

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



Agenda of: August 21, 2024

Staff: Bianca Dinkler

TENTATIVE PARCEL MAP

- FILE NUMBER:** P24-0009/Bass Lake Family Apartments
- APPLICANT:** Affirmed Housing Group/Jose Lujano, Project Manager
- PROPERTY OWNER:** Affirmed Housing Group
- REQUEST:** The proposed project consists of a request for a Tentative Parcel Map, P24-0009, to subdivide a 5.682-acre undeveloped parcel into two (2) parcels of 5.429-acres (Parcel A) and 0.253-acres (Remainder Parcel).
- LOCATION:** On the south side of Green Valley Road, at the intersection with Bass Lake Road, in the Cameron Park/Rescue area, within the Cameron Park Community Region, Supervisorial District 2. (Exhibits A and B).
- APN:** 115-410-011 (Exhibit C)
- ACREAGE:** 5.682-acres
- GENERAL PLAN:** Commercial (C) (Exhibit D)
- ZONING:** Commercial Professional Office within Design Review Community Combining Zone (CPO-DC) (Exhibit E)
- ENVIRONMENTAL DOCUMENT:** Categorically exempt from the California Environmental Quality Act (CEQA) according to 15315.
- RECOMMENDATION:** Staff recommends the Zoning Administrator take the following actions:
1. Determine that the Tentative Parcel Map is categorically exempt from CEQA according to 15315 Minor Land Divisions; and
 2. Approve Tentative Parcel Map, P24-0009, based on the Findings and subject to the Conditions of Approval as presented herein.

EXECUTIVE SUMMARY

A request for a Tentative Parcel Map to subdivide a 5.682-acre undeveloped parcel into two (2) parcels of 5.429-acres (Parcel A) and 0.253-acres (Remainder Parcel). The proposed parcels would meet the required development standards for the CPO zone including minimum lot size and lot width. The proposed project has been reviewed for consistency with Title 130 of the County Zoning Ordinance, General Plan Policies, as applicable, and the Subdivision Map Act.

EXISTING CONDITIONS/SITE CHARACTERISTICS

Site Description: The project site is an undeveloped 5.682-acre parcel. The land is predominantly flat with moderate to steep slopes downward at the western boundary. The project site is located at an elevation of 1,315 to 1,340 feet above mean sea level. The soil type on-site is ReC (Rescue sandy loam, nine (9) to 15 percent slopes). The vegetation on-site includes mixed oak woodland interspersed with smaller trees and an understory of native and non-native plants, shrubs, and California grassland. The drainage on-site flows towards the northwest corner of the parent parcel which includes identified wetlands.

Mitigation Area 1: The project site is located within Mitigation Area 1, which are lands within an area described as a rare soils study area. The property owners would be subject to payment of the Mitigation Area 1 ecological preserve impact fee at time of future building permits, as applicable.

Adjacent Land Uses: The adjacent parcels are zoned Residential, One-acre (R1A) to the north, Multi-unit Residential (RM) to the east, Residential Estate, Ten-acre (RE-10) to the south, and Single-unit Residential, half-acre (R20K) to the west, General Plan land use designations are Medium Density Residential (MDR) to the north, Multifamily Residential (MFR) to the east, Public Facilities to the south (PF), and High Density Residential (HDR) to the west.

Table 1. Adjacent Uses

	Zoning	General Plan	Land Use/Improvements
Site	CPO-DC	C	Undeveloped land
North	R1A	MDR	Green Valley Cemetery
East	RM	MFR	Glenview Apartments
South	RE-10	PF	Green Valley Elementary School
West	R20K	HDR	Existing residences (Sierra Crossing)

PROJECT DESCRIPTION

A request for a Tentative Parcel Map to subdivide a 5.682-acre undeveloped parcel to create two (2) parcels of 5.429-acres (Parcel A) and 0.253-acres (Remainder Parcel). The proposed parcel A would meet the required development standards for the CPO zone including minimum lot size of 6,000-square feet and lot width of 60-feet. Parcel A could support future development. The Remainder Parcel would remain undeveloped due to wetlands. Parcel A would be served by connecting to public water service for potable water and emergency water supply and public sewer service. Electric service would be provided by connecting to Pacific Gas and Electric (PG&E) (Exhibit F).

STAFF ANALYSIS

General Plan Consistency: The project is consistent with all applicable General Plan policies including: Policy 2.1.1.2 (Community Regions), Policy 2.2.5.2 (General Plan Consistency), Policy 5.4.1.2 (Protect Natural Drainage Patterns), Policy 5.7.1.1 (Fire Protection Community Regions), Policy 7.4.2.8 (Biological Resources), and Policy 7.5.1.3 (Cultural Resources). Further analysis of each policy is discussed in the Findings section below.

