



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

Agenda of: April 17, 2024

Staff: Timothy Pitt

TENTATIVE PARCEL MAP

FILE NUMBER: P20-0003/Jones Parcel Split

PROPERTY OWNER: Michael and Deanna Jones

APPLICANT: Kevin McBride

AGENT: Lebeck Engineering, Inc.

REQUEST: A Tentative Parcel Map request to subdivide a developed 4.52-acre parcel, with two (2) existing residential units, into two (2) parcels of 2.20 acres (Parcel 1) and 2.32 acres (Parcel 2) in size.

LOCATION: On the east side of Sierrama Court, approximately 700 feet east of the intersection with Sierrama Drive, in the Shingle Springs area, Supervisorial District 4 (Exhibit A).

APN: 070-160-001 (Exhibit C)

ACREAGE: 4.52 acres

GENERAL PLAN: Medium Density Residential (MDR) (Exhibit D)

ZONING: Two-Acre Residential (R2A) (Exhibit E)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration and Initial Study (Exhibit H)

RECOMMENDATION: Staff recommends the Zoning Administrator take the following actions:

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;

2. Adopt a Mitigation Monitoring Program in accordance with California Environmental Quality Act (CEQA) Guidelines 15074(d), based on the Mitigation Measures contained in the Mitigated Negative Declaration and Initial Study; and
3. Approve Tentative Parcel Map P20-0003, based on the Findings and subject to the Conditions of Approval as presented.

EXECUTIVE SUMMARY

Approval of Tentative Parcel Map P20-0003 would allow a Tentative Parcel Map for a two-lot residential subdivision consisting of one 2.20-acre parcel (Parcel 1) and one 2.32-acre parcel (Parcel 2) from an existing 4.52-acre parcel (Exhibit F). Both proposed parcels are currently developed with existing residences and associated infrastructure and improvements. Proposed Parcel 1 would contain the existing 2,700-square-foot residence currently served by existing electric service, public water, and an on-site septic system. Proposed Parcel 2 would contain the existing 1,600-square-foot Accessory Dwelling Unit (ADU) and is also served by existing electric service, public water, and an on-site septic system. Access to the proposed parcels would be provided via two (2) existing private driveways on the west side of the subject parcel connecting to Sierrama Court, an existing 18-foot-wide paved non-County maintained roadway. Proposed Parcel 1 would take access from Sierrama Court via an existing 300-foot-long gravel driveway crossing Assessor's Parcel Number (APN) 070-160-053 to the west of the proposed parcel. Proposed Parcel 2 would take access from Sierrama Court via an existing 270-foot-long gravel driveway crossing APN 070-160-052, also to the west of the proposed parcel. No oak trees will be removed or impacted as a part of the project. The existing parcel is zoned Two-Acre Residential (R2A) and is designated in the County General Plan as Medium Density Residential (MDR) (Exhibits E and D). As proposed and conditioned, both proposed parcels will meet the required development standards for new parcels in the R2A zone including minimum parcel size, lot frontage, and building setbacks for both existing residences. Staff has determined that the project is consistent with the County General Plan MDR land use designation and the R2A zone, as well as other applicable County General Plan policies, Zoning Ordinance, and Subdivision Ordinance requirements as discussed in the Findings.

PROJECT BACKGROUND

The project parcel was created by Grant Deed in approximately 1965 (historic APN 057-660-026). In 1972, the project parcel APN was changed to the current APN as a result of an Assessor's map book reorganization. The existing primary residence, located on proposed Parcel 1, and including associated grading, access driveway, utility installation and on-site septic system, was completed in December 2006 (Building Permit 164686). The existing ADU, located on proposed Parcel 2, and including associated grading, access driveway, utility installation, and on-site septic system, was completed in June 2018 (Building Permit 261192).

