

# DEVELOPMENT SERVICES DEPARTMENT

COUNTY OF EL DORADO

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TO: Planning Commission **Agenda of: October 28, 2010**

FROM: Roger Trout, Development Services Director **Item No.: 9**

DATE: October 7, 2010

RE: **Adoption of Land Development Manual and Standard Plans to replace the Design and Improvement Standards Manual**

The Draft Land Development Manual (LDM) and a number of Standard Plans have been revised to bring the manuals into compliance with the 2004 General Plan as required by Implementation Measure LU-E, TC-C, TC-U, HO-4, HO-6 and described in Table TC-1. The Manual incorporates previous amendments into one document. State laws have also been incorporated or referenced, including provisions of Building Code, Fire Code, Fire Safe Regulations, Water Quality Control Board Regulations, and other regulations that relate to land development.

The purpose of the LDM and the Standard Plans is to provide standards for discretionary development, including all types of Subdivisions, Planned Developments, Use Permits, and Design Reviews. Title 16 requires maps to comply with all applicable provisions of the County design manual.

The LDM also provides a format to describe local land use planning and the development processes for residents, business owners, property owners, staff, and developers.

The LDM and Standard Plans will replace the current Design and Improvement Standards Manual. However, the existing manual will be used for some time in the following situations:

1. Most Standards Plans of the current manual will be replaced by the new Standard Plans, but others will stay in effect until officially replaced by Standard Plans adopted in the future.
2. Parcel Map and Subdivision Map applications deemed complete prior to the adoption of the new standards will continue to use the standards in effect when deemed complete.
3. Approved development permits and plans will continue to adhere to the standards and conditions in effect when approved, unless a subsequent discretionary permit, such as a time extension or revision is requested and approved.

## **Land Development Manual and Standards Plans Format:**

The LDM is a complete re-writing of the DISM. Each chapter in the LDM addresses the design standards associated with a different functional area:

Chapter 1:	Introduction,
Chapter 2:	Subdivision Processes and Standards,
Chapter 3:	Sewage, Water Requirements, and Air Quality,
Chapter 4:	Transportation,
Chapter 5:	Grading, Erosion and Sediment Control,
Chapter 6:	Surveying and Mapping, and
Chapter 7:	Contacts and Abbreviations

The Standard Plans ready for release at this time include the following road cross-sections (additional standard plans will follow at a later date):

- Highway Design Manual surrogates,
- Six-lane divided road and bridge sections,
- Four-lane divided and undivided roads, and bridge sections,
- Major Two-Lane undivided road, and bridge sections,
- Local Roads sections,
- Private Roads sections.

The LDM includes a table of contents and some helpful navigation tools, such as a page numbering system that indicates the chapter being viewed. This format also facilitates future changes by using a simple numbering system as well as organizing the LDM by functional area.

A companion design manual, called the Highway Design Manual, was initially intended to be a stand alone design manual. After further review, the important components have been distilled into the Standard Plans. Therefore a Highway Design Manual is no longer proposed.

## **Land Development Manual and Standard Plans Update Process**

The Design and improvement Standards Manual (DISM) was originally adopted on May 27, 1986 and has been amended from time to time. The adoption of the 2004 County of El Dorado General Plan included policy direction to update the DISM.

On December 13, 2007, a committee comprised of staff from the Department of Transportation (DOT), Development Services Department (DSD), Environmental Management Department (EMD), and the Surveyor's Office brought to the Planning Commission a conceptual proposal to rewrite and update the existing DISM and develop a new set of standard plans. Over the past few years, staff worked with interested stakeholders and prepared the new design manual, referred to as the Land Development Manual (LDM) as well as a set of Standard Plans.

Once the first rough drafts of the LDM and Standard Plans were completed in June, 2008, the committee announced the availability of the LDM and Standard Plans for comment. The drafts were posted on DOT's website and email broadcasts were sent out to all subscribers of several different County notification lists.

