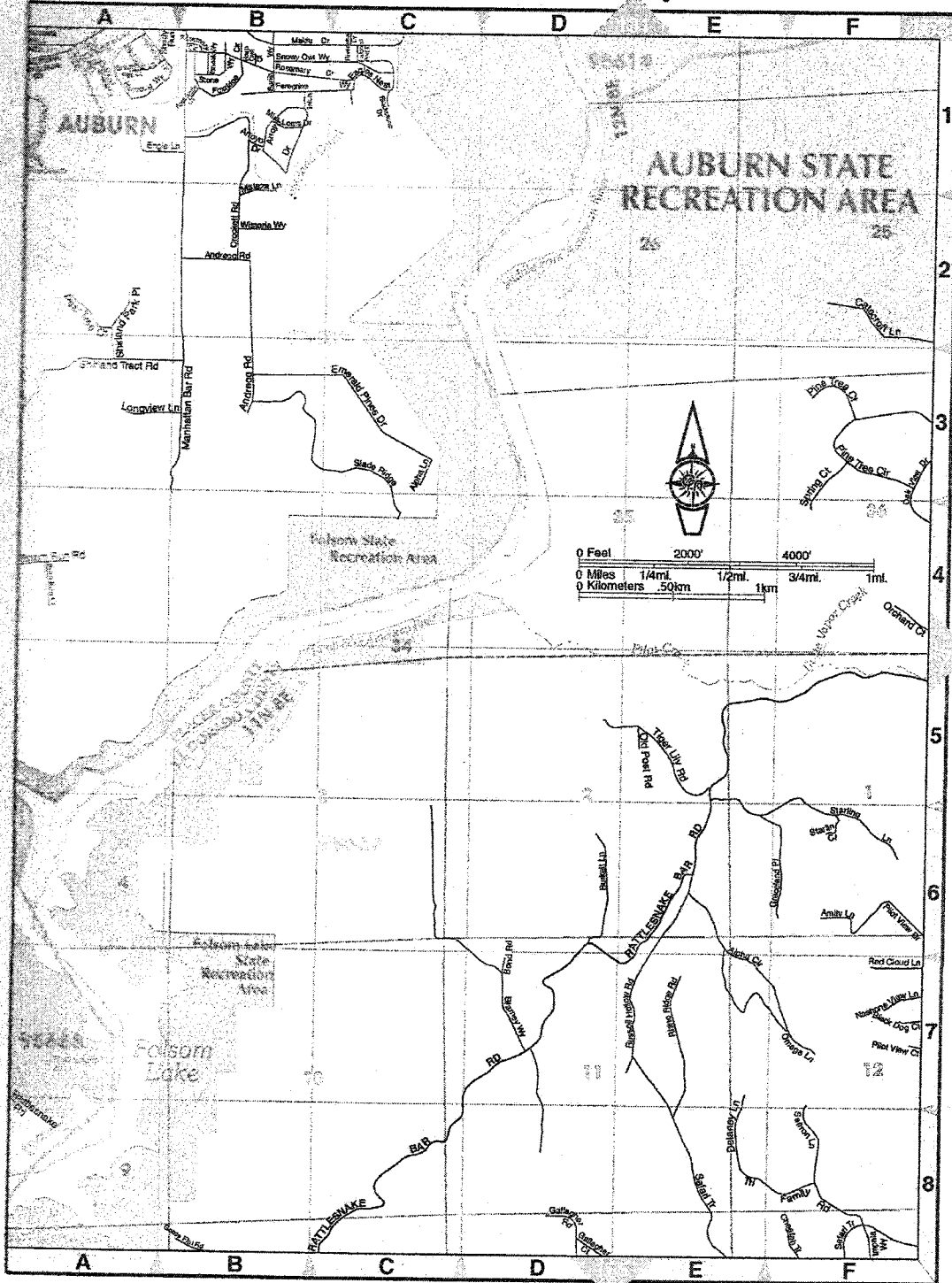
1. Leave all live trees where possible.
2. Remove all dead trees.
3. Remove all brush.
4. Prune all live trees of dead branches and green branches 15 feet from the ground as measured on the uphill side of the tree, except no more than 1/3 of the live crown is removed. All slash created by pruning must be disposed of by chipping or hauling off site.
5. Annually by June 1, reduce the grass or weeds to a 2 inch stubble by mowing, chemical treatment, disking or a combination of treatments.
6. Mature, multi stem Oak trees: remove all dead limbs and stems, cut off green stems at 10 feet above the ground as measured on the uphill side that arch over and are growing down towards the ground.
7. Gray pines within 30 feet of a house shall be removed. Those pines in Zone II shall be isolated with no brush understory within the dripline of the tree.