ENVIRONMENTAL SETTING

The topography of the project site area is moderately sloped with erosional drainage running west-north through the northern portion of the 4.52-acre property. Elevations range from

approximately 1,480 feet above mean sea level on the southern portion of the parcel to 1,430 feet above mean sea level on the northern portion. The primary soil type present on-site is Rescue very stony sandy loam, 3 to 15 percent slopes. An Oak Resources Technical Report and Biological Resources Assessment was prepared by Sierra Ecosystem Associates with a field survey conducted on August 12, 2022 and a report dated January 25, 2023 (Exhibit G). Based on the results of this report, the parcel consists of two (2) different oak species in an intermingled canopy, with a canopy coverage within the parcel of 59.5 percent. The oaks present during the survey were black oak and interior live oak. A minor component of the tree canopy was grey pine. The understory is a mix of invasive annual grasses and Sierran foothill species such as toyon, coffeeberry, Baccharis, and redbud. Chamise dominated the understory in the northern portion of the parcel. The parcel was surveyed for any rare, threatened, or endangered plant species. Because of the proximity of the Pine Hill Preserve and the gabbro soil type, the survey focused on eight (8) species that are listed as rare, threatened, and endangered. The survey found two (2) species of rare plants on the parcel. El Dorado mule-ears was commonly found throughout the parcel with the larger populations existing in the southern portion of the parcel. El Dorado bedstraw was found under a dense canopy between the two (2) existing residential structures.

Adjacent Land Uses:

	Zoning:	General Plan:	Improvements:
Site:	Two-Acre Residential (R2A)	Medium Density Residential (MDR)	Developed with two (2) existing single-family residences and associated infrastructure
North:	Residential Estate – 5-Acre Minimum (RE-5)	Low Density Residential (LDR)	Single-Family Residence
East:	Residential Estate – 5-Acre Minimum (RE-5)	Low Density Residential (LDR)	Two (2) parcels, both vacant
South:	Two-Acre Residential (R2A)	Medium Density Residential (MDR)	Single-Family Residence
West:	Two-Acre Residential (R2A)	Medium Density Residential (MDR)	Two (2) parcels, both Single-Family Residential

PROJECT DESCRIPTION

A Tentative Parcel Map request to subdivide a developed 4.52-acre parcel, with two (2) existing residential units and associated accessory structures, into two (2) parcels of 2.20 acres (Parcel 1) and 2.32 acres (Parcel 2). Access to the existing residences is from two (2) private driveways located off of Sierrama Court, both new parcels would continue to take access from these existing driveways. The existing residences share one (1) connection for public water service from the El Dorado Irrigation District (EID), and proposed Parcel 2 will require a new connection to serve the new parcel. Both residences are served by existing, independent on-site septic systems. The proposed parcels would continue to be served by existing electrical service from Pacific Gas and Electric (PG&E).

STAFF ANALYSIS

Environmental Review: In accordance with the California Environmental Quality Act (CEQA), staff has prepared an Initial Study analyzing the potential environmental impacts resulting from the implementation of the project. Based on the Initial Study, a Mitigated Negative Declaration has been prepared (Exhibit H).

According to the CEQA Guidelines Section 15075, filing a Notice of Determination is required to institute a 30-day statute of limitations on legal challenges to the County's decision. Within 48 hours of approval of the requested Tentative Parcel Map, the applicant shall submit to the Planning Division a recording fee of \$50.00 as required by the County Recorder to file the Notice of Determination by the County, as well as the current 2024 California Department of Fish and Wildlife CEQA review fee for a Mitigated Negative Declaration, \$2,916.75. This fee is used to help defray the cost of managing and protecting the State's fish and wildlife resources. <https://wildlife.ca.gov/Conservation/Environmental-Review/CEQA/Fees#56227945-annual-fee-adjustments>

General Plan Consistency: Staff has reviewed the project for consistency with all applicable General Plan policies including Policy 2.2.1.2 (appropriate land use types and density), Policy 2.2.5.2. (General Plan Consistency), Policy 2.2.5.21. (Adjoining Land Use Compatibility), Policies TC-Xa through TC-Xi (Transportation and Circulation Element), 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 5.7.2.1 (adequate fire protection services), Policy 6.2.3.2 (adequate emergency access) and Policy 7.4.4.4 (impacts to oak resources). Staff has determined that the project is consistent with these policies and related requirements in the El Dorado County General Plan, as discussed in more detail in Section 2.0 of the Findings.

