

**EL DORADO COUNTY DEVELOPMENT SERVICES
STAFF REPORT**



Agenda of: February 6, 2008
Item No.: 4.c.
Staff: Aaron Mount

PARCEL MAP

FILE NUMBER: P98-0012/ Transvest Inc.
APPLICANT: John Stelzmler (Transvest Inc./Garretson Mortgage)
ENGINEER: Gene E. Thorne & Associates Inc.
REQUEST: A tentative parcel map creating 4 parcels ranging in size from 9.65 to 10 acres on a 39.65-acre site. (Exhibit B).

Design waivers have been requested for the following:

- a. Allow a 3,300 foot dead-end road, longer than the maximum of 500 feet in length.
- b. Allow on-site roadway width of 20 feet in-lieu of the standard 24-foot requirement.

LOCATION: On the west side of Miners Trail, approximately 1/3 of a mile from the intersection with Sweeney Road in the Somerset area, Supervisorial District II. (Exhibit A)

APN: 093-021-71

ACREAGE: 39.65 acres

GENERAL PLAN: Rural Residential-Platted lands (RR-PL) (Exhibit B)

ZONING: Estate Residential Ten-acre Zone District (RE-10) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Statutorily Exempt pursuant to Section 15270(b) of the CEQA Guidelines

RECOMMENDATION:

1. Certify that the project is Statutorily Exempt from CEQA pursuant to Section 15270(b) of the CEQA Guidelines; and
1. Deny the project as the required findings cannot be made based on the analysis in the staff report.

STAFF ANALYSIS

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

BACKGROUND

The project site was included in a "General Plan Hot Bucket" item request that was approved by the Planning Commission on August 3, 1995, on a 4-1 vote to allow a land use designation of Rural Residential. Planning Staff recommended to the Board of Supervisors thereafter that the designation should be Natural Resource since the properties involved 80 acres and did not satisfy the intent of the Platted Lands overlay designation that was intended for isolated areas consisting of contiguous existing smaller parcels in the Rural Region where such smaller parcels are considered inappropriate.

This parcel map application was submitted October 19, 1998 and was scheduled for Zoning Administrator hearing on March 3, 1999, with a recommendation of denial, but was continued off calendar due to the General Plan lawsuit and could not be processed until after the referendum vote was approved. That referendum, which appeared on the March 8, 2005, ballot, was approved by the voters and the County began processing applications on October 3, 2005.

The application was again deemed complete on February 22, 2006 and a TAC meeting held on April 3, 2006. The application has been on hold since the TAC meeting due to fees not being paid. An Agreement for Payment of Processing Fees was signed by the applicant on December 26, 2005 agreeing to be billed for time and materials for the processing of the project. The applicant currently owes \$4,900 in time and material fees to Planning Services. Planning Services management has authorized completion of this application despite the applicant's outstanding balance.

Project Description: The request is for a parcel map creating four parcels ranging in size from 9.65 acres to 10 acres, from one 39.65 acre parcel. Design waivers have been requested to allow for a 3,300 foot dead end road which exceeds the maximum permitted length of 500 feet and to allow a roadway width of 20 feet in lieu of 24 feet for the onsite access. The project would be served by private wells and onsite septic wastewater systems.

Site Description

The subject property features a prominent trending ridge in the southwest portion of the parcel and slopes to a north-south drainage on the east half of the parcel and ranges in elevation from 2,600 to 2,800 feet above mean sea level. Slopes range from five to 25 percent over most of the subject property that is characterized by primarily rather steep terrain in various areas and difficult vehicular access. The primary vegetation within the project site consists of oaks, scattered mixed conifers, manzanita shrubs, and grasses.

The on-site roadway for this parcel map already exists as a driveway which currently serves the unimproved parent parcel. The “driveway” would be improved and would serve no more than the parcels involved in this parcel map request, based on the information provided by the applicant’s engineer.

A field visit to the property resulted in the following conclusions:

1. Sweeney Road is a County maintained road that does not satisfy roadway width standards based on the road width being from 12 to 14 feet. The lower portion of Sweeney Road, connecting to Grizzly Flat Road has a chip seal surface and the remainder of the road is gravel and native material. Sweeney Road does not satisfy County Standards or the California Fire Safe Regulations for width and surfacing. The portion of Sweeney Road from Miners Trail to Happy Valley is native material only and is impassable in a 2wd vehicle when the surface is wet or muddy. This portion of the road must be traversed in order to reach the subject property.
2. Miners Trail is a substandard roadway with a gravel and dirt surface with zero to two foot shoulders with a 12 foot width, but has a width of less than 10 feet in various areas. Miners Trail is not a County maintained road, and it is not a through road as property owners have installed gates limiting access.
3. The access roadways are significantly deficient in satisfying Fire Safe standards that require a minimum roadway width of 18 feet with two foot shoulders and the roadway is noticeably obstructed by vegetation. Sweeney Road and Miners Trail do not contain any adequate turnaround areas for a majority of the roadway width. DOT recommends the roads be widened to 18 feet with two foot shoulders to satisfy Fire Safe Standards. Pioneer Fire District in a letter dated 1998 states that a road width minimum of 24 feet will be required for the fire district to provide an adequate level of service. The current fire chief for the Pioneer Fire District is not requiring any improvements as stated in a letter dated October 27, 2007.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	RE-10	RR	Vacant
North	RA-80	NR	Vacant
South	RE-10	NR	Vacant
East	RE-10	RR	Vacant
West	TPZ	NR	Vacant

General Plan: The General Plan designates the subject site as Rural Residential-Platted Lands (RR-PL), which recognizes existing parcel sizes ranging in size from 10 to below 40 acres. Three of the proposed 10-acre parcels therefore conform to the General Plan land use designation minimum, while the proposed 9.65 acre parcel does not. The purpose of the Platted Lands (-PL) overlay designation is to identify isolated areas consisting of contiguous existing smaller parcels in the Rural Regions where the existing density level of the parcels would be an inappropriate land use designation for the area based on capability constraints and/or based on the existence of important natural resources. The proposed parcel map does have the potential to establish incompatible land uses with respect to the timber preserves that are evident within the area. Policy 2.2.2.3 states the existence of the -PL overlay cannot be used as a criteria or precedent to expand or establish new incompatible land uses.

It can be argued that the application of RR-PL to this parcel is inappropriately applied since the parcel is effectively 40 acres in size being not less than a quarter of a quarter section of land. The application of Platted Lands overlay designation is to recognize pre-existing lot sizes now considered inconsistent with the intent of the General Plan. The Rural Residential land use designation is applied in combination with the Platted Lands overlay designation to conform to the existing size lot pattern. Had these lands not already be substandard in size, the land use designation would have been Natural Resource which has a minimum parcel size of 40 acres.

Subdividing of this parcel below 40 acres is inconsistent with General Plan Policy 2.2.2.3 which does not allow the further expansion of smaller parcel sizes in the area.