Zoning Ordinance Consistency: Staff has determined that the proposed project, as conditioned, is consistent with standards and requirements of Title 130 of the County Zoning Ordinance, as applicable. The proposed project has been analyzed in accordance with all applicable development standards for this zone district. Future development of Parcel A would be reviewed at the time of grading and building permit submittal for compliance with the zoning development standards.

Public Water and Sewer/Wastewater Service: Future development on Parcel A would be required to obtain service for public water for potable water and emergency water supply, and for sewer/wastewater service. The project is conditioned to require obtaining a Facilities Improvement Letter (FIL) from the El Dorado Irrigation District (EID) prior to recordation of the Final Map. No connection is required for the Remainder Parcel as this will remain undeveloped.

Rescue Fire Protection District (RFPD): Future development on Parcel A would be required to meet applicable requirements of the RFPD, including demonstrating required fire flow as detailed with an FIL from EID. This would be reviewed prior to recordation of the Final Map. RFPD would also review the grading and building permits to ensure compliance with applicable requirements.

Access to Proposed Parcels: Access to the proposed Parcel A would be from a private driveway off Foxmore Lane, a County-maintained roadway. Future grading for access to Parcel A would be subject to a grading permit review following grading and building permit submittal. No access is required for the Remainder Parcel.

Remainder Parcel: The Tentative Parcel Map includes request to create a 0.253-acre remainder parcel. A remainder parcel is a unit of land that is not divided for the purposes of sale, lease, or financing and is designated on a tentative parcel map at the time the subdivider files the map. No development is proposed for the Remainder Parcel as this will remain undeveloped due to wetlands.

Grading, Drainage, and Utilities: Future development on Parcel A would be subject to a grading permit and building permit and improvement plans would be reviewed at that time. Electric utilities service would be provided by connecting to existing PG&E infrastructure in the project vicinity. No grading, drainage, or connection to utilities are proposed for the Remainder Parcel as this will remain undeveloped.

Wildland Fire Safe Plan (WFSP): Based on review of the California Fire Hazard Severity Zone Viewer map for 2020, the project site is in a Moderate Fire Severity Zone therefore a WFSP is not required. Although a WFSP is not required, future development on Parcel A would be subject to the applicable requirements from the RFPD.

Oak Woodland and Wildlife: Future development on Parcel A would be subject to the El Dorado County Oak Resources Management Plan. An Arborist Report prepared by a licensed Arborist or Professional Registered Forester, Oak Resources Technical Report Checklist, and Oak Resources Code Compliance Certificate, would be required at time of grading and building permit submittal. Further, although the proposed map is categorically exempt from CEQA, the project includes a condition to require a pre-construction survey prior to ground disturbance conducted by a licensed biologist to determine presence of any special status species, nesting raptors, such as White-tailed kite, as oak woodland on-site could provide habitat.

Staff Analysis and Conclusion: The proposed project has been reviewed for consistency with the applicable requirements for a Tentative Parcel Map as discussed in the analysis above, and as discussed below in the Findings and Conditions of Approval in this Staff Report.

ADDITIONAL AGENCIES REVIEW

Additional Agencies that may review the grading and/or building permits include but not limited to: El Dorado County Building Services, El Dorado County Air Quality Management District (AQMD), El Dorado County Environmental Management Department (EMD), El Dorado County Department of Transportation (DOT), El Dorado County Sheriff's Department (EDSO), El Dorado County Stormwater Coordinator West Slope, El Dorado County Surveyor's Office, El Dorado Irrigation District (EID), Rescue Union School District, Rescue Fire Protection District (RFPD), and PG&E.

PUBLIC NOTICE

The project was duly noticed with a public notification range of 1,000 feet and a legal advertisement was published in the applicable newspapers. No formal public outreach was conducted by the County. No physical sign posting, or public outreach plan, is required for this project pursuant to the County Zoning Ordinance.

