

**EL DORADO COUNTY PLANNING AND BUILDING
DEPARTMENT
ZONING ADMINISTRATOR
STAFF REPORT**



Agenda of:

April 3, 2024

Staff:

Matthew Aselage

TENTATIVE PARCEL MAP

- FILE NUMBER:** P20-0005/Lin Parcel Map
- APPLICANT/OWNER:** Yixu (Tom) Lin
- ENGINEER:** D&Z Engineering, Inc.
- REQUEST:** Tentative Parcel Map dividing a 15-acre parcel into two (2) parcels ranging in size from 5.0 acres to 10.0 acres.
- LOCATION:** On the south side of Salmon Valley Lane, approximately 243 feet east of the intersection with Salmon Falls Road, in the El Dorado Hills area, Supervisorial District 1 (Exhibit A).
- APN:** 126-250-012 (Exhibit B)
- ACREAGE:** 15 Acres
- GENERAL PLAN:** Low-Density Residential (LDR) (Exhibit C)
- ZONING:** Residential Estate – Five Acres (RE-5) (Exhibit D)
- ENVIRONMENTAL DOCUMENT:** Mitigated Negative Declaration prepared based on an Initial Study in accordance with the California Environmental Quality Act (CEQA) Guidelines (Exhibit F)
- RECOMMENDATION:** Staff recommends the Zoning Administrator take the following actions:
1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff in accordance with the CEQA Guidelines;
 2. Adopt the Mitigation Monitoring Reporting Program in accordance with the CEQA Guidelines Section 15074(d), incorporated as Conditions of Approval; and

3. Approve Tentative Parcel Map P20-0005, based on the Findings and subject to the Conditions of Approval as presented.

EXECUTIVE SUMMARY

Approval of Tentative Parcel Map P20-0005 would allow the subdivision of a 15-acre parcel into two (2) parcels of approximately 10 acres (Parcel A) and five (5) acres (Parcel B) (Exhibit E). The existing parcel is zoned Residential Estate – Five Acres (RE-5) consistent with the General Plan land use designation of Low Density Residential (LDR). The resultant parcels meet the required development standards in the RE-5 zone including minimum lot size and lot width. No buildings are proposed to be built with this Tentative Parcel Map at this time but would result in the creation of lots for development, sale, leasing, or financing. Staff has determined that the project is consistent with the General Plan LDR land use designation and the RE-5 zone, as well as other applicable County General Plan policies and Zoning Ordinance requirements, as discussed in the Findings.

BACKGROUND/HISTORY

The project site has one (1) existing single-family home on site which was finalized on March 26, 2014 under Permit #211659. This permit was a residential replacement permit for a temporary mobile home hardship permit #28150 which was finalized on October 23, 1991 and removed per residential demolition permit #211641 which was finalized on February 26, 2013. The site also includes a barn, Accessory Dwelling Unit (ADU), and detached garage. The detached garage was constructed as part of a prior permitted residence built in the 1970s. The barn was constructed as an accessory allowance in the 1970's. The single-family residence constructed in the 1970s was destroyed, eventually resulting in the above referenced hardship mobile home permit.

EXISTING CONDITIONS/SITE CHARACTERISTICS

The project site is a 15-acre parcel located in a rural residential area east of Folsom Lake. The elevation of the project site ranges from approximately 590 to 766 feet above mean sea level. Salmon Valley Lane borders the site to the north; Salmon Falls Road borders the site to the west. Areas to the north, south, and west of the site consist of rural residential developments. Areas to the east of the site are largely undeveloped.

Vegetation in the surrounding area consists of oak woodlands, pine-oak forests, and chaparral. A drainage channel exists on site but has been modified with several manmade impoundments that were constructed in the 1970s as part of the backyard landscaping for a prior approved residence that no longer exists on site. The existing ADU is set back from the creek by approximately 50 feet, which is the minimal setback allowed. No other existing structure is closer to the creek. All riparian resources on the project site exist within the boundaries of proposed Parcel A. The southern portion of the project site, which includes proposed Parcel B, is composed of an undeveloped grassland area with few trees. No riparian resources exist on proposed Parcel B.

The project site includes a small portion of land area (0.1 acre) located within the County's Rare Plant Mitigation Area 0. No other portion of the project site exists within any other County Rare Plant Mitigation Area, or any other sensitive natural community of the County, State, or Federal agency.

PROJECT DESCRIPTION

This project is a Tentative Parcel Map that would create two (2) parcels of approximately 10 acres (Parcel A) and five (5) acres (Parcel B) from an existing 15-acre parcel. Parcel A contains a single-family residence with a detached garage, along with an ADU and detached garage, as well as a barn. All structures on the project site comply with the setback requirements on all sides. Parcel B is undeveloped (Exhibit E).