The following General Plan policies apply to this project:

Policy 2.2.5.7 states where a zoning district applied to given land is consistent with the General Plan land use designation, the County reserves the right to deny development plans providing for permitted uses where adequate findings for approval (including adequate public facilities and services) cannot be made. As discussed below staff finds that this project is consistent with Policy 2.2.5.7 in that the project lacks adequate access and may lead to excessive emergency response times.

Policies 6.2.3.1, 6.2.3.2, and 5.7.4.1 direct that as a requirement of new development, the County must find, based on information provided by the applicant and the responsible fire protection district that adequate fire and emergency medical access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area. Letters provided from Pioneer Fire Protection District in 1998 and 2006 state that adequate access does not exist and that a response time of 20 minutes could only be met if the access was improved to Fire Safe Regulations. The Fire District stated it did not believe it would be responsible of them to approve such a project as they could not adequately provide emergency services to the subject site. Additionally *Policy 6.2.2.2* directs that the County shall preclude development in areas of high and very high wildland fire hazard areas unless such development can be adequately protected from wildland fire hazard. The subject parcel has been identified as being in a very high wildland fire hazard area and has not provided a fire safe plan showing adequate protection. Therefore, the project is inconsistent with these policies.

Policy 7.4.2.2 directs that where critical wildlife areas and migration corridors are identified the County shall protect the resources from degradation by requiring all portions of the project site that contains or influences said areas to be retained as non-disturbed natural areas through mandatory clustered development. The subject parcel is within the boundaries of a mapped deer migration corridor. In the previous staff report, staff recommended a 20-acre minimum parcel size mitigation measure based on the California Department of Fish and Game's (DFG) recommendations at the time. Subsequent distribution of the project upheld the recommendation of 20 acre parcels. Since the current project proposes lots of ten acres or less, the map would be inconsistent with this policy.

Policy 7.4.4.4 directs that oak woodland shall be preserved through retention of canopy. A tree preservation plan was submitted with the parcel map application; however it does not distinguish between oak, pine, and cedar. When the application was submitted canopy retention was required for all species of trees, but as the application has been on hold for many years the policy has been amended to include native oaks only. Verification of oak canopy retention and consistency with *Policy 7.4.4.4* can not be made.

Policy 8.4.1.1 directs that the subdivision of lands located adjacent to Natural Resource (NR) designation boundaries and lands zoned Timberland Production Zone (TPZ) shall not result in the creation of new parcels containing less than 40 acres. The subdivision of lands adjacent to NR designation and lands zoned TPZ containing 40 acres or less located generally below 3,000 feet in elevation may be considered for the creation of new parcels containing not less than 10 acres, as appropriate. The subject parcel is adjacent to two parcels, 160 acres and 181 acres, with the Land Use Designation of NR. The proposed subdivision of a 40-acre parcel into four 10 acre parcels is inconsistent with this fundamental, mandatory, and specific General Plan policy.

Conclusion: As discussed above, staff finds that the project, as proposed, does not conform to the General Plan.

Zoning: The subject site is zoned RE-10 which permits a minimum parcel size of 10-acres where development is feasible. Therefore, three of the four proposed 10-acre parcels conform to existing zoning. The proposed 9.65 acre parcel is consistent with Section 17.14.120.A of the Zoning

Ordinance because the parcel is shown on the county tax roll or recorded deed as a separate parcel, is described as a fractional division of a section, and a subsequent survey of the parcel shows it to be a maximum of ten percent less than the acreage indicated on that tax roll.

Design Waivers Discussion: The following design waivers have been requested; (1) allow a dead end road longer than the maximum of 500 feet in length and (2) allow a roadway width of 20 feet in lieu of the standard 24-foot requirement. An issue that requires careful analysis is the length of the dead-end road proposed for Miners Trail into the project site. The on-site distance of the road is approximately 1,000 feet on the subject property, but its point of origin to Sweeney Road would exceed the County Design and Improvements Standards maximum requirement of 2,640 feet in length, as provided in Section 3(A)(12). The approximate distance to the site from the unimproved Sweeney Road is approximately 3,300 feet. The applicant applied for the above specified design waivers concerning the issue of a dead end road greater than 500 feet and a reduction in the roadway width to 20 feet. The DOT has recommended denial of the requested design waivers without the support of a Fire Safe Plan and the concurrence of the local fire agency. There is no benefit to the public or to approve the project with these design waivers.

Agency/Committee Comments: The Pioneer Fire District provided letters dated 1998 and 2006 commenting on the ability to serve the site with fire and emergency medical services consistent with State Fire Safe regulations and local regulations. The letters discussed the need for adequate access roads to the site that could accommodate fire apparatus vehicles. The Fire District's interpretation of adequate roads is defined as roadways containing a minimum width of 24 feet and a vertical clearance of 15 feet. The letters indicated that Sweeney Road and Miners Trail are substandard roads that do not satisfy California Fire Safe Regulations and that they could not adequately serve the proposed parcels when medical and fire emergencies occur. The conclusion of the Fire District through 2006 has been that the project and the design waivers should not be approved.

A letter was received from Pioneer Fire District dated October 26, 2007 stating that the Fire Chief had no reason to deny the project based on the information provided. The letter provides no justification for the recommendation as the conditions at the site have not changed since the original recommendation was made. Further, exceptions to the California Fire Safe regulations may only be made by the Fire District where the exception provides the same overall effect. No evidence has been submitted showing how the same overall effect has been achieved. Staff has asked the new fire chief for additional information, including a condition letter and assistance with the preparation of a CEQA initial checklist, assuming the project is appealed to the Board of Supervisors.

The Agricultural Commission reviewed the project at its hearing on May 10, 2006. They concluded that the project could be approved as the design provided for the required 200 foot setback from the adjacent TPZ zoned land. The Commission did not comment or make findings concerning consistency with General Plan Policy 8.4.1.1 regarding minimum parcel size for projects adjacent to NR designated lands.

ENVIRONMENTAL REVIEW

This project has been found to be Statutorily Exempt from the requirements of CEQA pursuant to Section 15270(b) of the CEQA Guidelines allowing an initial screening of projects on the merits for quick disapprovals prior to the initiation of the CEQA process where the agency can determine that the project cannot be approved. In this case the project is inconsistent with a number of General Plan policies, thus necessitating the recommendation for denial.