## **APPENDIX C**

### **HAGSTRO PARCEL SPLIT ENCLOSED DECK GUIDELINES**

The purpose of enclosing the underside of decks that are cantilevered out over the natural slope is to help prevent heat traps and fire brands from a wildfire igniting the deck or fuels under the deck.

1. Does not apply to decks that are constructed using fire resistant materials such as concrete, steel, stucco etc.
2. Any deck shall not use non fire rated composite deck material. Wood is acceptable.
3. This applies to decks one story or less above natural slopes.
4. Combustible material must not be stored under the deck.



See Page



# APN 10410067



Disclaimer: This depiction was compiled from unverified public and private sources and is illustrative only. No representation is made as to accuracy of this information. Parcel boundaries are particularly unreliable. Users make use of this depiction at their own risk.

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0 280 560 840  
Feet

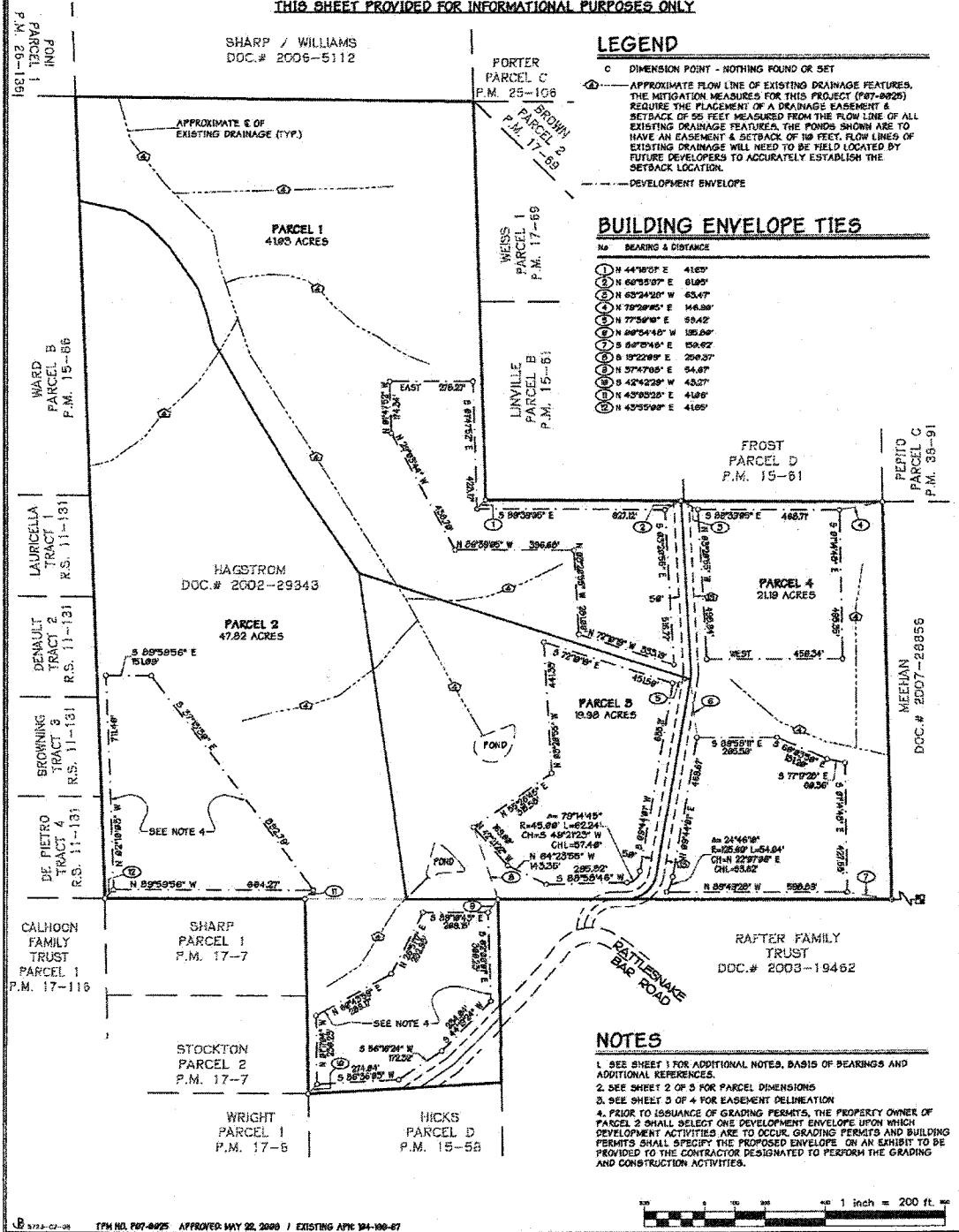
Map displayed in State Plane Coordinate System  
(NAD 1983 California Zone 2, feet)