Fire and vehicular access to Parcel A would be via the existing driveway encroachment onto Salmon Valley Lane (a County-maintained roadway) approximately 250 feet east of the intersection with Salmon Falls Road. Access to proposed Parcel B would be off Salmon Falls Road with approval of an encroachment permit prior to driveway development or issuance of any grading or building permit.

The project site is not within El Dorado Irrigation District's (EID's) service area. The proposed parcels would be served by individual wells and septic systems. The well and septic system on proposed Parcel A (approved by the County Environmental Management Department in 1990) would continue to serve the residences on Parcel A only. A new well and septic system would be required for proposed Parcel B. If either parcel should seek EID service in the future, then annexation into the service district would be required. Pacific Gas and Electric (PG&E) service will provide electricity and gas services.

There is no development proposed at this time. Future development would be subject to the zoning code development standards, building standards in effect at time of development, and the Conditions of Approval and Mitigation Measures as outlined within the Conditions of Approval section of this Staff Report.

STAFF ANALYSIS

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

There are no outstanding issues for the proposed project that have not been adequately analyzed below.

General Plan Consistency: The project is consistent with all applicable General Plan policies including Policy 2.2.1.2 (Low-Density Residential Land Use Designation), Policy 2.2.5.2 (General Plan Consistency), Policy 2.2.5.21 (Compatibility with Adjoining Land Uses), Policy 5.1.2.1 (Adequacy of Public Services and Utilities), Policy 5.2.1.2 (Adequate Quantity and Quality of Water for all Uses, Including Fire Protection), Policy 6.2.3.2 (Adequate Access for

Emergencies), Policy 7.3.3.4 (Wetland Buffers), Policy 7.4.4.4 (Oak Resources Impacts), Policy TC-Xa (Indefinite Transportation and Circulation Policies), Policy TC-Xb (Available Roadway Capacity), Policy TC-Xc (Developer Traffic Impact Fees), Policy TC-Xd (Level of Service), Policy TC-Xe (Impact of Increased Project Trips), Policy TC-Xf (Conditions for Worsened Circulation Impacts), Policy TC-Xg (Developer’s Responsibility for Transportation Improvements), Policy TC-Xh (Traffic Impact Fees), and Policy TC-Xi (U.S. Highway 50 Capacity). Further details are discussed in the Findings section below.

Zoning Ordinance Consistency: Staff has determined that the proposed project, as mitigated and conditioned, is consistent with all applicable standards and requirements of Title 130 of the County Ordinance Code (Zoning Ordinance). The project parcel is zoned RE-5 and the project has been analyzed in accordance with all applicable development standards for this zone. Section 130.24.010 states that the RE-5 zone is intended to preserve the rural character of an area by providing for and regulating the development of low density and rural residential development at a range of densities to include one (1) dwelling unit per five (5) acres and one (1) dwelling unit per 10 acres. The setbacks shown on the map do not create new setbacks and future development would be required to comply with standard RE-5 zoning setbacks (see Table 1). The proposed parcels meet the required minimum lot size and lot widths as illustrated in the table below and also described in the Findings.

Table 1
Development Standards from Table 130.24.030
(Residential Zones Development Standards)

Development Attribute	RE-5 Development Standard	Proposed Parcel A				Proposed Parcel B
Minimum Lot Size (in acres)	5	10				5
Minimum Lot Width (in feet)	100	200				240
Setbacks (in feet)		House	ADU	Barn	Garage	Currently undeveloped, with no proposed development at this time.
Front	30	155	35	41	133	
Secondary	30	299	Approx. 800	196	Approx. 550	
Front	30	Approx. 620	193	Approx. 800	390	
Side	30	215	192	Approx. 425	210	
Rear	30					

Staff Analysis Conclusion

Planning staff has analyzed the proposed Tentative Parcel Map and determined it to be consistent with the General Plan policies, Zoning Ordinance codes, and the Findings and Conditions of Approval as discussed below.

AGENCY/PUBLIC COMMENTS:

The project was distributed to all applicable local, County, and State agencies for review and comment. Comments were received from the County Surveyor’s Office, County Department of Transportation, County Environmental Management Department, County Stormwater Division, and EID. All conditions of approval identified by commenting agencies and departments have been incorporated into the project Conditions of Approval, as applicable.

ENVIRONMENTAL REVIEW:

Staff has prepared a Mitigated Negative Declaration based on an Initial Study (Exhibit F). The proposed project would not have a significant effect on the environment with adherence to standard County project Conditions of Approval and the incorporation of mitigation measures as outlined within Exhibit F. Future development on either parcel will be required to comply with these mitigation measures.