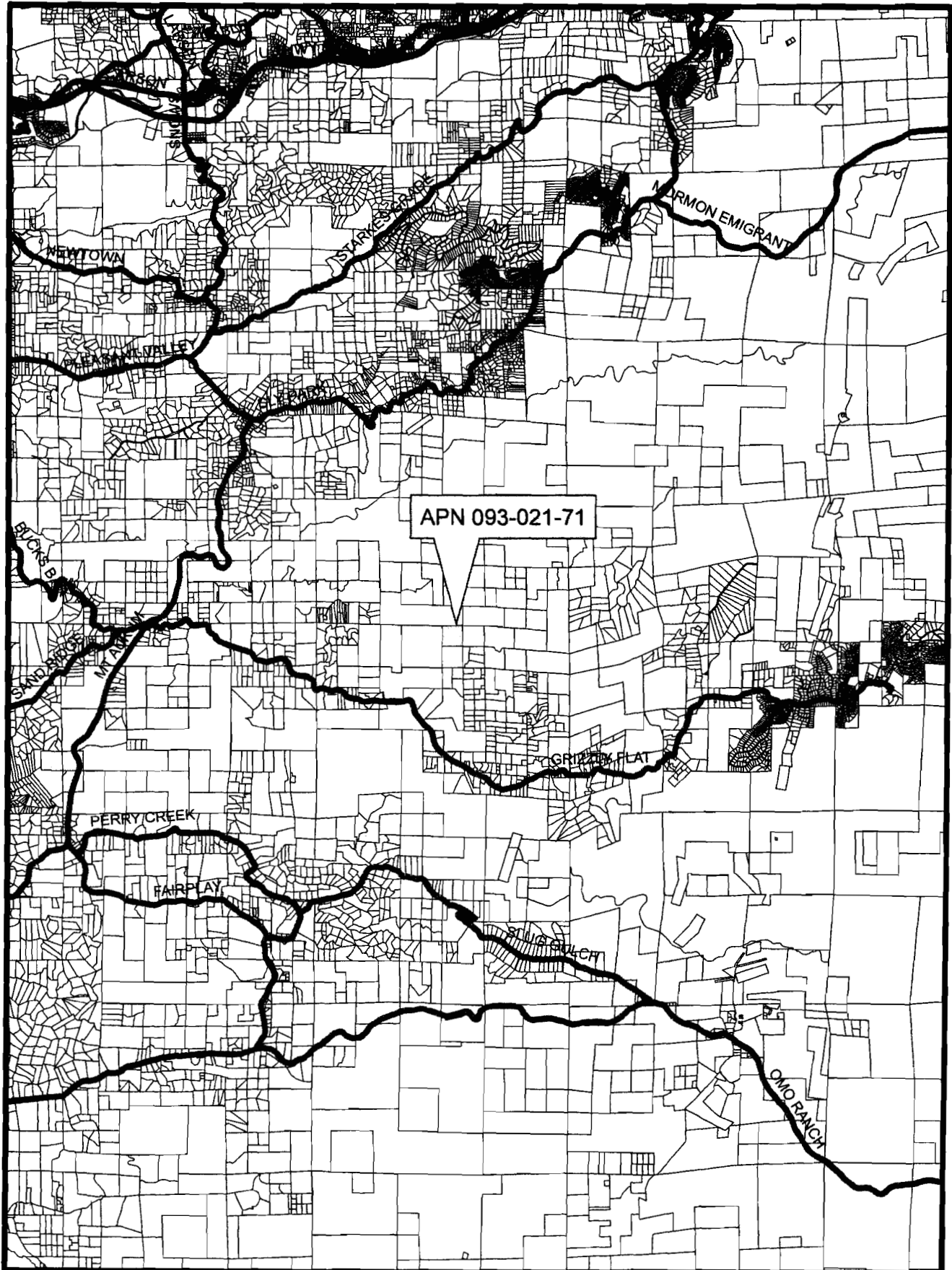
Pursuant to Resolution No. 240-93, a \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption.

SUPPORT INFORMATION

Attachments To Staff Report:

Exhibit A	Vicinity Map
Exhibit B	Tentative Parcel Map
Exhibit C	General Plan Land Use Map
Exhibit D	Zoning Map
Exhibit E	Circulation Map
Exhibit F	Letter from Pioneer Fire dated 1998
Exhibit G	Letter from Pioneer Fire dated 2006
Exhibit H	Comments from DOT dated 1999
Exhibit I	Comments from DOT dated 2006
Exhibit J	Minutes from June 2, 1999 Zoning Administrator
.....	Hearing

EXHIBIT A: VICINITY MAP

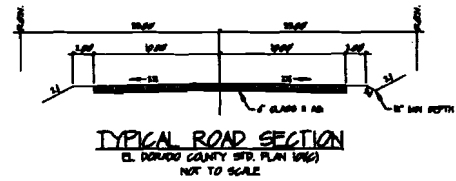
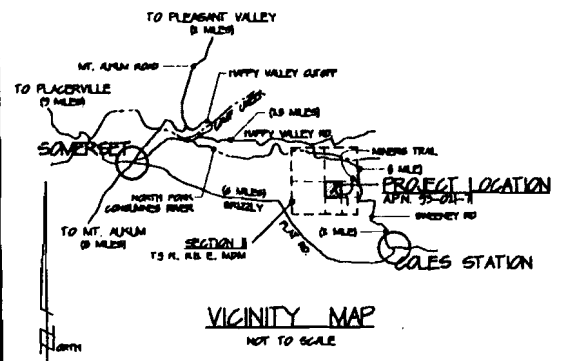


PERMIT # P98-0012
PREPARED BY AARON MOUNT

0 0.5 1 2 Miles



TENTATIVE PARCEL MAP



PREVIOUS LAND DIVISION ACTIVITY:
 THE OWNERS OF RECORD ACQUIRED TITLE TO THE SUBJECT PROPERTY, APN 25-021-3, TOGETHER WITH THE PARCEL THAT ADJOINS IT ALONG ITS EASTERLY BOUNDARY, APN 25-021-72, UNDER THAT GRANT DEED THAT RECORDED IN BOOK 2497 AT PAGE 906.
 SUBSEQUENT TO TAKING TITLE, THEY OBTAINED CERTIFICATES OF COMPLIANCE FOR THE PARCELS THAT RECORDED IN BOOK 4628 AT PAGE 504 AND IN BOOK 4628 AT PAGE 080, RESPECTIVELY.

NOTES:

- DESIGN OWNERS PURSUANT TO SECTION 64000 OF THE MINOR LAND DIVISION ORDINANCE HAVE BEEN REQUESTED AS FOLLOWS:
 - ALLOW DEAD END ROAD LONGER THAN 500 FEET.
 - ALLOW ROADWAY WIDTH OF 30 FEET IN LIEU OF 24 FEET.
- SEE THE PRELIMINARY GRADING PLAN & DRAINAGE PLAN FOR DELINEATION OF PROPOSED ROAD IMPROVEMENTS.