Zoning Ordinance Consistency: Staff has determined that the project is consistent with all applicable standards and requirements of Title 130 of the County Ordinance Code (Zoning Ordinance). The project parcel is currently zoned R2A, and the proposed new parcels would keep this zoning designation with the approval of the project. Accordingly, the project has been analyzed in accordance with all applicable development standards for the R2A zone district. As proposed, the project parcels will conform with the required minimum lot size, lot frontage, building setbacks (for existing structures), and other applicable development standards for the

new lots in the R2A zone as shown below and more fully described in the Findings section of this report.

Development Attribute	R2A Zone District	Proposed Parcel 1	Proposed Parcel 2
Minimum Lot Size	2 Acres	2.20 Acres	2.32 Acres
Minimum Lot Width for Interior Lot (in feet)	150	346.46	362.73
Front Setback (in feet)	30*	124.7	75.7
Side Setback to Nearest Property Line (in feet)	20*	110	38
Rear Setback (in feet)	30*	87.4	124.3

*Fire Safe setbacks of 30 feet required on all parcels over 1-acre in size

County Subdivision Ordinance: Staff has determined the project is consistent with all applicable standards and requirements of the County Subdivision Ordinance (Title 120 of the County Ordinance Code) for Tentative Parcel Maps including consistency with the General Plan, consistency with zoning regulations and the Minor Land Division Ordinance, and consistency with other specific findings for subdivision map approval. Such findings include documentation that the site is physically suitable for the proposed type and density of development and documentation that the proposed subdivision is not likely to cause substantial environmental damage. Further details are discussed in the Findings section below.

Public and Agency Comments: The project was distributed to all applicable public agencies and organizations for review and comment including the County Department of Transportation (DOT), the County Environmental Management Department (EMD), the EID, the El Dorado County Sheriff's Office, the County Surveyor's Office, and the Rescue Fire Protection District (RFPD). Of these agencies and organizations notified of the project, comments were received from DOT, EID, the RFPD, and the County Surveyor's Office. None of these agencies had any significant issues or concerns regarding the project. Comments received have been considered and if applicable, incorporated as Conditions of Approval from each of the agencies listed above. To date, no public comments have been submitted for the project.

Public Outreach: No formal public outreach was conducted by the County, and a public outreach plan was not required for this project pursuant to the County Zoning Ordinance. However, the project was duly noticed per County Code Section 130.52.030 with a public notification range of 1,000 feet and a legal advertisement was published in applicable local newspapers.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings	
Conditions of Approval	
Exhibit A.....	Vicinity Map
Exhibit B.....	Aerial Map
Exhibit C.....	Assessor’s Parcel Map
Exhibit D.....	General Plan Land Use Map
Exhibit E.....	Zoning Map
Exhibit F.....	Tentative Parcel Map
Exhibit G.....	Oak Resources Technical Report
Exhibit H.....	Proposed Mitigated Negative Declaration and Initial Study

FINDINGS

Tentative Parcel Map P20-0003/Jones Parcel Split Zoning Administrator/April 17, 2024

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:

1.0 CEQA FINDINGS

- 1.1 An Initial Study has been prepared analyzing potential environmental impacts with implementation of the project. Based on the Initial Study, impacts have been identified to be less than significant and a Mitigated Negative Declaration has been prepared.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Building Department, Planning Division, at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

2.1 The project is consistent with General Plan Policy 2.2.1.2.

General Plan Policy 2.2.1.2 establishes an appropriate range of land use types and densities within the County. The Medium Density Residential (MDR) land use designation establishes area suitable for detached single-family residences with larger lot sizes which will enable limited agricultural land management activities. This designation shall be applied where the character of an area is single-family residences; where the absence or reduced level of infrastructure including roads, water lines, and sewer lines does not justify higher densities; where the topography poses a constraint to higher densities; and as a transitional land use between the more highly developed and the more rural areas of the County. The maximum allowable density shall be one (1) dwelling per 1.00 acre. Parcel sizes shall range from 1.00 to 5.00 acres.