The applicant shall submit to the Planning Division a \$50.00 recording fee prior to filing of the Notice of Decision by the County. Please submit a check for the total amount to the Planning Division and make the check payable to El Dorado County. No permits shall be issued until said fees are paid.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings
Conditions of Approval

Exhibit A.....Location/Vicinity Map
Exhibit B.....Assessor’s Parcel Map
Exhibit C.....General Plan Land Use Designation Map
Exhibit D.....Zoning Map
Exhibit E.....Tentative Parcel Map
Exhibit F.....Proposed Mitigated Negative Declaration and Initial Study

FINDINGS

Tentative Parcel Map P20-0005/Lin Parcel Map Zoning Administrator/April 3, 2024

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgement of the County and has been completed in compliance with the California Environmental Quality Act (CEQA) and is adequate for this proposal.
- 1.2 No significant impacts to the environment as a result of this project were identified in the Initial Study.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Building Department, Planning Division, at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN

2.1 The project is consistent with General Plan Policy 2.2.1.2.

General Plan Policy 2.2.1.2 identifies that the purpose of the Low Density Residential (LDR) land use designation is to provide areas for single-family residential development in a rural setting.

Rationale: The subject site has a General Plan land use designation of LDR. The proposed Tentative Parcel Map for two (2) parcels ranging in size from 10 acres (Parcel A) to five (5) acres (Parcel B) is consistent with this policy.

2.2 The project is consistent with General Plan Policy 2.2.5.2.

General Plan Policy 2.2.5.2 requires that all applications for discretionary projects or permits shall be reviewed to determine consistency with the policies of the General Plan.

Rationale: Staff has prepared this section on General Plan findings to document the project's consistency with the policies of the General Plan.

2.3 The project is consistent with General Plan Policy 2.2.5.21.

General Plan Policy 2.2.5.21 requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses.

Rationale: The project site currently has a single-family residence, detached garage, an accessory dwelling unit (ADU), and a barn on proposed Parcel A. Parcel B is undeveloped. The adjoining properties to the south and west are similarly zoned as Residential Estate – Five Acres (RE-5), and the properties to the north and east are zoned as Residential Estate – ten acres (RE-10). Each of the resultant parcels proposed will be consistent with the adjoining parcels of five (5) and 10 acres in size. The project would be compatible with adjoining land uses. The project is consistent with this policy.

2.4 The project is consistent with General Plan Policy 5.1.2.1

General Plan Policy 5.1.2.1 requires a determination of the adequacy of the public services and utilities to be impacted by that development.

Rationale: Residences existing on site are currently connected to Pacific Gas and Electric (PG&E) for electric and gas services. Future development on site would connect to PG&E for electric and gas services. The single-family residence and ADU on proposed Parcel A are currently served by a shared well and separate septic systems. Future development would be required to install a well and septic system as required by the County Environmental Management Department (EMD).

2.5 The project is consistent with General Plan Policy 5.2.1.2.

General Plan Policy 5.2.1.2 requires that adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development.

Rationale: The El Dorado Hills Fire Department provides fire protection to the site. The project must adhere to applicable requirements for fire flow and sprinkler requirements. Compliance with these requirements will assure adequate emergency water access. If any additional dwelling units are proposed in the future, the El Dorado Hills Fire Department would review the building permit application and include any fire protection measures at that time. EMD has confirmed the site has access to an adequate potable water supply. Therefore, the project is consistent with this policy.

2.6 The project is consistent with General Plan Policy 5.2.3.4.

General Plan Policy 5.2.3.4 requires that all applications for divisions of land which rely on groundwater for domestic use, or any other type of use, shall demonstrate that groundwater is adequate as part of the review and approval process.

Rationale: EMD has confirmed that well reports demonstrate adequate potable water supply for both proposed parcels. Per the findings discussion of General

Plan Policy 5.2.1.2, the site would be provided with adequate water supply for fire safety requirements prior to development.

2.7 The project is consistent with General Plan Policy 5.3.2.3.

General Plan Policy 5.3.2.3 requires the development of efficient and environmentally safe individual sewage disposal systems in rural areas.

Rationale: Soil percolation tests for proposed Parcel B were completed on December 2, 2021. Per the percolation reports, proposed Parcel B would be able to host a septic system to the satisfaction of EMD. Therefore, the project is consistent with this policy.

2.8 The project is consistent with General Plan Policy 5.7.2.1.

General Plan Policy 5.7.2.1 requires the applicant to demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection would be provided concurrent with development.

Rationale: The El Dorado Hills Fire Department provides fire protection to the site. The project must adhere to applicable requirements for emergency vehicle access including roadway widths and turning radii, fire flow and sprinkler requirements, and vehicle ingress/egress. Compliance with these requirements will ensure adequate emergency access and evacuation routes. If any additional dwelling units are proposed in the future, the El Dorado Hills Fire Department would review the building permit application and include any fire protection measures at that time. These measures would include water storage tanks, fire hydrant(s), and residential sprinkler system(s). The size of water storage tanks would be determined during fire review of building and/or grading permits. Water storage tanks as determined by the fire authority are required to be placed on site prior to any ground disturbance of the site.