ENVIRONMENTAL REVIEW

Class 15, 15315. Minor Land Divisions, consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

In accordance with CEQA Guidelines Section 15062, filing a Notice of Exemption, is required to initiate a 35-day statute of limitations on legal challenges to the County’s decision that the project is exempt from CEQA. The applicant shall submit a **\$50.00** recording fee to Planning Services for the County Recorder to file the Notice of Exemption within 48 hours of any decision-making body approving the project. Checks shall be made payable to El Dorado County. If the fee is not received and the notice is not filed, a 180-day statute of limitations will apply: [CEQA Environmental Document Filing Fees \(ca.gov\)](http://ceqa.ca.gov)

SUPPORT INFORMATION

Attachments to Staff Report:

- Findings
- Conditions of Approval

- Exhibit A.....Location Map
- Exhibit B.....Aerial Map
- Exhibit C.....Assessor’s Parcel Page
- Exhibit D.....General Plan Land Use Map
- Exhibit E.....Zoning Map
- Exhibit F.....Tentative Parcel Map, P24-0009
- Exhibit G.....Biological Resources Evaluation Report

FINDINGS

Tentative Parcel Map P24-0009/Bass Lake Family Apartments Zoning Administrator/August 21, 2024

1.0 California Environmental Quality Act (CEQA) FINDINGS

- 1.1 Pursuant to 15315 Minor Land Divisions, the proposed parcel division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available; the parcel was not involved in a division of a larger parcel within the previous 2 years; and the parcel does not have an average slope greater than 20 percent.
- 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 Division at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

2.1 The project is consistent with General Plan Policy 2.1.1.2.

General Plan Policy 2.1.1.2 establishes Community Regions to define those areas which are appropriate for the highest intensity of self-sustaining compact urban-type development or suburban type development within the County based on the municipal spheres of influence, availability of infrastructure, public services, major transportation corridors and travel patterns, the location of major topographic patterns and features, and the ability to provide and maintain appropriate transitions at Community Region boundaries. These boundaries shall be shown on the General Plan land use map.

Rationale: The project site is in the Cameron Park Community Region. Community Regions allow for higher intensity, compact development. The proposed project would be consistent with the objectives for Community Regions. The project 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 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 proposed Tentative Parcel Map would create two (2) parcels of 5.429-acres (Parcel A) and 0.253-acres (Remainder Parcel) from an existing 5.682-acre parcel. As conditioned, the proposed project is consistent with applicable General Plan Policies, as discussed throughout this Staff Report. The project is consistent with this policy.

2.3 The project is consistent with General Plan Policy 5.4.1.2.

General Plan Policy 5.4.1.2 states that discretionary development shall protect natural drainage patterns, minimize erosion, and ensure existing facilities are not adversely impacted while retaining the aesthetic qualities of the drainage way.

Rationale: Future development of proposed Parcel A would require preparation of a Drainage Report during grading and building permit review to ensure protection of natural drainage patterns, minimize erosion, and ensure existing facilities are not adversely impacted while retaining the aesthetic qualities of the drainage way. Future development would also be subject to Zoning Ordinance Section 130.30.050 - Setback Requirements and Exceptions, which requires a minimum setback distance of 25-feet from any intermittent stream, wetland, or riparian habitat. As conditioned, the project is consistent with this policy.

2.4 The project is consistent with General Plan Policy 5.7.1.1.

General Plan Policy 5.7.1.1 states Prior to approval of new development, the applicant will be required to demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or will be provided concurrent with development.

Rationale: The Rescue Fire Protection District (RFPD) would review the improvement plans at submittal of the grading and building permits to ensure compliance with their standards, as applicable. The project is consistent with this policy.

2.5 The project is consistent with General Plan Policy 7.4.2.8.

General Plan Policy 7.4.2.8 requires a site-specific biological resources technical report to determine the presence of special-status biological resources that may be affected by a proposed discretionary project.

Rationale: A Biological Resources Evaluation Report (Exhibit G) was prepared for the project by Vollmar Natural Lands Consulting with report dated June 2023. Based on the results of the evaluation, as described in 4.2.2, sensitive plant communities within the study area include oak woodlands and individual oak trees, which would be subject to the County's Oak Resources Compliance requirements at time of grading and building permit review. No

other sensitive plant communities were present within the study area. The project site is located in Mitigation Area 1 which are lands within an area described as a rare soils study area. The evaluation did not identify any special status plant species that could be present on gabbro soils therefore the property owner would be subject to payment of the ecological preserve impact fee at the time of future building permit. As described in 5.1, the study area does not support potential habitat for federal and/or state listed animal species. As described in 5.1.1, the study area is not located within United States Fish and Wildlife Service (USFWS) designated critical habitat. As described in 5.2.1, there are five (5) non-listed species that are known to utilize the habitat present in the study area: White-tailed kite, oak titmouse, Bullock's oriole, yellow-billed magpie, and Nuttall's woodpecker, all known to nest and forage in oak woodland. Oak titmouse, Bullock's oriole, and Nuttall's woodpecker were observed during the time of survey. These species are not state or federally listed as threatened or endangered. The White-tailed kite is listed as California Department of Fish and Wildlife (CDFW) fully protected. Future development of proposed Parcel A would require further review at the time of grading and building permit submittal, including requirement for pre-construction survey conducted by licensed biologist, and shall be noted on the final map. No development is proposed on the Remainder Parcel due to wetlands. As conditioned, the project is consistent with this policy.