Rationale: The proposed project will create two (2) parcels both of which will be over 2.00 acres in size with one (1) dwelling unit on each proposed parcel. As proposed and conditioned, the proposed use will be compatible with the existing landscape and surrounding residential uses, and therefore, 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 states that all applications for discretionary projects or permits including, but not limited to, General Plan amendments, zoning boundary amendments, tentative maps for major and minor land divisions, and special use permits shall be reviewed to determine consistency with the policies of the General Plan. No approvals shall be granted unless a finding is made that the project or permit is consistent

with the General Plan. In the case of General Plan amendments, such amendments can be rendered consistent with the General Plan by modifying or deleting the General Plan provisions, including both the land use map and any relevant textual policies, with which the proposed amendments would be inconsistent.

Rationale: The Tentative Parcel Map is consistent with applicable General Plan policies as discussed in the Staff Report and is consistent with this policy.

2.3 The project is consistent with General Plan Policy 2.2.5.21.

General Plan Policy 2.2.5.21 requires development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the development project is proposed. Development projects that are potentially incompatible with existing adjoining uses shall be designed in a manner that avoids any incompatibility or shall be located on a different site.

Rationale: As proposed, the project would create two (2) parcels, zoned Two-Acre Residential (R2A) 2.20 (Parcel 1) and 2.32 (Parcel 2) acres in size allowing for a mix of residential and limited agricultural uses similar in scope and scale to most similarly zoned parcels in the vicinity. The project is not proposing any new development, and no changes from existing uses are anticipated as a result of project approval. The project is consistent with this policy.

2.4 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 congestion during weekday, peak-hour periods on any highway, road, interchange, or intersection in the unincorporated areas of the County.

Rationale: The project would create two (2) residential parcels; 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 left 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: The project would create two (2) residential parcels; therefore, this policy does not apply.

2.5 **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.

2.6 **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 necessary road capacity.

2.7 **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 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 (as defined by General Plan Policy TC-Xe) LOS for any County-maintained road or State highway.

2.8 **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.

- A. A two-percent increase in traffic during the AM Peak Hour, PM Peak Hour, or daily, or;
- B. The addition of 100 or more daily trips, or;
- C. The addition of 10 or more trips during the AM Peak Hour or PM 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, or C of this policy will not be exceeded.

2.9 **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 or more parcels that worsens (defined as a project that triggers Policy TC-Xe [A], [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 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 would create two (2) residential parcels and will not worsen traffic on the County road system. Therefore, this policy does not apply.

2.10 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.

2.11 This 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 that the time a building permit is issued. No development is being proposed as a part of this project; therefore, the project is consistent with this policy.

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

General Plan Policy TC-Xi directs the County to coordinate and work together 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 direction to the County to coordinate with other agencies, and the project does not include any U.S. Highway 50 capacity enhancements.

2.13 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: The project was submitted for review by the Rescue Protection District (RFPD), County Department of Transportation (DOT), the County Environmental Management Department (EMD), and the El Dorado Irrigation District (EID) for adequate public services and utilities. No comments regarding concerns about public services or utilities impacts were received. Electric service is currently provided to the project parcel by Pacific Gas and Electric (PG&E) and there would be no change to existing electric service as part of the project. As proposed and conditioned, the project is consistent with this policy.

2.14 The project is consistent with General Plan Policy 5.1.2.2.

General Plan Policy 5.1.2.2 requires adequate levels of public services be provided to new discretionary development, including quantity and quality of water and adequate fire protection services.