2.9 The project is consistent with General Plan Policy 6.2.3.2.

General Plan Policy 6.2.3.2 (Adequate Access for Emergencies) requires 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.

Rationale: Access to the proposed parcels has been reviewed by the County Department of Transportation (DOT). Parcel A has an existing driveway access point. Parcel B would require an encroachment onto Salmon Falls Road. The site will have adequate access for emergency access to the site and private vehicles can evacuate the area.

2.10 The project is consistent with General Plan Policy 7.4.4.4.

Policy 7.4.4.4 (Oak Resources Mitigation) requires that all new development projects or actions that result in impacts to oak woodlands and/or individual native oak trees including Heritage Trees, the County shall require mitigation as outlined in the El Dorado County Oak Resources Management Plan (ORMP).

Rationale: No oak resources are proposed for removal as part of this Tentative Parcel Map. However, if any oak resources are anticipated to be impacted by future development, mitigation for such impacts would be required consistent with the requirements of the ORMP, as implemented under Chapter 130.39 (Oak Resource Conservation) of the Zoning Ordinance. Therefore, the project is consistent with this policy.

2.11 The project is consistent with General Plan Policy TC-Xa

(1) Traffic from residential development projects of five (5) or more units or parcels of land shall not result in, or worsen, Level of Service (LOS) F (gridlock, stop-and-go) traffic congestions during weekday, peak-hour periods on any highway, road, interchange, or intersection in the unincorporated areas of the County.

Rationale: The project will not create five (5) or more residential units or parcels of land; therefore, this policy does not apply.

(2) The County shall not add any additional segments of U.S. Highway 50, or any other highways and roads, to the County's list of roads from the original Table TC-2 of the 2004 General Plan that are allowed to operate at LOS F without first getting the voter's approval.

Rationale: This is not applicable as the project is not requesting any modifications to Table TC-2.

(3) And (4). Intentionally blank as noted in the General Plan.

(5) The County shall not create an Infrastructure Financing District unless allowed by a 2/3rds majority vote of the people within that district.

Rationale: This is not applicable as the project is not requesting the County create an Infrastructure Financing District.

(6) Intentionally blank as noted in the General Plan.

(7) Before giving approval of any kind to a residential development project of five (5) or more units or parcels of land, the County shall make a finding that the project complies with the policies above. If this finding cannot be made, then the County shall not approve the project in order to protect the public's health and safety as

provided by State law to assure that safe and adequate roads and highways are in place as such development occurs.

Rationale: This project will not result in five (5) or more units or parcels of land for residential development.

2.12 The project is consistent with General Plan Policy TC-Xb

Policy TC-Xb ensures that potential development in the County does not exceed available roadway capacity.

Rationale: This policy is not applicable as this policy refers to the County preparing a Capital Improvement Program (CIP), preparing a Traffic Impact Mitigation (TIM) Fee Program, and monitoring traffic volumes.

2.13 The project is consistent with General Plan Policy TC-Xc

Policy TC-Xc directs that developer paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development.

Rationale: This policy is not applicable as this policy directs how the County will pay for building the necessary road capacity.

2.14 The project is consistent with General Plan Policy TC-Xd

LOS for County-maintained roads and State highways within the unincorporated areas of the County shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions except as specified in Table TC-2. The volume to capacity ratio of the roadway segments listed in Table TC-2 shall not exceed the ratio specified in that table. LOS will be as defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council) and calculated using the methodologies contained in that manual. Analysis periods shall be based on the professional judgement of the Department of Transportation which shall consider periods including, but not limited to, Weekday Average Daily Traffic (ADT), AM Peak Hour, and PM Peak hour traffic volumes.”

Rationale: This project will not worsen LOS for any County-maintained road or State highway as defined by General Plan Policy TC-Xe.

2.15 The project is consistent with General Plan Policy TC-Xe

For the purposes of this Transportation and Circulation Element, “worsen” is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

- (1) A two (2) percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily; or
- (2) The addition of 100 or more daily trips; or
- (3) The addition of 10 or more trips during the a.m. peak hour or the p.m. peak hour.

Rationale: This project will generate fewer than 10 trips in the peak hour, and fewer than 100 daily trips. The thresholds in criteria A, B, and C of this policy are not met.

2.16 The project is consistent with General Plan Policy TC-Xf

At the time of approval of a Tentative Map for a single family residential subdivision of five (5) or more parcels that worsens (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain LOS standards detailed in this Transportation and Circulation Element based on existing traffic plus traffic generated from the development plus forecasted traffic growth at 10-years from project submittal; or (2) ensure the commencement of construction of the necessary road improvements are included in the County's 10-year CIP.

For all other discretionary projects that worsen (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain LOS standards detailed in this Transportation and Circulation Element; or (2) ensure the construction of the necessary road improvements are included in the County's 20-year CIP.