OWNER OF RECORD:
 TRANSEST, INC. A NEVADA CORPORATION AND
 DORRITSON MORTGAGE, A CALIFORNIA CORPORATION
 1400 BIG CORK ROAD
 PLACERVILLE, CA 95667
 (925) 621-7700

NAME OF APPLICANT:
 SAME

MAP PREPARED BY:
 GENE E. THURNE & ASSOCIATES, INC.
 3025 ALVARADO DRIVE, SUITE A
 CAMERON PARK, CA 95688
 (925) 677-7447 FAX: (925) 676-8205

SCALE:
 1" = 100'

CONTOUR INTERVAL:
 TEN (10) FEET

SOURCE OF TOPOGRAPHY:
 INTERPOLATED FROM USGS QUAD

SECTION, TOWNSHIP & RANGE:
 SECTION 8, T3 N, R3 E, M3N

ADJACENT PARCEL NUMBERS:
 25-021-3

PRESENT ZONING:
 RE-10

TOTAL AREA:
 29.9 ACRES

TOTAL NUMBER OF PARCELS:
 FOUR (4)

MINIMUM PARCEL AREA:
 375 ACRES

WATER SUPPLY:
 INDIVIDUAL WELLS

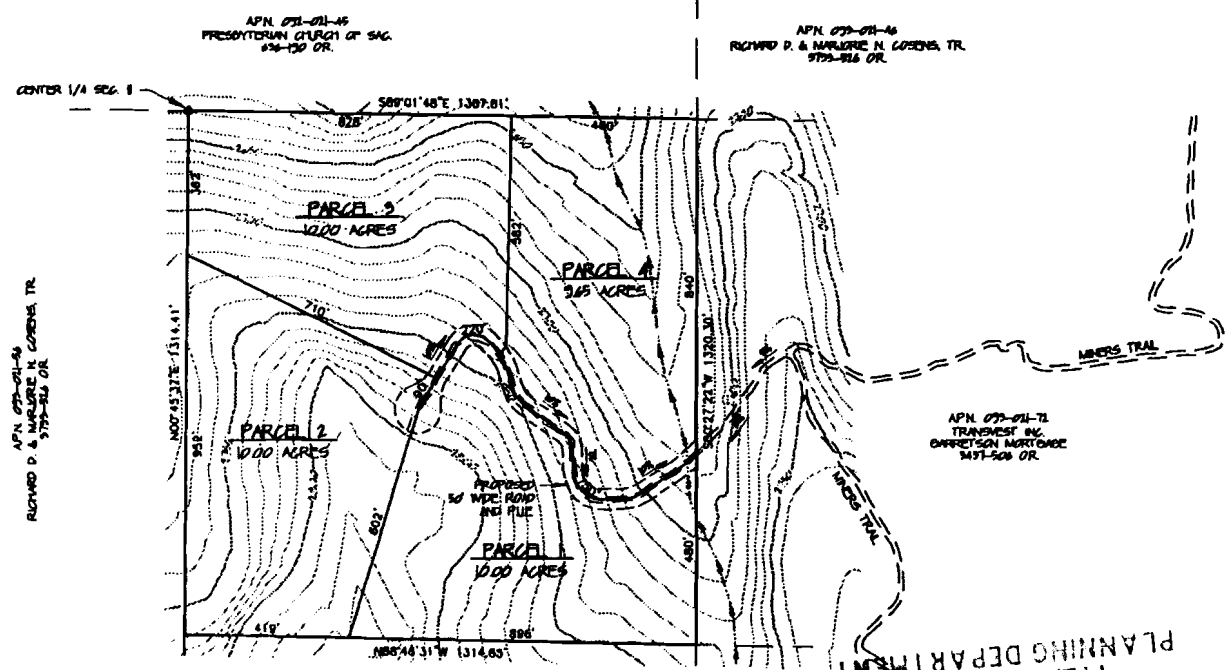
SEWAGE DISPOSAL:
 INDIVIDUAL ON-SITE SEPTIC SYSTEMS

PROPOSED STRUCTURAL USE RESTRICTIONS:
 RUMBER PFD.

DATE:
 OCTOBER 14, 1998

ZONING ADMINISTRATOR: _____
APPROVAL/DENIAL DATE: _____

BOARD OF SUPERVISORS: _____
APPROVAL/DENIAL DATE: _____



RECEIVED
 PLANNING DEPARTMENT
 98 NOV -2 AM 9:14
 PARCEL 1 PM 26-35
 MICHEL J & ROSE M. BERRY
 252-477-0700

APN 025-021-57
 JAMES E. BRINSON & SHARLEEN HEATSE
 2493-2971 OR.

APN 025-021-46
 RICHARD D. & MARLORE N. COHEN, TR.
 2723-2814 OR.

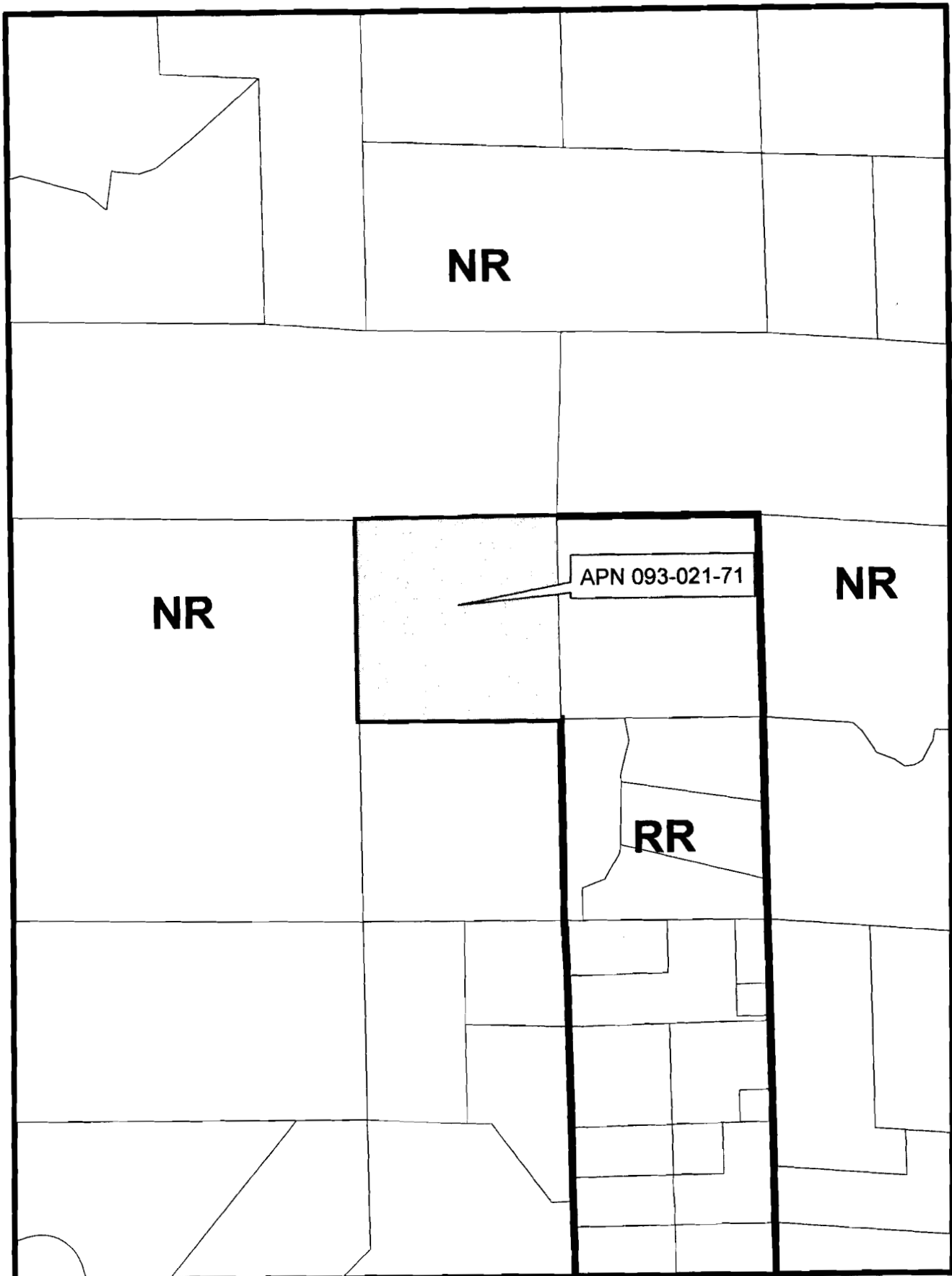
APN 025-021-45
 RICHARD D. & MARLORE N. COHEN, TR.
 2723-2814 OR.