# Parcel Map

BEING PARCEL B OF P.M. 15-55 IN THE NORTHWEST  
1/4 OF SECTION 11, TOGETHER WITH A PORTION OF  
THE SOUTH 1/2 OF SECTION 2, T. 11 N. R. 8 E., M.D.M.  
COUNTY OF EL DORADO STATE OF CALIFORNIA  
MAY 2009 SCALE: 1" = 200'  
SHEET 4 of 4



CARLTON ENGINEERING INC.  
THIS SHEET PROVIDED FOR INFORMATIONAL PURPOSES ONLY



### LEGEND

- c DIMENSION POINT - NOTHING FOUND OR SET
- ④ APPROXIMATE FLOW LINE OF EXISTING DRAINAGE FEATURES. THE MITIGATION MEASURES FOR THIS PROJECT (P07-0020) REQUIRE THE PLACEMENT OF A DRAINAGE EASEMENT & SETBACK OF 50 FEET MEASURED FROM THE FLOW LINE OF ALL EXISTING DRAINAGE FEATURES. THE PONDS SHOWN ARE TO HAVE AN EASEMENT & SETBACK OF 10 FEET. FLOW LINES OF EXISTING DRAINAGE WILL NEED TO BE FIELD LOCATED BY FUTURE DEVELOPERS TO ACCURATELY ESTABLISH THE SETBACK LOCATION.
- - - - - DEVELOPMENT ENVELOPE

### BUILDING ENVELOPE TIES

No.	BEARING & DISTANCE
1	N 44°18'00" E 41.00'
2	N 60°20'00" E 81.00'
3	N 63°24'20" W 45.47'
4	N 70°20'45" E 146.38'
5	N 77°50'10" E 59.42'
6	N 80°54'40" W 185.00'
7	S 60°54'40" E 150.62'
8	S 19°22'00" E 250.20'
9	N 57°47'00" E 54.87'
10	S 42°42'00" W 45.37'
11	N 43°00'00" E 41.80'
12	N 43°55'00" E 41.00'