Rationale: The project will not create five (5) or more residential units and will not worsen traffic on the County road system. Therefore, this policy does not apply.

2.17 The project is consistent with General Plan Policy TC-Xg

Each development project shall dedicate right-of-way, design, and construct or fund any improvements necessary to mitigate the effects of traffic from the project. The County shall require an analysis of impacts of traffic from the development project, including impacts from truck traffic, and require dedication of needed right-of-way and construction of road facilities as a condition of the development. This policy shall remain in effect indefinitely unless amended by voters.

Rationale: This policy is not applicable as this project does not worsen traffic conditions.

2.18 The project is consistent with General Plan Policy TC-Xh

All subdivisions shall be conditioned to pay the traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.

Rationale: This project will pay TIM fees at the time a building permit is issued.

2.19 The project is consistent with General Plan Policy TC-Xi

General Plan TC-Xi directs the County to coordinate and work with other agencies to plan for the widening of U.S. Highway 50.

Rationale: This policy is not applicable to the project as it is directed to the County to coordinate with other agencies.

3.0 ZONING FINDINGS

3.1 The project is consistent with Section 130.24.010: Zones Established.

The RE-5 zone is intended to preserve the rural character of an area by providing for and regulating the development of low density and rural residential development.

Rationale: The proposed parcels meet the required minimum lot size and lot width for RE-5 zoned parcels as required in Section 130.21.030.

3.2 The project is consistent with Section 130.30.050.G.

Section 130.30.050.G (Protection of Wetlands and Sensitive Riparian Habitat) establishes standards for avoidance and minimization of impacts to wetlands and sensitive riparian habitats consistent with General Plan Policies 7.3.3.4, 7.4.2.5, and 7.4.2.8.

Rationale: The Biological Resources Report (Attachment B to the Initial Study), and an Aquatic Resource Delineation Report (Attachment C to the Initial Study) were both completed by SWCA Environmental Consultants. The Biological Resource Evaluation identifies no sensitive vegetation communities present on site. The Aquatic Resource Delineation Report identifies a total of four (4) impoundments and eight (8) channels on site. The impoundments are manmade obstacles to water flow and were placed in the 1970s as part of a permitted single-family residential development to create a landscaped waterfall system through the main back yard area. All impoundments and most channels existing on site are located within proposed Parcel A. No structures are within the riparian setback requirements. One channel, identified as CH-3, exists on proposed Parcel B. No mitigation measures were recommended as no special status species were observed on site. The Aquatic Resource Delineation Report confirmed that compliance with the County's riparian setback standards

(Zoning Ordinance Section 130.30.050.G.3.d) would be sufficient for avoiding impacts to all channels and riparian features existing across the whole site. Future development of residences or accessory structures on either proposed parcel would be required to comply with riparian setbacks and the ORMP. Therefore, the project is consistent with this policy.

4.0 PARCEL MAP FINDINGS

4.1 The proposed Tentative Map, including design and improvements, is consistent with the General Plan.

Rationale: The project proposes to create two (2) parcels from a 15-acre parcel. The resulting lots would be approximately 10 acres (Parcel A) and five (5) acres (Parcel B). The project parcel is in the El Dorado Hills area and the parcel's General Plan land use designation is LDR. The proposed Tentative Parcel Map has been found consistent with all applicable General Plan policies as set forth in Finding 2.2.

4.2 The proposed Parcel Map conforms to the applicable standards and requirements of the County zoning regulations and Minor Land Division Ordinance.

Rationale: The proposed parcels have been analyzed and conditioned in accordance with the RE-5 zoning designation and will comply with all applicable development standards for new lots in that zone. As proposed and conditioned, the Tentative Parcel Map conforms to the Minor Land Division Ordinance.

4.3 The site is physically suitable for the proposed type and density of development.

Rationale: No development is proposed as part of this project. The project would allow for additional future development. The increase in residential units could result in a maximum of four (4) residences (two [2] primary and two [2] secondary residences) as well as any number of accessory structures. The existing residential development on proposed Parcel A meets the type and density requirements of the RE-5 zone district. The proposed parcels meet the minimum lot size, lot width, and building setback standards of the RE-5 zone district. Therefore, the project is physically suitable for both proposed parcels, and has been designated as eligible for the resulting density of five (5) acres per parcel.

4.4 The proposed subdivision is not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

Rationale: An Initial Study – Mitigated Negative Declaration (Exhibit F) has been prepared for this project. After reviewing the reports prepared for the proposed Tentative Parcel Map, and with incorporation of Conditions of Approval and mitigation measures, it has been determined that the Tentative Parcel Map will not result in substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat and is consistent with existing and planned developments in the vicinity of El Dorado Hills.