APN 025-021-44
 PRESBYTERIAN CHURCH OF SAC.
 478-120 OR.

APN 025-021-46
 RICHARD D. & MARLORE N. COHEN, TR.
 2723-2814 OR.

APN 025-021-72
 TRANSEST INC.
 DORRITSON MORTGAGE
 2497-508 OR.

EXHIBIT C: GENERAL PLAN MAP

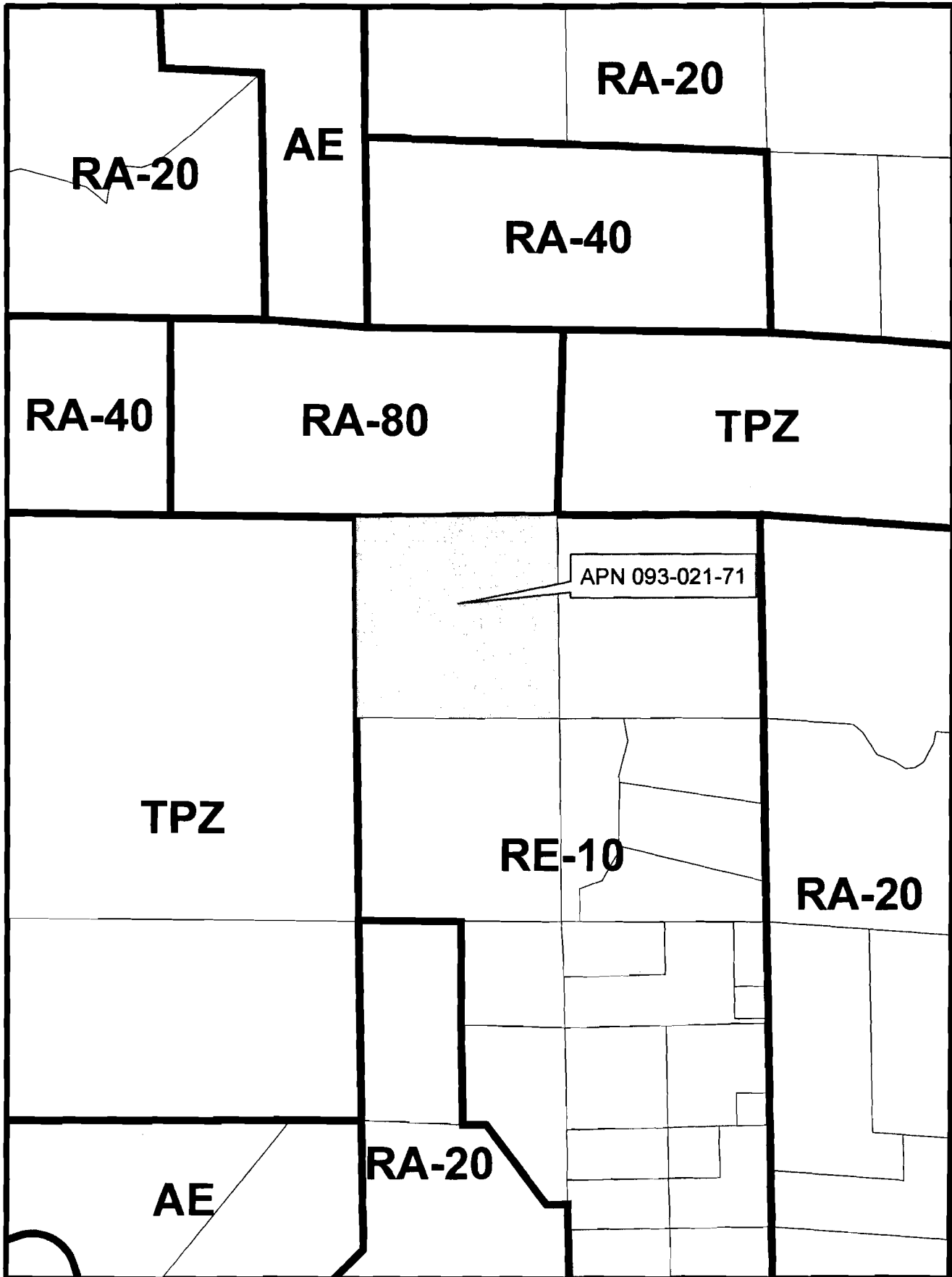


PERMIT # P98-0012
PREPARED BY AARON MOUNT

0 0.05 0.1 0.2 Miles
[Scale bar with tick marks]