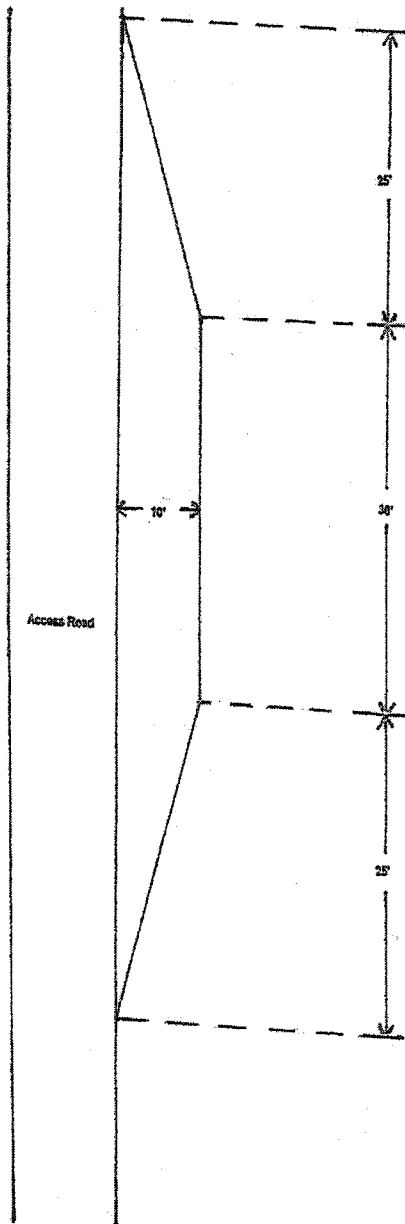
### NOTES

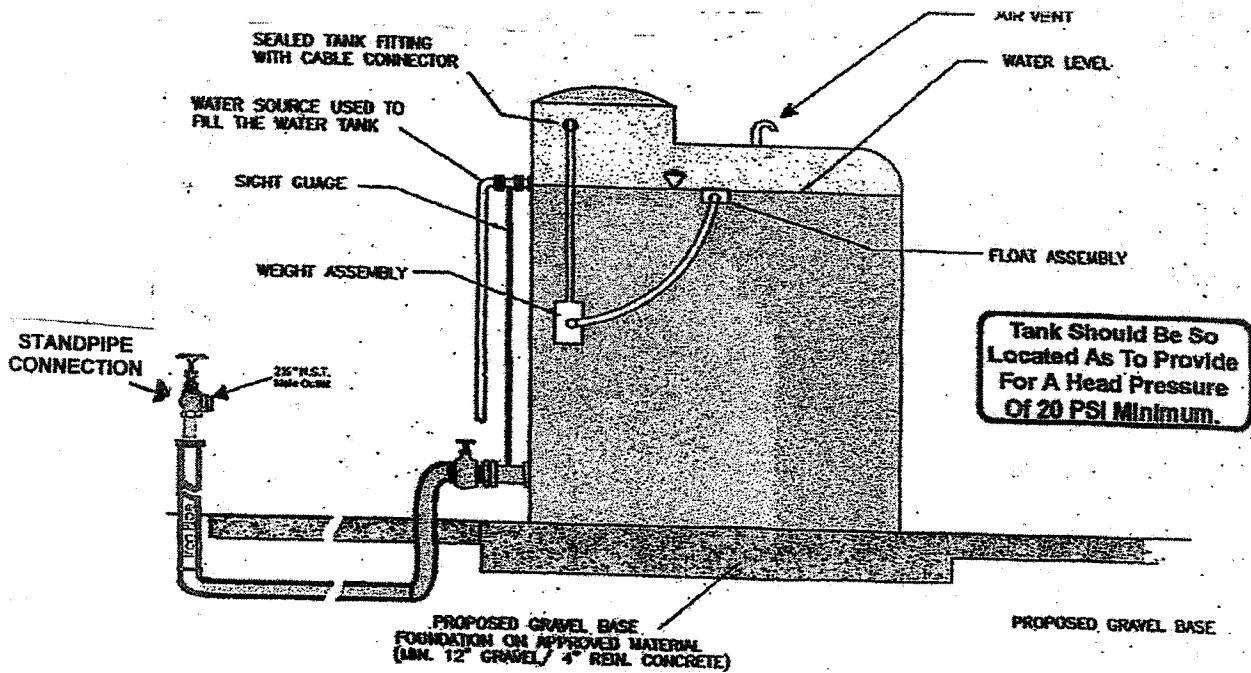
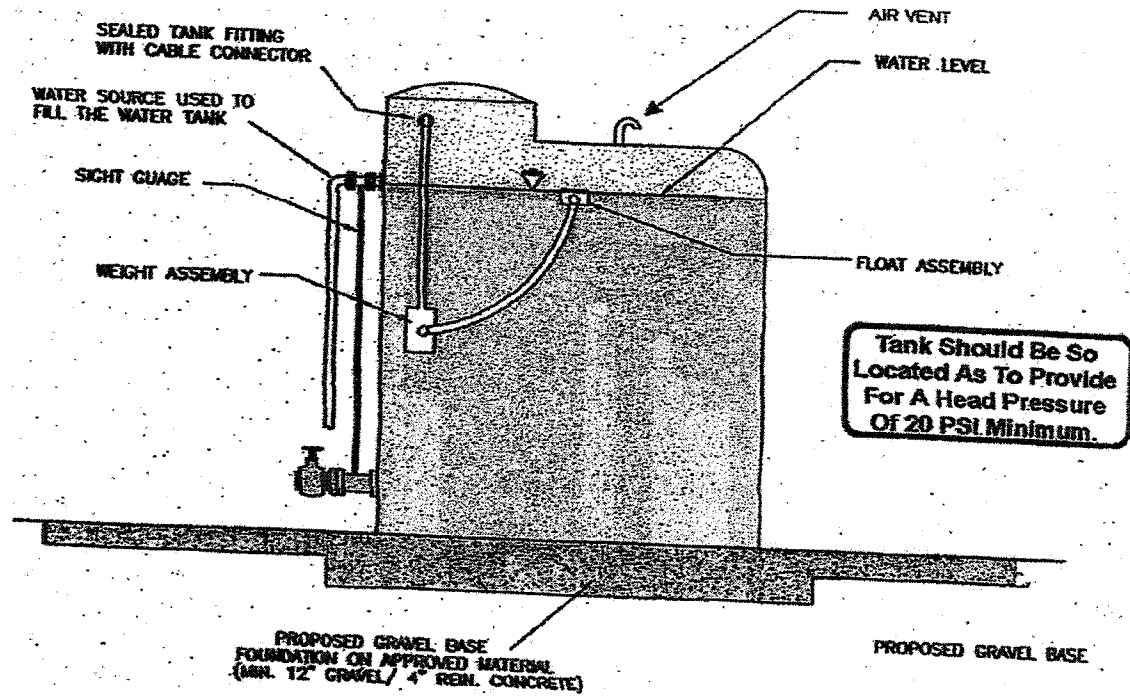
1. SEE SHEET 1 FOR ADDITIONAL NOTES, BASIS OF BEARINGS AND ADDITIONAL REFERENCES.
2. SEE SHEET 2 OF 3 FOR PARCEL DIMENSIONS
3. SEE SHEET 3 OF 4 FOR EASEMENT DELINEATION
4. PRIOR TO ISSUANCE OF GRADING PERMITS, THE PROPERTY OWNER OF PARCEL 2 SHALL SELECT ONE DEVELOPMENT ENVELOPE UPON WHICH DEVELOPMENT ACTIVITIES ARE TO OCCUR. GRADING PERMITS AND BUILDING PERMITS SHALL SPECIFY THE PROPOSED ENVELOPE ON AN EXHIBIT TO BE PROVIDED TO THE CONTRACTOR DESIGNATED TO PERFORM THE GRADING AND CONSTRUCTION ACTIVITIES.