4.5 The proposed subdivision is not likely to cause serious public health hazards.

Rationale: An Initial Study - Mitigated Negative Declaration (Exhibit F) has been prepared for the project. After reviewing the reports prepared for the proposed Tentative Parcel Map, and with incorporation of Conditions of Approval and mitigation measures, it has been determined that the Tentative Parcel Map will not result in serious public health hazards or substantial environmental damage. The project is compatible with the existing rural residential of the area.

4.6 The proposed subdivision design and improvements are suitable and in compliance with the requirements of Public Resources Code Section 4291.

Rationale: The El Dorado Hills Fire Department reviewed this project and found that the site is within a Moderate Fire Severity Zone, which does not require the applicant to submit a Wildfire Urban Interface (WUI) Fire Safe Plan. Therefore, the project is consistent with this requirement.

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

Rationale: There will be no changes to either the 40-foot roadway and public utilities easement. Driveway developments for access onto Parcel B will require an encroachment permit from DOT for access onto Salmon Falls Road. The encroachment would allow for additional driveway pavement within the easement area, but no change to the easement boundary lines is proposed.

CONDITIONS OF APPROVAL

Tentative Parcel Map P20-0005/Lin Parcel Map Zoning Administrator/April 3, 2024

1. This Tentative Parcel Map is based upon and limited to compliance with the project description, Conditions of Approval set forth below, and the hearing exhibits marked:

Exhibit ETentative Parcel Map

Any deviations from the project description, exhibits, or Conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval would constitute a violation of permit approval.

The project description is as follows:

This project is a Tentative Parcel Map that would create two (2) parcels of approximately 10 acres (Parcel A) and five (5) acres (Parcel B) from an existing 15-acre parcel (Exhibit E). Parcel A contains a single-family residence with a detached garage, along with an accessory dwelling unit (ADU) with a detached garage, and a barn structure. Parcel B will be created as a vacant lot for future development. Vehicular access to Parcel A will remain as the driveway encroachment onto Salmon Valley Lane (a County-maintained roadway) approximately 250 feet east of the intersection with Salmon Falls Road. Proposed Parcel B would take access off of Salmon Falls Road, with approval of an encroachment permit prior to driveway development. Proposed Parcel A is currently served by Pacific Gas and Electric (PG&E) for electric and gas utilities, and by a private well and individual septic systems for both residences on site. Proposed Parcel B would tie into PG&E electric and gas services and would be required to develop a private well and septic system. There is no development and no tree removal proposed as part of this Tentative Parcel Map. Additionally, no trees on site will be removed.

The development, use, and maintenance of the property, the size, shape and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and Conditions of Approval below. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved hearing exhibits and Conditions of Approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

Planning Division

2. **Permit Time Limits:** This Tentative Parcel Map shall expire 36 months from the date of approval unless a timely extension has been filed consistent with Section 120.74.020 (Expiration Period of Approved or Conditionally Approved Maps) of the Subdivision Ordinance.

3. **Notice of Decision (NOD) Recording Fee:** The applicant shall submit to the Planning Division a \$50.00 recording fee for the County Recorder to file the Notice of Decision. Checks shall be payable to El Dorado County. No permits shall be issued, or Parcel Map filed until said fees are paid.
4. **Indemnity:** 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.

The developer and landowner 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 Tentative Parcel Map.

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

5. **Archeological Resources:** In the event of future development, the following language will be incorporated on any grading or building permit plans: In the event that archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a “unique archaeological resource”, contingency funding, and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archaeological mitigation takes place.
6. **Human Remains:** In the event of future development, the following language will be incorporated on any grading or building permit plans: In the event of the discovery of human remains, all work shall cease, and the County coroner shall be immediately notified pursuant to subdivision(c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two (2) working days from the time the person responsible for the excavation, or in his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged, or

disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

7. **Oak Resources Conservation; In-Lieu Fee Payment:** The applicant shall mitigate for any impacts to oak resources for future development via payment of the required in-lieu fee as identified in the Oak Resources Management Plan (ORMP). This fee, if applicable, shall be submitted to the Planning Division prior to approval of any future improvement plans.
8. **Riparian Habitat and Wetland Protection:** Future development of the site would be required to comply with General Plan Policy 7.3.3.4, which includes a minimum setback of 100 feet from all perennial streams, rivers, lakes, and 50 feet from intermittent streams and wetlands.
9. **Wildfire Hazards:** The proposed project shall meet the current 2019 California Fire Code (CFC), El Dorado County Fire Ordinance 2019-02, National Fire Protection Association (NFPA) standards, and other appropriate standards to ensure site-specific wildland fire risks would be minimized during construction and operation of the proposed project.
10. **Easements:** Prior to filing the Final Parcel Map, applicant shall ensure that the County Surveyor's Office conducts a final easement review of the project parcels, as part of standard procedure, to further ensure no potential easement conflicts will occur on the project site.
11. **MM BIO-1 Pre-Construction Breeding Bird Surveys:** The Planning Division shall verify completion of the requirement prior to issuance of grading and building permits. To ensure compliance with the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code, and to avoid and reduce direct and indirect impacts on migratory, non-game breeding birds and their nests, young, and eggs to less than significant levels, the following measures would be implemented:
 - a) Project activities that would remove or disturb potential nest sites shall be scheduled outside the breeding bird season, if feasible. The breeding bird nesting season is typically from February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions.