EXHIBIT D: ZONING MAP



PERMIT # P98-0012
PREPARED BY AARON MOUNT

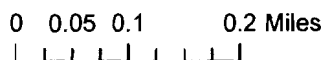
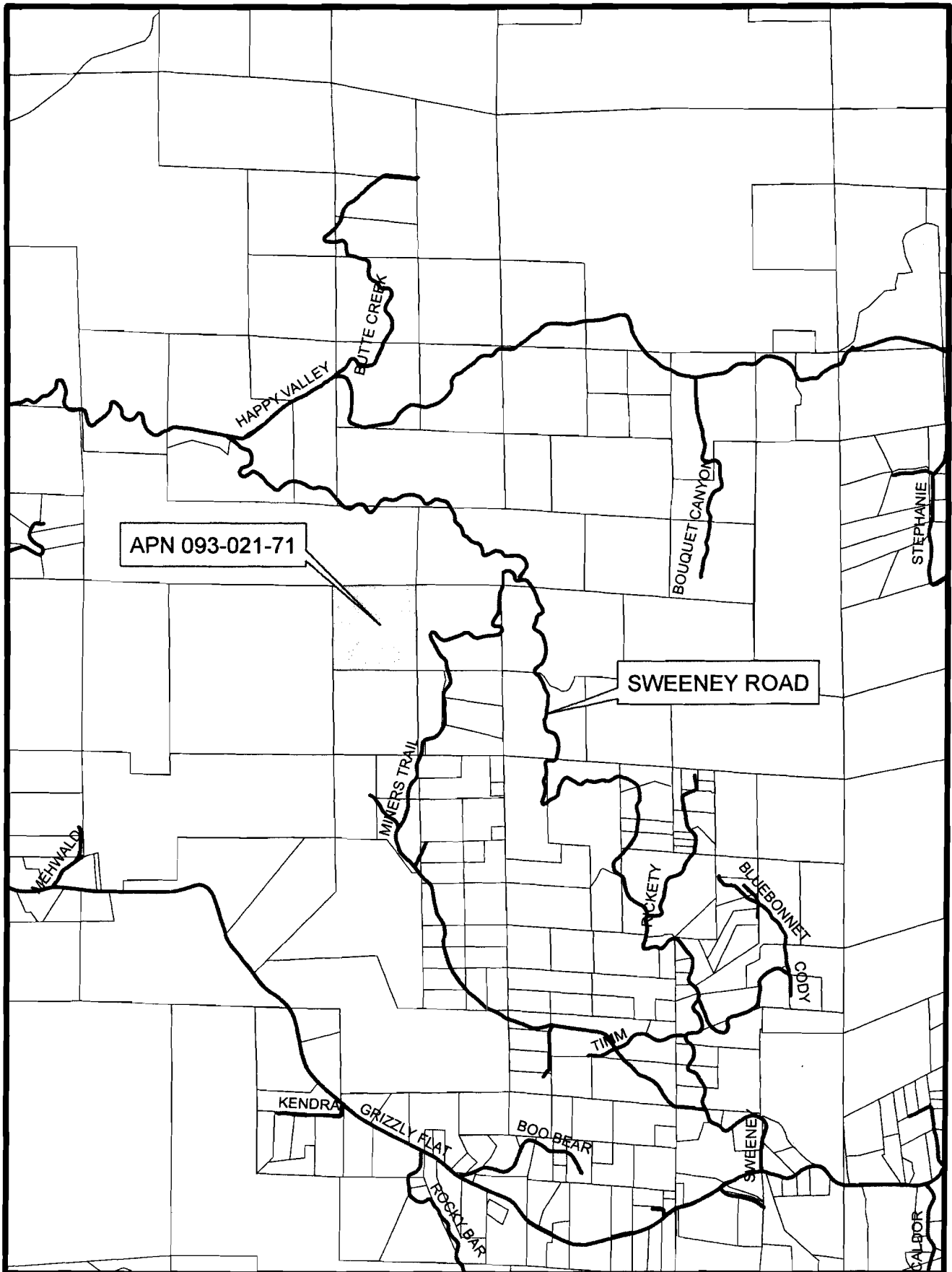


EXHIBIT E: CIRCULATION MAP



PERMIT # P98-0012
PREPARED BY AARON MOUNT

0 0.2 0.4 0.8 Miles



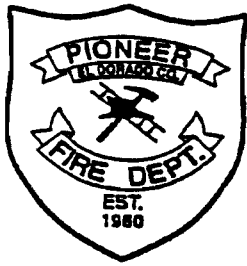


EXHIBIT F

Pioneer Fire Protection District

P. O. Box 128, Somerset, CA 95884

Phone: (530) 620-4444

Fax: (530) 620-4317

RECEIVED
PLANNING DEPARTMENT
DEC 21 AM 10:55

December 6, 1998

El Dorado County Planning Department
2850 Fair Lane Court
Placerville CA 95667

P98-12

Subject: Fire agency comments regarding project ~~P-98-16-E~~

Dear Planner,

The Pioneer Fire Protection District has reviewed the project. We have the following comments regarding the ability to serve the site with fire and emergency medical services consistent with the El Dorado County General Plan, applicable ordinances, and State Fire Safe regulations as adopted by El Dorado County.

We understand this to be a four way split of an existing parcel, located on the west side of Miners Trail, 1/3 mile southwest of the intersection with Sweeney Road, in the Somerset Area. Initial response for this area is from volunteer Station 32 located at 4770 Sandridge Road in Somerset. However Station 38, located at 7061 Mt. Aukum Road, is staffed 24 hours and covers this area as well. The response time would be approximately 20 minutes if road met the Fire Safe Regulations.

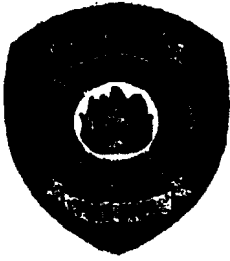
For us to provide an adequate level of service to the site, access roads shall provide unobstructed access to conventional drive vehicles, including sedans and fire apparatus. Road width shall be a minimum of 24 feet with a vertical clearance of 15 feet, surfaces should be in conformance with El Dorado County Design Standards and capable of maintaining a 40,000 pound load, all dead-end roads shall have suitable turn around, etc. Currently Sweeney Road in this area is a sub standard road and does not meet California Fire Safe Regulations. This being the case, the Pioneer Fire Protection District does not believe it responsible of us to approve such a project.

Sincerely,


Robert Withrow, Prevention Officer
Pioneer Fire Protection District

EXHIBIT G

PIONEER FIRE PROTECTION DISTRICT **FIRE • RESCUE • EMS**



P.O. Box 128
7061 Mt. Aukum Road
Somerset, California 95684
Phone (530) 620-4444 • Fax (530) 620-4317

Board of Directors:

Walt Tyler
Crestbert Fretter
Harry Kohout
John Klingberg
Dave Bouck

March 30, 2006

Aaron Mount
Project Planner
El Dorado County
Development Services Department
2850 Fairlane Court
Placerville, CA 95667

RE: APN 083-021-71
Application # P 98-0012
Transvest Incorporated
Miners Trail/Sweeney Road
Somerset, Ca 95684

In reference to the above application, with the exception of the water supply requirements in National Fire Protection Association (NFPA) 1142 Standards, the Pioneer Fire Protection District has no additional requirements to those of The California Fire Code Title 24, Part 9, the Department of Forestry Fire Safe Regulations sections 1270 to 1276.03, the County of El Dorado Fire Safe Regulations and the El Dorado County Ordinance for design and improvement standards.

The Pioneer Fire Protection District maintain the same position as it did in December 1998 and grants neither variances nor waivers.

Due to a 20 minute response times and lack of water supply, the rural water supply and delivery requirements for structure and wild land fire protection are provided for in the National Fire Protection Association (NFPA) Standards 1142 as adopted by the Pioneer Fire Protection Board of Directors.

This project, if approved, would require a minimum of a 5000 gallon dedicated structure and wild land water storage tank, with a fire department riser connection and the capability to produce 20 pounds of residual pressure and residential sprinkler systems.

If you have any further questions feel free to call me any time at 530-620-4444.

Robert Signor
Fire Chief

EXHIBIT H

DEPARTMENT OF TRANSPORTATION

INTEROFFICE COMMUNICATION

59 JUN 20 AM 11:27
RECEIVED
PLANNING DEPARTMENT

Date: January 8, 1999 T.P.M.: P98-12
To: Planning Department APN: 93-021-71
Daniel Uhlar
From: Orvin Lambert Owner: Transvest Inc.
Supervising Civil Engineer
Subject: Tent. Parcel Map County Rd: Sweeney Rd

This Department has reviewed the above referenced Tentative Parcel Map and has determined that this project will create potentially significant impacts as defined by the California Environmental Quality Act (CEQA).