The committee made public/staff presentations in Placerville and in Tahoe, and then started meeting with outside agencies, developers and groups that would have an interest in the LDM and Standard Plans. Approximately 200 individuals were notified either directly or by email about the availability of the drafts for review and comment. SAGE was kept informed throughout the update process; several meetings were held with the SAGE Executive Committee, the entire SAGE membership, and with applicable SAGE subcommittees.

A second release of the draft LDM and Standard Plans was made in early October 2008, extending the comment period to approximately the end of November 2008.

The committee has now solicited comments from all the major developers in the County and addressed all of the comments received from both the June and October releases. All comments have been addressed in these final drafts.

SAGE subcommittees and the SAGE Executive Board have submitted letters of approval, as has the El Dorado County Fire Prevention Officer's Association.

On January 28, 2010, the Planning Commission received a presentation by staff on the status of the Land Development Manual, Highway Design Manual, and Standards Plans. Following the presentation, the Commission heard comments from the Economic Development Advisory Commission (EDAC) Regulatory Reform Committee on twelve policy and procedure issues in the Manuals that could not be reconciled, or were found to be outside the authority of staff to revise, thereby requiring additional interpretation and direction. The Planning Commission provided direction on seven of the items which were then incorporated into the draft LDM, leaving five issues remaining.

The five remaining policy issues are discussed below.

## **POLICY ISSUE SUMMARY**

### **1. Grading Without a Project**

Section 5.1(E) of the LDM states that discretionary projects shall not be issued grading permits until the discretionary permit is approved. Where no discretionary approval is required, no grading permit can be issued without a corresponding building permit application. This has been a consistent practice of Planning, Building, and DOT since at least 1990.

Grading activities without the associated project create issues of: 1) Inadequate CEQA analysis; 2) "Bifurcation" of a project ("project splitting"); 3) General Plan compliance, (such as Policy 7.1.2.2 regarding development on 30% slopes); 4) Pre-judging/pre-approving the type and scale of a project; 5) Aesthetic impacts of clearing land of slopes and trees; 6) Subsequent interim land use impacts (such as outdoor storage yards, illegal vehicle display and sales, illegal road encroachments); and 7) Inconsistency with Zoning provisions that require a discretionary review such as the -DC or -PD combining zones. A change in the policy would trigger the need for further environmental review to address the potentially significant impacts.

EDAC felt that the policy should be changed to allow the grading of a site to improve the value and marketability of the site for development. Grading a site may also shorten the timeline for

future construction activities on the site. If the CEQA analysis sufficiently addresses the initial grading and the subsequent project, future development may also be streamlined.

**Staff Recommendation on Issue 1 (Grading without a project):** No change to LDM Section 5.1(E) because of the requirement for significant CEQA review and amendments to General Plan and Zoning.

## **2. 50 Cubic Yard Threshold for Grading Permits (Completed)**

On August 10, 2010, the Board of Supervisors approved Ordinance 4949, amending the Grading, Erosion and Sediment Control Ordinance, Section 15.14 of the County Code, increasing the threshold for requiring a permit from 50 cubic yards to 250 cubic yards, resolving concerns regarding this policy.

**Staff Recommendation on Issue 2(50 cubic yards grading):** No further action required.

## **3. Sidewalks: Should Sidewalks Be Required Where There Is No “Connectivity” Such As For Many Infill Projects?**

LDM Section 2.4.2.3 requires sidewalks in accordance with the “Standard Plans” except for residential subdivisions in which all lots are larger than 10,000 square feet (consistent with the current Design Manual). The LDM also creates an exception for Industrial development in which lots are greater than one acre and developments subject to a specific plan.

General Plan policies require sidewalks in certain areas. The LDM did not include an exception for sidewalks in an “infill” project. It is difficult to set a standard for this type of exception because each situation needs to be reviewed on a case-by-case basis. Sidewalks may be waived using the Design Waiver provisions of the LDM and Title 16 to the extent it complies with the General Plan Policies.