- b) If project activities that would remove or disturb potential nest sites cannot be avoided during February 15 through September 15, a qualified biologist shall conduct a pre-construction clearance and nesting bird survey to search for all potential nesting areas, breeding birds, and active nests or nest sites within the limits of project disturbance up to 30-days prior to mobilization, staging, and other disturbances.
- c) If no breeding birds or active nests are observed during the pre-construction survey(s), or if they are observed and would not be disturbed, then project activities may begin, and no further mitigation would be required.
- d) If a breeding bird territory or active bird nest is located during the pre-construction survey and potentially would be disturbed, a no-activity buffer zone shall be delineated on maps and marked (flagging or other means) up to 500 feet for special-status avian species or raptors, or 100 feet for non-special status avian species. The limits of the buffer shall be demarcated so as not to provide a specific indicator of the location of the nest to predators or people. Materials used to demarcate the nests shall be removed as soon as work is complete, or the fledglings have left the nest. The biologist shall determine the appropriate size of the buffer zone based on the type of activities planned near the nest and bird species because some bird species are more tolerant than others to noise and other disturbances. The nest and buffer zone shall be field checked weekly by a qualified biologist. The nest and buffer zone shall not be disturbed until the biologist has determined that the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young would no longer be impacted by project activities.

Monitoring Requirement: A Notice of Recordation (NOR) detailing the required mitigation measure shall be prepared by the project proponent's surveyor and reviewed by the County Surveyor's Office during Final Parcel Map review. The NOR must be filed alongside recordation of the Final Parcel Map.

Monitoring Responsibility: El Dorado County Planning and Building Department, Planning Division.

12. **MM BIO-2 Rare Plant Protection:** A qualified biologist shall conduct a pre-construction survey within 14-days prior to clearing or grading operations to look for potential presence of rare plant species. If no rare plants are observed, a letter report shall be prepared to document the results of the survey, and no additional measures are recommended. If rare plants are present, then the applicant shall pay the appropriate mitigation fees applied at time of removal.

Monitoring Requirement: A NOR detailing the required mitigation measure shall be prepared by the project proponent's surveyor and reviewed by the County Surveyor's Office during Final Parcel Map review. The NOR must be filed alongside recordation of the Final Parcel Map.

Monitoring Responsibility: El Dorado County Planning and Building Department, Planning Division.

Surveyor's Office

13. All survey monuments must be set prior to recordation of a Final Parcel Map.
14. Situs addressing for the project shall be coordinated with the County Surveyor's Office prior to filing of a Final Parcel Map.
15. Prior to map recordation, a letter will be required from all agencies that have placed Conditions on the map. The letter will state that "**all conditions placed on P20-0005 by (that agency) have been satisfied.**" The letter is to be sent to the County Surveyor's Office and copied to the project Consultant (if any) and the Applicant.

Air Quality Management District (AQMD)

16. **Asbestos Dust:** Current County records indicate the subject property is located within the Asbestos Review Area. An Asbestos Dust Mitigation Plan (ADMP) Application with applicable fees shall be submitted to and approved by the AQMD prior to project construction if the project moves more than 20-cubic-yards of soil, pursuant to AQMD Rule 223.2, Fugitive Dust – Asbestos Hazard Mitigation. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223, Fugitive Dust – General Requirements, and Rule 223.2 Fugitive Dust – Asbestos Hazard Mitigation.
17. **Painting/Coating:** The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
18. **Open Burning:** Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only dry vegetative waste materials originating from the property may be disposed of using an open outdoor fire (Rule 300 Open Burning).
19. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be registered with the California Air Resources Board (CARB). A copy of the current portable equipment registration shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, and daily hours of operation of each piece of equipment.

20. **Self-Propelled Diesel-Fueled Engines:** All self-propelled diesel-fueled engines greater than 25 horsepower shall follow the CARB Regulation for In-Use Off-Road Diesel Fueled Fleets (Section 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at CARB's website here: <http://www.arb.ca.gov/msprog/ordiesel.htm>. Questions on applicability should be directed to CARB at 1-866-634-3735. CARB is responsible for enforcement of this regulation.
21. **New Point Source:** Prior to construction/installation of any new point source emissions units (e.g., emergency standby engine, etc.), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors. (Rule 501 and 523).