Project Description

This is a proposed four parcel land division in the Somerset area. The property is located on the west side of Miners Trail, approximately 0.3 mile west of the intersection with Sweeney Rd.

Miners Trail is a non County Maintained road with a 12' wide gravel and dirt surface, with 0' to 2' shoulders. Miners Trail connects Old Schoolhouse Rd. with Sweeney Rd.

Sweeney Rd. Is a County Maintained road with a 12' to 14' wide roadway. The upper portion of Sweeney Rd., connecting to Grizzly Flat Rd, has a chipseal surface and the remainder of the road is gravel and native material. Sweeney Rd. Does not meet County Standards or Fire Safe Regulations for width and surfacing.

Sweeney Rd. and Miners Trail need to be widened to provide an 18' wide roadway with 2' shoulders to comply with the Fire Safe Regulations. The length of the access from Grizzly Flat Rd to the end of the proposed turnaround is approximately 2 miles. The maximum length of a dead-end road for parcels zoned for 5.0 to 19.99 acres is 2640', per County Standards and Fire Safe Regulations. Exceptions to the Fire Safe Regulations may be allowed by the Fire District where the exception provides the same overall practical effect.

A Fire Safe Plan needs to be submitted to support any design waivers and Fire Safe exceptions.

Design Waivers

The applicant has requested the following design waivers:

1. to allow a deadend road exceeding 500'
2. To reduce the roadway width to 20'

This Department recommends denial of the requested design waivers without the support of a Fire Safe Plan and concurrence from the local fire agency.

The following standard conditions shall be imposed in order to comply with the "El Dorado County Minor Division Ordinance", "Design and Improvement Standards Manual". and the "Grading, Erosion and Sediment Control Ordinance", which will reduce the impacts to less than significant as defined by CEQA.

1. Improvement plans for on-site and off-site road improvements shall be prepared by a registered civil engineer and shall be subject to County Department of Transportation approval.
2. A grading permit and an encroachment permit shall be obtained from the Department of Transportation prior to the commencement of any road construction.
3. All grading and erosion control shall be in conformance with the requirements of Chapter 15.14 of the El Dorado County Code, Grading, Erosion and Sediment Control Ordinance. A letter of compliance from the local enforcement agency shall be submitted to the Surveyor's Office prior filing the map.
4. An irrevocable offer of dedication of 25' from centerline of the access road and public utility easement, (and 60-foot radius for the cul-de-sac), including all slope easements, shall be shown on the parcel map.

The following specific conditions shall also be imposed on the subject project:

5. Subject to improving the on-site road easements to Standard Plan 101C. Said improvements to the unnamed access road shall consist of widening the existing road to provide a 24' wide graveled roadway, with 2' shoulders.
6. The off-site roads shall be improved to Standard Plan 101C. Said improvements to Miners Trail, Old Schoolhouse Rd, and Sweeney Rd. from the subject property to Grizzly Flat Rd. shall consist of widening the existing road to provide a 18' wide graveled roadway with 2' shoulders.
7. The cul-de-sac turnaround at the end of the unnamed access road shall be constructed to STD Plan 114, Type A.
8. The connection of Old Schoolhouse Rd. to Sweeney Rd shall have a Type C intersection, as per El Dorado County STD Plan 103.
9. A Street sign, in conformance with STD Plan 105(B-1), shall be installed at the intersection of the unnamed access road and Miners Trail.
10. A STOP sign, per STD Plan 105-A, shall be placed at the intersection of Old Schoolhouse Rd. and Sweeney Rd.
11. A "Not A County Maintained Road" sign, 24" x 30", black on white, shall be placed on Old Schoolhouse Rd, at the intersection with Sweeney Rd.

jfh

EXHIBIT I



COUNTY OF EL DORADO DEPARTMENT OF TRANSPORTATION



INTEROFFICE MEMORANDUM

Date: March 15, 2006
To: Aaron Mount, Project Planner
From: Chuck Collins, DOT Transportation Planning *cc*
Subject: **P 98 – 0012**
Project: **Transvest Incorporated**
Location: **Miners Trail Court, West of Miners Trail, 0.3 miles southwest of the intersection with Sweeney Road, in the Somerset Area.**
APN: **093-021-71**

Project Description: The Department of Transportation has reviewed the subject tentative parcel map to create 4 parcels, parcels 1-3 being 10 acres in size, and parcel 4 being 9.65 acres in size.

Grading: Grading associated with the Parcel Map appears to be only the grading associated with any required infrastructure improvements, which includes the private roadway to access this site as well as any required improvements to Sweeney Road to meet minimum fire district standards.

Drainage: Due to this proposed four parcel - Parcel Map, cross lot drainage will occur. Therefore, a drainage report must be prepared and submitted to the Department of Transportation for review and approval, prior to the recordation of the final Parcel map, that evaluates the drainage from the proposed parcels 1 through 4 and shall identify easement locations across the parcels that will contain drainage facilities necessary to receive and accommodate the drainage entering the respective parcels from areas up gradient, and necessary to convey the drainage waters down gradient to the major drainage system and the drainage detention facility.

Traffic: This project will not trip the threshold of the General Plan. Miners Trail Court is not and is not proposed to be County maintained.

EL DORADO COUNTY DESIGN AND IMPROVEMENT STANDARDS

The following Design Improvement Standards Manual requirements must be observed unless waived by the Director of Development Services:

1. Offsite access shall be improved to the same standards as required onsite (i.e. Standard Plan 101C), but shall be limited to the equivalent cost for the onsite improvements, except that they must still meet the responsible fire district standards.
2. If the Standard Plan 101C width is waived by the Planning Director, the road preparation and graded access road width shall be to minimum County road standards,

but the minimum width of surfacing shall not be less than eighteen (18) feet, with 2 foot shoulders, and must have a stable all-weather gravel or paved surface, per Standard Plan 101C. *Since the roads are private and unlikely to become public, road width reduction to Fire Safe Standards is an acceptable Design Waiver.*

3. Minor land divisions may be approved with one access street of adequate capacity to accommodate the proposed increase in traffic. If approved, a future street route identifying a second connection or an acceptable alternative, out to a County maintained road shall be prepared by project engineer and approved by the Planning Director. The proposed future street route, or acceptable alternative, shall then be utilized for future land divisions.

4. A deadend street connecting to a County or State maintained street may exceed 500 feet in length, but not more than 2,640 feet, and only exceed 500 feet when geographic features restrict a street extension and the street will not serve more than twentyfour (24) existing or potential parcels. Deadend minor land division streets shall have shoulders (8 foot shoulders for 24' pavement, 11' shoulders for 18' pavement) for a total width of 40 feet, and a turnaround (hammerhead or cul-de-sac) at the closed end. See the Fire Safe Standard for permissible deadend road lengths by size of parcel. *There are no special circumstances peculiar to the property to allow further parcel splits beyond one-mile on a dead end road.*

5. Driveways must meet the Building Department standard (15% maximum grade break, +5% maximum from edge of street pavement to right of way, 20% maximum slope for concrete paved below 3000' elevation otherwise 16% maximum, minimum +2% into garage).