Sidewalks generally improve pedestrian safety. By not allowing for an exception in the LDM for infill projects, the County can review on a case-by-case basis if a new or substantially improved street would work for pedestrians, including older people, children, and people with disabilities. Factors to consider are that sidewalks not connected to other sidewalks may create safety issues where sidewalks end (e.g., pedestrians are encouraged by the sidewalk and then forced into the street where the sidewalk ends). However, sidewalks can improve walkability needs in targeted areas of the County through the County CIP.

EDAC felt this policy should be changed to lower development costs associated with unnecessary sidewalk construction and safety issues regarding incremental or non-contiguous sidewalk improvements.

**Staff Recommendation for Issue 3 (Sidewalks):** No change to LDM sections. A change would require a General Plan Amendment of Policy TC-5a and TC-5b. The County can consider Design Waivers for sidewalks on a case-by-case basis.

#### 4. Fire Code Requirements for Access Standards

EDAC questioned the use of the Fire Code for access standards. After further discussions between staff, EDAC, and the Fire Prevention Officers, a few key provisions of the Fire Code and LDM were re-interpreted by mutual agreement. These interpretations have been incorporated into the LDM.

**Staff Recommendation for Issue 4 (Fire Code):** No additional changes to the LDM are recommended. The proposed LDM incorporates a few Fire code provisions as interpreted by mutual agreement between the members of the Fire Department and EDAC Regulatory Reform committee. The Fire Code is used in the following sections:

- 2.4.2.1 Streets
- 2.4.2.1(B)-8 and -9 Street Standards for Subdivisions
- 2.4.5.1(A)-2 General Policies
- 4.3.1.7(A) On Street Parking.

The plan is to return in early 2011 with new Fire Code Resolutions for Board adoption that would be limited to building standards only.

#### 5. Reduce Design Waiver Requests

Title 16, the current Design Manual, and the Draft LDM identifies the process and findings for approving Design Waivers. The LDM has already included some provisions to reduce Design Waivers by addressing the most common Design Waiver requests into new standards or exceptions to standards. The following processes allow for variations to the standards:

- The standards have been revised in the LDM to reflect current rules and interpretations of the existing Design Manuals. Many archaic or conflicting provisions were removed or revised.
- Regular exceptions that are routinely approved by Design Waivers are now incorporated into the Design Manuals as exceptions.
- Where possible, the LDM has made provisions for exceptions to be approved by the Director of Development Services or the Director of Transportation.

Where exception procedures are not available, the Design Waiver process, subject to approval by the Planning Commission and/or Board of Supervisors, would be available.

To encourage creative and original design, and to accommodate projects where design professionals want to take a different approach due to proposed use or particular site conditions, EDAC requested the LDM include an equivalent or alternative design solution. This could allow for a two-track approach. For example, when there is a difference of opinion with staff that cannot be resolved, alternative designs would be brought forward for approval. This approach allows the approving body to make a decision on one or the other alternative while moving the project forward, reducing and or eliminating time and associated cost preparing appropriate conditions for the alternative if it is selected and the preferred design.

The Planning Commission encouraged the inclusion of EDAC Regulatory Reform Committee's recommendation for more flexibility and fewer standards that require Design Waiver requests in the LDM to streamline the development process as well as public perception of Design Waivers. The Committee prepared a revised "1.1 Purpose" section and "1.6 Design Waiver" section to the LDM. (See Attachment 8: EDAC proposed Sections "1.1 Purpose" and "1.6 Design Waivers".)

**Staff Recommendation for Issue 5 (Design Waivers):** Staff recognizes other options to the Design Waiver process may be available, such as a "Design Alternative". However, changes to the Design Waiver process would probably require amending Title 16 which sets forth the process for a Design Waiver. Staff recommends no change to the LDM because of the requirement for amending Chapter 16.08 and 16.40 of the Ordinance Code. Changing the Design Waiver process was not identified in General Plan Policies and Implementation Measures that directed staff to update the Design Manual.

#### **ADDITIONAL ISSUES ON STANDARD PLANS:**

At the request of the EDAC Regulatory Reform Subcommittee, members of the local engineering community (Engineering Sub-Committee) have participated with DOT staff in the process of refining the proposed Highway Design Manual (HDM) over the last several months. These meetings resulted in agreement or compromise on many of the detailed points of our discussions. However, a few points of significant disagreement remain, as summarized below.