El Dorado Hills Fire Department

22. **Natural Hazard Disclosure:** The project is located in a Moderate Fire Hazard Severity Zone within a Cal Fire responsibility area (SRA). The applicant shall provide a Wildfire Hazard Real Estate Disclosure to all future property owners regarding this risk.
23. **Emergency Fire Hydrant(s):** Approved fire hydrants capable of providing the required fire flow for the protection of any and all structures shall be located along the fire apparatus access roadway. Fire hydrant quantities and locations shall be in accordance with the CFC, as amended locally. The required fire hydrants shall be installed and operational prior to any combustible construction (including foundations).
24. **Emergency Water Storage Tank(s):** Approved water storage tanks capable of providing the required fire flow for the protection of any and all structures shall be located on the project site. The size and number of water storage tanks which would be required would be determined during Fire Authority review of building and/or grading permits. Any required water storage tank(s) would be required to be on site and operational prior to any other ground disturbance.
25. **Roads and Driveways:** Roads and driveways, whether public or private, shall comply with CCR Title 14 Section 1270.00 – 1276.04 and CCR Title 24 – Part 9 (CFC), Section 503 (Fire Apparatus Access Roads), as amended locally. The required fire access road(s) shall be installed prior to any combustible construction (including foundations).
 - a) Fire access roadways shall be of not less than 20 feet of unobstructed width, 15 feet of vertical clearance, and minimum turning radii of 40 feet inside and 56 feet outside dimensions on the improvement plans. The access roadway shall extend to within 150 feet of all portions of the exterior walls of the first story of any proposed building. The use of turf-block or Grass-Crete or similar alternate road surfaces is not approved for installation in fire apparatus access roadways.

- b) Fire access roadways shall be built to bear a minimum of 75,000 pounds and meet County Department of Transportation (DOT) standards for roadways. A report, prepared by a registered geotechnical or California-licensed Civil engineer, verifying the ability of the road to bear the required minimum weight, shall be submitted with any plan indicating the construction of the roadway. Verification of constructed roadway shall be provided by a registered geotechnical or California-licensed Civil engineer prior to the final of the project.
 - c) Where a bridge or elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17.
 - d) Traffic calming measures and gates along fire access roads are prohibited unless approved by the fire authority.
 - e) When a road is required, it shall be named in accordance with the requirements identified by the County Surveyor's Office. An approved street sign shall be placed at the entrance to the road.
 - f) Fire Lane identification shall be provided along required fire access roadways. Fire Lane identification shall be in accordance with the El Dorado County Regional Fire Protection Standard #B-004 and the California Vehicle Code. Vehicle parking is prohibited on any street less than 30 feet in width. Vehicle parking is permitted on both sides of streets 40 feet or more in width. Roadway widths shall be measured between the gutter line or edge of pavement on opposite sides of the road. Identification of fire apparatus access roadways may be required on private roads.
 - g) All essential road and driveway improvements shall be complete and meet all of the requirements of CCR Title 14 and the CFC prior to the approval of the final map for the project.
26. **Community Facilities District (CFD):** In order to maintain certain services provided by the fire department, which are impacted by the proposed development, including, but not limited to, fire protection and suppression, ambulance response services, emergency response services, administrative fees of the fire department, and any other services permitted under the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code (the "Act"), as well as costs of administration, operating, and reporting, the developer shall elect and provide for one (1) of three (3) financing options. The developer can (i) form a new CFD subject to the review and approval of the fire department, (ii) make a deposit and annex into any existing and approved fire department CFD, or (iii) make a lump-sum payment for the present value of an annuity authorized by the fire department. If the developer chooses to create a new CFD or annex into an existing El Dorado Hills Fire Department CFD, the creation of the new CFD or the annexation into the existing El Dorado Hills Fire Protection District CFD shall be completed concurrently with final approval, as

determined jointly by the fire department and the County, of all land use entitlements requested by the landowner/applicant/developer.

27. **Plan Submittal:** The applicant shall meet the following: New residential building plans shall be submitted and approved prior to final building permit being issued. Fire Sprinkler plans shall be submitted prior to final building permit being issued. Please note: The El Dorado Hills Fire Department does not allow deferred submittals for fire sprinkler plans.
28. **Roof Coverings:** Residential roof coverings shall consist of materials having a minimum Class A rating.
29. **New Buildings and Structures:** New buildings and structures placed on a parcel shall comply with all applicable fire safety regulations found in CCR Titles 14, 19, 24, and El Dorado Hills Fire Department ordinances and regulations.
 - a) All parcels shall provide a minimum 30-foot setback for all buildings from all property lines and/or the center of a road in accordance with CCR Title 14 – Section 1276 (Setback for Structure Defensible Space).
30. **Addressing:** All parcels shall be provided with an approved address number as issued by the County Surveyor's Office. Approved numbers or addresses shall be placed on all new or existing buildings in such a position as to be easily read from the street or road fronting the property. The minimum size of the numbers shall not be less than four (4) inches and shall be mounted immediately adjacent to a light source and shall also contrast with their background.