FIRE SAFE STANDARDS FOR ALL PROJECTS

Title 14, Division 1.5, Chapter 7, Subchapter 2, Article 2 establishes Road Standards for Fire Equipment Access (i.e. Fire Safe Standards) as follow:

1. Access Routes – *recommends* at least two different public ingress/egress routes on all roads.
2. **Road width – shall be a minimum of two nine foot traffic lanes.**
3. **Road surface – shall support 40,000 pounds load**
4. **Roadway grades – shall not exceed 16%**
5. **Roadway radius – shall have a minimum inside radius of 50 feet.** Additional 4 feet of road surface for 50-100 foot radius and 2 additional feet for 100-200 foot radius.
6. Turnarounds required on driveways and deadend roads. Minimum radius 40 feet, 60 foot minimum length of hammerhead tee.
7. Turnouts – shall have minimum 25 foot tapers on each end of the taper.
8. Roadway and Bridge structures – shall carry at least the maximum load and clearance required by Vehicle Code 35550, 35750 and 35250. One way bridges must have unobstructed visibility from one end to the other, and must have turnouts at each end.
9. Deadend roads – turnouts required at minimum 1320 feet. Maximum length of:

- 800 feet for less than one (1) acre parcels;
 - 1320 feet for 1-4.99 acre parcels;
 - 2640 feet for 5-19.99 acre parcels;
 - 5280 feet for 20+ acre parcels.
10. Driveways – minimum 10 foot traffic lane, maximum 800 feet long; turnout for over 150 feet in length, and at all building sites when over 300 feet long.
11. Gate entrances – shall be two feet wider than the width of the traffic lane, shall be located at least 30 feet from the roadway.

NOTE: Waivers by one agency cannot over rule the standards of another agency. For example, if the Director of Planning Services waives the minimum County Design and Improvement Standards, the Fire Safe Standard minimum roadway width of 18 feet still applies.

DOT CONDITONS

1. The applicant shall widen the on and off-site portion of Miners Trail Court and the off-site portion of Miners Trail to Sweeney Road to the standard of a 24 foot wide roadway per Standard Plan 101C (including signage as necessary – stop signs, street name signs, “not a county maintained road”, etc.), prior to filing the map. The applicant shall irrevocably offer to dedicate a 50 foot wide road and public utilities easement for the onsite portion of Miners Trail Court. *Since the roads are private and unlikely to become public, road width reduction to Fire Safe Standards is an acceptable Design Waiver.*
2. The applicant shall widen the off-site portion of Sweeney Road, from Grizzly Flat Road to Miners Trail to the standard of a 24 foot wide gravel roadway per Standard Plan 101C(including signage as necessary – stop signs, street name signs, “not a county maintained road”, etc.), prior to filing the map. *As this is a County maintained road, and due to the length of the road, road width reduction to Fire Safe Standards is an acceptable Design Waiver.*
3. All on and off-site road improvement requirements required as conditions of approval and/or mitigation measures shall be analyzed in the environmental document for this development project to the appropriate extent under CEQA . Any improvements that are not thoroughly analyzed shall include a discussion and justification under that particular impact analysis within the CEQA document as to the circumstances preventing such analysis along with a method and time frame for any future analysis.
4. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Subdivision Ordinance, prior to filing the Parcel Map.
5. Applicant shall join and/or form an entity, satisfactory to the County, to maintain all roads not maintained by the County, both onsite and for those roads that are required for access to County or State maintained roads. If a Zone of Benefit, Home

Owner Association or informal road maintenance association cannot be formed to maintain non-County maintained roads, the applicant should be aware that Civil Code 845 requires that the owner of any easement in the nature of a private right-of-way, or of any land to which any such easement is attached, shall maintain it in repair, and in the absence of an agreement, the cost shall be shared proportionately to the use made of the easement by each owner.

6. If site improvements are to be made, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department for review and approval. The plan shall be in conformance with the County of El Dorado "*Design and Improvement Standards Manual*", the "*Grading, Erosion and Sediment Control Ordinance*", the "*Drainage Manual*", the "*Off-Street Parking and Loading Ordinance*", and the State of California Handicapped Accessibility Standards. The improvements shall be substantially completed, to the approval of the Department of Transportation, prior to occupancy.
7. If blasting activities are to occur in conjunction with grading or improvements, applicant shall ensure that such blasting activities are conducted in compliance with state and local regulations.
8. If burning activities are to occur during the construction of the project improvements, applicant shall obtain the necessary burning permits from the California Department of Forestry and air pollution permits from the County prior to said burning activities.
9. The location of fire hydrants and systems for fire flows are to meet the requirements of the responsible Fire Protection District.
10. The emergency vehicle circulation requirements for roads and driveways, and the location of hydrants, shall be shown on the improvement plans, which shall be subject to the approval of the responsible Fire Protection District. The Department of Transportation will require plans to meet Fire Safe Standards, but only the responsible Fire Protection District may waive or relax those Fire Safe Standards.
11. If human remains are discovered at any time during the grading or improvement phase, the County Coroner and the Native American Heritage Commission shall be contacted per Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. If archaeological artifacts are discovered, the developer shall retain an archaeologist to make recommendations for the treatment of the artifacts. Treatment of Native American remains or archaeological artifacts shall be the responsibility of the developer and shall be subject to the review and approval of the County Planning Director.
12. The applicant shall provide a soils report at time of improvement plan or grading permit application addressing, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water,

pavement section based on TI and R values, and recommended design criteria for any retaining walls.

13. Any import, or export to be deposited within El Dorado County, shall require an additional grading permit for that offsite grading.
14. The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.
15. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.
16. Applicant shall pay the traffic impact fees in effect at the time a building permit is issued.

EXHIBIT J

CLIFF SHROEDER (

**COMMENTS FROM ~~BO WITHROW~~ - PIONEER FIRE
DISTRICT AT JUNE 2 ZONING ADMINISTRATOR
HEARING CONCERNING - PARCEL MAP 98-12
(TRANSVEST INC.)**

The project site is approximately 3 miles down the road from Sweeney Road- County Maintained road.

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Miner's trail 2.9 miles in length - 1.9 mile marker the roadway width becomes 12 feet - substandard fire safe width (18 foot minimum) - 1 mile marker the roadway width is 10 feet with stumps and trees.

Access from Route E16 - to one mile from Happy Road results in a substandard road surface- no gravel base with all dirt.

Pioneer Fire Department cannot provide emergency services to the area.

Fire District met with the applicant's engineer and property owner - private parcels cannot satisfy fire safe standards.

Zoning Administrator - cannot make finding that P98-12 will satisfy finding that project will protect the public health, safety and welfare . RECOMMENDATION FOR DENIAL IS FORTHCOMING.

There are fire access issues and the applicant's engineer needs to meet with Fire District representative- Robert Withrow.