Rationale: The project was distributed to affected public service agencies and organizations serving the project parcel including the RFPD, DOT, EMD and EID. No comments regarding concerns about quality or quantity of water and adequate fire protection services or other public services were received. As proposed, the project is consistent with this policy.

2.15 The project is consistent with General Plan Policy 5.2.1.2.

An adequate quantity and quality of water for all uses, including fire protection, shall be provided for with discretionary development.

Rationale: The project was reviewed by EID and RFPD for adequate supply for all uses. No comments were received from EID or RFPD indicating that emergency water supply was not available. The project would require the extension of a water line to supply the residence located on proposed Parcel 2 with an independent water meter and water service, separate from the residence on proposed Parcel 1. Water supply and conveyance facilities are currently available and sufficient to provide emergency water supply to the proposed parcels. The project is consistent with this policy.

2.16 The project is consistent with General Plan Policy 5.7.2.1.

General Plan Policy 5.7.2.1 requires the responsible fire protection district review all applications to determine the ability of the district to provide required services and to ensure services will not be reduced below acceptable levels.

Rationale: The project was distributed to RFPD for review. No comments were received concerning the ability to provide required services to the project site or to ensure services will not be reduced below acceptable levels as a result of the approval of the project. The project, as proposed, is consistent with this policy.

2.17 The project is consistent with General Plan Policy 6.2.3.2.

General Plan Policy 6.2.3.2, Adequate Access for Emergencies, requires 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.

Rationale: The project was distributed for review to DOT and RFPD; neither agency expressed any concerns regarding adequate capacity for emergency vehicle access. The project, as proposed, is consistent with this policy.

2.18 The project is consistent with General Plan Policy 7.4.4.4.

General Plan Policy 7.4.4.4 requires all new non-exempt development projects that would result in impacts to oak resources be mitigated in accordance with the standards of the Oak Resources Management Plan (ORMP).

Rationale: No oak trees will be removed or impacted as no development is being proposed as a part of the project. The project, as proposed, is consistent with this policy.

3.0 ZONING FINDINGS

3.1 The proposed use is consistent with Title 130.

The parcel is zoned Two-Acre Residential (R2A) and has been analyzed in accordance with Zoning Ordinance Section 130.24.030 (Residential Zones Development Standards) for minimum lot size, widths, and building setbacks.

Rationale: The project, as designed and conditioned, is consistent with the Zoning Ordinance because the parcels have been designed to comply with the R2A development standards as provided within Section 130.24.030 of the County Code.

4.0 PARCEL MAP FINDINGS

The Subdivisions Ordinance Section 120.44.030 (Findings Requiring Disapproval) requires the approving authority not approve a tentative map if the approving authority makes any of the following findings:

4.1 That the proposed map is not consistent with applicable General and Specific Plans.

Rationale: The project is consistent with all applicable General Plan policies. The project proposed to create two (2) parcels from a 4.52-acre parcel. Resulting lot sizes would be 2.20 acres and 2.32 acres respectively. The project parcel is located in the Shingle Springs Community Region and the General Plan land use designation is MDR. Accordingly, the proposed Tentative Parcel Map has been found to be consistent with the General Plan as set forth in Finding 2.0.

4.2 That the design or improvement of the proposed division is not consistent with applicable General and Specific Plans.

Rationale: The design or improvement of the proposed Tentative Parcel Map has been found to be consistent with all applicable General Plan policies as set forth in finding 2.0 and as described in Finding 4.1 above.

4.3 The site is not physically suitable for the type of development.

Rationale: The project is consistent with the allowed uses in the R2A zone. As proposed and conditioned, the proposed parcels will meet the required development standards, including minimum lot size and lot width, of the R2A zone district and therefore, the site is physically suitable for the type of development proposed.

4.4 That the site is not physically suitable for the proposed density of development.

Rationale: The project is consistent with the density requirements of the R2A zone.