DIAGRAM B

DRIVEWAY TURNOUT  
DIAGRAM  
(NOT TO SCALE)





**Table A**

<b>BUILDING SQUARE FOOTAGE</b>	<b>MINIMUM WATER SUPPLY REQUIRED (HOSE STREAM+SPRINKLERS +DOMESTIC) (GALLONS)</b>	<b>RESERVED FOR HOSE (GALLONS)</b>	<b>AUTO FILL LEVEL (GALLONS)*</b>
Up to 2,800	4,250	2,000	3,500
2,800 – 3,500	4,750	2,500	4,000
3,501 – 4,200	5,250	3,000	4,500
4,201 – 4,900	5,750	3,500	5,000
4,901 – 5,600	6,250	4,000	5,500
5,601 – 6,300	6,750	4,500	6,000
6,301 – 7,000	7,250	5,000	6,500
7,001 – 7,700	7,750	5,500	7,000
7,701 – 8,400	8,250	6,000	7,500
8,401 – 9,100	8,750	6,500	8,000
9,101 – 10,000	9,250	7,000	8,500
10,001 – 10,500	9,750	7,500	9,000
10,501 – 11,200	10,250	8,000	9,500
11,201 – 11,900	10,750	8,500	10,000
11,901 – 12,100	11,250	9,000	10,500
12,101 – 12,800	11,750	9,500	11,000
12,801 – 13,500	12,250	10,000	11,500
13,501 – 14,200	12,750	10,500	12,000
14,201 – 14,900	13,250	11,000	12,500
14,901 – 15,600	13,750	11,500	13,000
15,601 – 16,300	14,250	12,000	13,500
16,301 – 17,000	14,750	12,500	14,000
17,001 – 17,700	15,250	13,000	14,500
17,701 – 18,400	15,750	13,500	15,000
18,401 – 19,100	16,250	14,000	15,500
19,101 – 19,800	16,750	14,500	16,000