##### **1. Mechanism for Approval of Minor Deviations from the Standard Plans**

The Engineering Sub-Committee (ESC) requested that a provision be incorporated into the standards allowing the Deputy Director or Director discretion in the application of the new standards. It is important that there be some other mechanism to obtain deviations from the standard without obtaining Commission and/or Board approval for each instance.

**Staff Recommendation:** The Department of Transportation proposes to utilize its existing Design Exception Policy to allow the County Engineer to exercise discretion in application of the standards. A note has been added to Standard Plan RD-01 for emphasis.

##### **2. Standards for Vertical Curves**

The ESC acknowledged that the DISM ("Blue Book") vertical curve design standards are written as less restrictive than the standards contained in *A Policy on the Geometric Design of Highways and Streets* (AASHTO Policy) published by the American Association of State Highway and Transportation Officials (AASHTO). However, the ESC would like to see evidence that there is good reason to abandon the DISM standard. Is there some statistically significant evidence that is able to justify this change in the name of public safety or other worthy goals? There is certainly an environmental and economic tradeoff associated with abandoning the existing DISM with respect to vertical curves. Assuming there was sufficient evidence to justify the change, the ESC feels that the AASHTO Low Volume crest portion of the curve data would be more appropriate than the currently proposed standard for crest curves.

**Staff Recommendation:** Vertical curve design is calculated to provide sight distance necessary for drivers to stop or avoid obstacles on the roadway. The AASHTO Policy is a national standard

that has been applied by most agencies throughout the country. The Department is recommending these standards be adopted.

Standard Plan RD-01 specifically references the *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤ 400)* published by AASHTO. By inclusion of this reference, AASHTO Low Volume Crest Data may be used where appropriate.

### **3. Clarification of Curbs and Gutters**

The ESC requested clarification of where rolled and vertical curbs would be required on the applicable RS standards. Currently, there is no distinction. The ESC would expect rolled curb and gutter for local subdivision streets with homes fronting the street and vertical curb and gutter on remaining roads, as well as at landscape lots or open space frontages within a subdivision.

**Staff Recommendation:** This guidance was added to the proposed Standard Plans RS-20 and RS-21 at the request of the ESC.

### **4. Maximum Roadway Grade**

The 15% roadway grade for 600 feet currently allowed in the DISM needs to be retained for all local roads. This is a critical point for the engineering community to continue to be able to design projects in the often mountainous terrain of El Dorado County. The ESC requests sufficient evidence that the existing standard is inadequate. The potentially significant environmental and economic considerations of such a change to the standards should be considered before adopting a reduction to the currently proposed 12% max. The ESC believes that, when feasible, the engineer's design to lower road grades because a steep street is not an advantage to a project. However, there are frequently cases where a street steeper than 12% is required to make a project's land use designation feasible, or to avoid significant impacts to creeks and hillsides where terrain is a factor. This also needs to be addressed in the Fire Code for consistency.

**Staff Recommendation:** The use of 15% grades in constrained conditions is allowed, subject to the Department of Transportation Design Exception Policy, and at the discretion of the County Engineer. Functionally, this is the same as the existing DISM standard, however, application of the Design Exception Policy would ensure adequate documentation of the approval of the increased grade.

### **5. Application of Curb, Gutter and Sidewalk Requirements**

The ESC identified that there is no provision in RS-20 or 21 for the projects in these community regions to be designed without curb, gutter, and sidewalk. Nevertheless, the General Plan does not require sidewalks in subdivisions of 10,000 sq. ft. lots or larger. The ESC can accept curb, gutter, and sidewalk requirements in RS-20. However, the ESC feels that for the Cameron Park/Placerville/Diamond Springs/El Dorado/Shingle Springs community regions, a provision for no curb, gutter, and sidewalk should be provided for projects with lot sizes greater than or equal to 1 acre in area, (MDR). The ESC feels that requiring Class 1 subdivision improvements in a subdivision of large lots (between 1 and 2 acres) is not in keeping with the character of those project types. Some members of the ESC believe, in the case of these particular situations, the

County should develop a program whereby existing sidewalk deficiencies within the community region are identified and partially funded by an in-lieu sidewalk fee for use within the same community region. This would allow sidewalks to be built in locations where they are most needed, rather than in the lowest density areas of the community.