4.5 That the design of the division or the proposed improvements are likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

Rationale: An Initial Study and a Mitigated Negative Declaration have been prepared for the project pursuant to CEQA guidelines. The proposed Tentative Parcel Map will not result in substantial environmental damage and is consistent with the existing and planned development in the Shingle Springs Community Region. Any potential impacts have been found to be less than significant and are not likely to cause substantial environmental damage to substantial and avoidable injury to fish or wildlife, or their habitat.

4.6 That the design of the division or the type of improvements is likely to cause serious public health hazards.

Rationale: The project has been reviewed by all applicable County departments and local agencies for compliance with health and safety regulations, including DOT, RFPD, EID, PG&E, EMD, the County Air Quality Management District (AQMD), and the Planning Division. As proposed and conditioned, all departments and agencies have determined the subdivision design and improvements will conform to all applicable health and safety regulations, and the project will not cause serious public health hazards.

4.7 That the design of the division or the improvements are not suitable to allow for compliance of the requirements of Public Resources Code § 4291.

Rationale: The proposed subdivision and associated improvements have been reviewed and approved by RFPD as suitable to allow for compliance with Public Resources Code § 4291, applying to vegetative clearances and related fire protection measures to protect existing structures.

- 4.8 **That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the approving authority may approve a map if it finds that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgement of a court of competent jurisdiction and no authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.**

Rationale: Preliminary subdivision plans, and easement documentation has been reviewed by the County Surveyor's Office staff for potential conflicts with existing or proposed easements, and no conflicts have been found on the project parcel. To further ensure no potential easement conflicts will occur on the project site, the County Surveyor's Office staff will conduct a final easement review of the proposed parcels, as part of standard procedure, prior to recordation of the final map.

CONDITIONS OF APPROVAL

Tentative Parcel Map P20-0003/Jones Parcel Split Zoning Administrator/April 17, 2024

Planning Services

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

Exhibit F Tentative Parcel Map

Exhibit H Proposed Mitigated Negative Declaration and Initial Study

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

The project description is as follows:

Tentative Parcel Map P20-0003 consists of a request to subdivide a 4.52-acre parcel into two (2) parcels of 2.20 acres (Parcel 1) and 2.32 acres (Parcel 2) respectively. Both proposed parcels are currently developed with single-family residences of 2,700-square-foot (Parcel 1) and 1,600-square-foot (Parcel 2). Both existing residences are served by public water and existing, separate septic systems. Electric service is provided by Pacific Gas and Electric (PG&E). Access to the proposed lots would be provided via private driveways from Sierrama Court, a paved, non-County maintained roadway.

No development is being proposed as part of this project and the current existing uses of the parcel would continue. No oak trees will be removed as a part of this project.

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 finances 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 shall be implemented as approved by the County.

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. **Legal Indemnity/Hold Harmless Agreement:** In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the landowner

agrees 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 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.

4. **WUI Fire Safe Plan:** Prior to recordation of the final map, the applicant shall obtain a Wildland Urban Interface (WUI) Fire Safe Plan or waiver of this requirement prepared by a qualified professional as approved by the El Dorado County Fire Prevention Officers Association. The WUI Fire Safe Plan or waiver shall be approved by the local Fire Protection District having jurisdiction and the California Department of Forestry and Fire Protection (Calfire).
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 archaeological 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 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. **MM BIO-01 Protection of Special Status Species**

When future development is proposed, the following mitigation measures shall be implemented to avoid impacts to special-status species:

If future development is proposed, 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, particularly El Dorado bedstraw and El Dorado mule-ears. 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, the biologist shall clearly mark, map, and record the locations of all special-status plant species to be protected and shall conduct an on-site inspection to ensure fencing for special-status species is appropriately placed and there are no impacts to special-status plants. The qualified biologist shall inform workers of the need to protect these special-status plant species as well as identifying traits of special-status plants. On-site construction staff and supervisors shall be required to sign an acknowledgement that they have received these instructions from the biologist and agree to follow all mitigation measures.