CAL FIRE GUIDELINE

# 100' DEFENSIBLE SPACE MAKE YOUR HOME FIRE SAFE

Trees spaced to reduce fire spread

Trees trimmed at least 10' from chimney

Lower tree limbs removed to reduce "fire ladder"

Space plants and shrubs to prevent fire from spreading

30' (or to property line)

70' (or to property line)

a

30 ft. 2 Reduced Fuel Zone 70 ft.

or

b

30 ft. 2 Reduced Fuel Zone 70 ft.

Contact your local CDF office, fire department, or Fire Safe Council for tips and assistance.  
www.fire.ca.gov

## Why 100 Feet?

Following these simple steps can dramatically increase the chance of your home surviving a wildfire!

A Defensible Space of 100 feet around your home is required by law.<sup>1</sup> The goal is to protect your home while providing a safe area for firefighters.

### 1. Lean, Clean and Green

— Clearing an area of 30 feet immediately surrounding your home is critical. This area requires the greatest reduction in flammable vegetation.

### 2. Reduced Fuel Zone

— The fuel reduction zone in the remaining 70 feet (or to property line) will depend on the steepness of your property and the vegetation.

Spacing between plants improves the chance of stopping a wildfire before it destroys your home. You have two options in this area:

③ Create horizontal and vertical spacing between plants. The amount of space will depend on how steep the slope is and the size of the plants.

④ Large trees do not have to be cut and removed as long as all of the plants beneath them are removed. This eliminates a vertical "fire ladder."

When clearing vegetation, use care when operating equipment such as lawnmowers. One small spark may start a fire; a string trimmer is much safer.

Remove all build-up of needles and leaves from your roof and gutters. Keep tree limbs trimmed at least 10 feet from any chimneys and remove dead limbs that hang over your home or garage. The law also requires a screen over your chimney outlet of not more than 1/2 inch mesh.

<sup>1</sup> These regulations affect most of the grass, brush, and timber-covered private lands in the State. Some fire department jurisdictions may have additional requirements. Some activities may require permits for tree removal. Also, some activities may require special procedures for, 1) threatened and endangered species, 2) avoiding erosion, and 3) protection of water quality. Check with local officials if in doubt. Current regulations allow an insurance company to require additional clearance. The area to be treated does not extend beyond your property. The State Board of Forestry and Fire Protection has approved Guidelines to assist you in complying with the new law. Contact your local CDF office for more details.



April 2005



**EL DORADO COUNTY  
FIRE PROTECTION DISTRICT**

P.O. Box 807/4040 Carson Road / Camino, CA 95709  
(530) 644-9630 Fax (530) 644-9636

June 21, 2011

Tom Purciel  
EL DORADO COUNTY PLANNING SERVICES  
2850 Fairlane Court  
Placerville, CA 95667

Re: P 07-0025-R – Burkette Lane Parcel Map

Mr. Purciel,

El Dorado County Fire Protection District and CAL FIRE met with the County and representatives of the Burkette Lane Project and explained in detail the reasons for a secondary fire access road as a condition for approval due to the location of the project and current fire access, or lack of, fire access roads for the Burkette Lane Project.

Please be advised that El Dorado County Fire Protection District still **REQUIRES** a secondary access road as part of the conditions of approval for the project.

Thank you,  
Michael R. Hardy, Assistant Fire Chief/Fire Marshal

EXHIBIT L