**Staff Recommendation:** Agreed. A note has been added to Standard Plan RS-21 allowing roads without curb, gutter and sidewalks where lots within the proposed development are greater than one (1) acre.

## **6. Design Speed for Collector Roadways**

The ESC disagreed with the design speeds of 35 mph for collector roads with 2,500 - 4,000 ADT. This requirement is included on Standard Plans RS-20, 21, 22, and 25 (Community Regions). The ESC believes 25 - 30 mph is a more appropriate design speed for these roadways. In this particular case, the capacity of the roadway system is not effectively reduced by the lower design speed. The result is a safer roadway design and the roads can be constructed in a more environmentally friendly manner (i.e., less grading, less disturbance of hillside slopes and mature trees).

**Staff Recommendation:** The AASHTO Policy recommends a design speed of "30 mph or higher" for collector roadways in urban areas (applicable in Community Regions). A reduction in Design Speed may be allowed subject to the Design Exception Policy.

## **7. Access Restrictions on Collector Roadways**

The ESC is reluctant to accept a limitation on residential frontages on collector roads above 2,500 ADT. ESC requests that this number to be changed to 4,000ADT. There are no provisions made or clarifications provided on how the threshold will apply to infill projects where existing homes/ neighborhood services would create situations that prohibit reasonable build-out of existing land or situations where adding lots at the end of a road might push traffic counts in front of existing homes above the limit, thus making projects un-approvable or cost prohibitive.

**Staff Recommendation:** The Department of Transportation strongly recommends restricting access on collector roadways. The Department continues to receive many complaints from residents along higher-volume roadways with direct access, for example: Cambridge Road (exceeds 4000 ADT for entire length); Country Club Drive (ADT varies from 2400 to 3100 ADT); Carson Road (2600 ADT).

## **8. Design Speed for Private Roads in Rural Regions (RS-30)**

The ESC disagrees with the design speeds of 40 mph for RS-30 (private roads in rural regions and rural centers) roadways carrying more than 600 ADT. The ESC recommends 25 mph design speeds for these roadways. These roadways are often located in areas of challenging terrain and a minimum design speed of 40 mph for a roadway that is not necessarily a paved roadway is excessive.

**Staff Recommendation:** The proposed standard is consistent with the AASHTO Policy. A reduction in Design Speed may be allowed subject to the Design Exception Policy.



**ENVIRONMENTAL REVIEW**

The project is the adoption of the new Land Development Manual (LDM) and Standard Plans to replace the existing Design and Improvement Standards Manual. The LDM implements General Plan Policies that have been analyzed in the General Plan EIR (SCH 2001082030). The proposed Design Manual does not create environmental impacts because it is considered an “organization tool” that merely consolidates existing design standards, General Plan Policies, and other Ordinances, Policies, and Resolutions. No significant environmental impacts would result from the adoption of the Land Development Manual and Standard Plans. Staff has prepared a Negative Declaration for the project.

**STAFF RECOMMENDATION:**

Staff recommends the Planning Commission forward to the Board of Supervisors a recommendation to:

1. Adopt the Negative Declaration prepared by staff; and
2. Adopt the Land Development Manual and Standard Plans based on the Findings in Attachment 1.

**Attachments**

Attachment 1 .....Findings  
Attachment 2 .....Negative Declaration  
Attachment 3 .....Land Development Manual  
Attachment 4 .....Standard Plans  
Attachment 5 .....Planning Commission Memo dated 1/19/2010  
Attachment 6 .....Planning Commission Memo dated 1/28/2010  
Attachment 7 .....EDAC Proposed Sections “1.1 Purpose” and “1.6 Design Waivers”; Revised 1/28/10