Full avoidance of the special-status species shall require designating the area containing said species as an Environmentally Sensitive Area (ESA). No equipment or construction personnel shall enter the ESA and the ESA shall be clearly marked and surrounded by high visibility fencing with a minimum four-foot-tall metal fence posts to ensure avoidance. Digging, trenching, placing fill, storage of equipment or materials, and all other construction related activity shall be prohibited within the ESA.

If special-status species are unavoidable impacted, an Incidental Take Permit from the California Department of Fish and Wildlife (CDFW) shall be required prior to ground disturbance. The property owner shall ensure full compliance with the California Endangered Species Act (CESA) before resuming project related activities. If construction activities last for more than one (1) growing season, the pre-construction survey described above shall be repeated during the blooming period.

Monitoring Requirement: El Dorado County Planning and Building Department, Planning Division shall verify completion of the requirement prior to issuance of a grading or building permit in coordination with the applicant.

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

Office of the County Surveyor

8. All survey monuments must be set prior to filing the Parcel Map.
9. Situs addressing for the project shall be coordinated with the County Surveyor's Office prior to filing the Final Map.
10. 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 P20-0003 by (that agency) have been satisfied." The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.

Rescue Fire Protection District

11. **Structural Fire Protection and Suppression Services:** Consistent with California Code of Regulations (CCR) Title 14 §1266.01, structural fire protection and suppression services will be available for this project by the Rescue Fire Protection District (RFPD). The project is located within the service boundaries of RFPD. The nearest staffed fire station to the project location is RFPD Station No. 83 located at 5221 Deer Valley Road in Rescue. The average response time to the project site from this fire station is approximately eight (8) minutes or less to 80 percent of the population in the area.
12. **Roads and Driveways:** Roads, driveways and road or driveway structures, whether public or private, shall comply with the current regulations found in CCR Title 14 (Fire Safe Regulations), Title 24 – Part 9 (California Fire Code), and local ordinances and standards of RFPD. Roadways and driveways shall provide for concurrent fire apparatus ingress and civilian evacuation, and also provide unobstructed traffic circulation during a fire as set forth in CCR Title 14 §1270-1276. To meet this standard roads, driveways and associated structures in the project shall meet the minimum requirements described below:
 - A. Roads, driveways and associated structures shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an approved road surface base based on the grade.
 - B. At no point shall the road or driveway grade exceed 16 percent unless mitigation to provide the same practical effect has been approved by RFPD.

- C. Approved turnarounds are required on all dead-end roads and driveways greater than 150 feet in length.
 - D. Driveways shall be constructed to provide a minimum of one (1) 12-foot traffic lane, 16 feet unobstructed horizontal clearance, and unobstructed vertical clearance of 15 feet.
 - E. Electronic and manual gates installed across fire apparatus access roads and driveways shall comply with applicable RFPD ordinances and regulations.
- 13. **Emergency Water Supply:** The project area is currently provided with an adequate means of emergency water supply, storage or conveyance facilities. Prior to new buildings or structures being placed on one (1) or more of these parcels, the applicant will need to demonstrate that they can meet the required emergency water supply provisions found in Chapter 5 of the California Fire Code, along with local ordinances and standards of the RFPD.
 - 14. **Natural Hazard Disclosure:** The project is located in a Fire Hazard Severity Zone within a Calfire Responsibility Area. The applicant shall provide a Wildfire Hazard Real Estate Disclosure to all future property owners regarding this risk.
 - 15. **Vegetation Management / Defensible Space:** The project shall comply with all vegetation management and defensible space measures as found in CCR Titles 14, 19, 24, El Dorado County Codes and Ordinances Chapter 8.09, and RFPD ordinances and regulations.
 - 16. **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 RFPD ordinances and regulations.
 - 17. **LP-Gas Container Location:** LP-Gas containers shall be located with respect to buildings and lot lines in accordance with California Fire Code Section 6104.03.