2.6 The project is consistent with General Plan Policy 7.5.1.3.

General Plan Policy 7.5.1.3 states that cultural resource studies shall be conducted prior to approval of discretionary projects. Studies may include, but are not limited to, record searches through the North Central Information Center (NCIC) at California State University Sacramento and field surveys. The avoidance and protection of sites shall be encouraged.

Rationale: An initial record search was conducted by NCIC, report dated May 15, 2024. The results of the NCIC report indicated low potential for locating indigenous-period/ethnographic-period cultural resources, historic-period cultural resources, and that the proposed project area is not sensitive. Standard protective Conditions of Approval are recommended and have been incorporated with the project. As conditioned, the project is consistent with this policy.

3.0 ZONING FINDINGS

3.1 The project is consistent with Section 130.22.010

Section 130.22.010 C.1. Commercial, Professional Office (CPO): The project site is zoned CPO. The CPO zone is intended to regulate the development of land suitable for

professional, administrative, and business offices and offices mixed with low to high intensity residential uses. It is intended that this zone be utilized as a transition between residential areas and higher intensity commercial uses by creating an environment which is compatible with surrounding residential uses while providing adequate economic incentive for development of such office space. Retail sales that are incidental to the primary office uses in this zone, are allowed subject to the provisions of the Ordinance.

Rationale: The proposed Tentative Parcel Map would create two (2) parcels of 5.429-acres (Parcel A) and 0.253-acres (Remainder Parcel) from an existing 5.682-acre parcel. Parcel A would meet CPO development standards including minimum lot size, lot width, and setbacks. The project is consistent with this section.

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 habitat. New ministerial and discretionary development shall avoid or minimize impacts to perennial streams, rivers or lakes, intermittent streams and wetlands, and any sensitive riparian habitat to the maximum extent practicable. Ministerial development, including single family dwellings and accessory structures, shall be set back a distance of 25 feet from any intermittent stream, wetland or sensitive riparian habitat, or a distance of 50 feet from any perennial lake, river, or stream. All discretionary development which has the potential to impact wetlands or sensitive riparian habitat shall require a Biological Resource Assessment to establish the area of avoidance and any buffers or setbacks required to reduce the impacts to a less than significant level.

Rationale: Future development of proposed Parcel A would require further review during grading and building permit submittal to ensure protection of natural drainage patterns, minimize erosion, and ensure existing facilities are not adversely impacted while retaining the aesthetic qualities of the drainage way. Future development would also be subject to Zoning Ordinance Section 130.30.050 - Setback Requirements and Exceptions, which requires a minimum setback distance of 25-feet from any intermittent stream, wetland, or riparian habitat. The project is consistent with this section.

3.3 **The project is consistent with 130.39.070.**

Section 130.39.070 Oak Tree and Oak Woodland Removal Permits - Discretionary Development Projects establishes standards for impacts to oak trees and oak woodlands as a result of discretionary development.

Rationale: The proposed Tentative Parcel Map would create two (2) parcels of 5.429-acres (Parcel A) and 0.253-acres (Remainder Parcel) from an existing 5.682-acre parcel. No oak trees or oak woodlands are proposed for removal

at this time; however, future development on Parcel A is anticipated and would be subject to the requirements of Zoning Ordinance Section 130.39.060 - Oak Tree and Oak Woodland Removal Permits for Ministerial Development Projects. As conditioned, the project is consistent with this section.

4.0 PARCEL MAP FINDINGS

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

Rationale: The proposed Tentative Parcel Map would create two (2) parcels of 5.429-acres (Parcel A) and 0.253-acres (Remainder Parcel) from an existing 5.682-acre parcel. Future development is anticipated on proposed Parcel A. The Remainder Parcel would remain undeveloped due to wetlands. The proposed project would be consistent with the CPO General Plan land use designation because AB 2011 allows 100% affordable housing multifamily residential development in commercial zones. The site is located within a Community Region which allows higher intensity development. The surrounding area is developed with single-unit residential and similar multifamily residential uses. The proposed project would be consistent with applicable General Plan policies as set forth in Finding Section 2.0.

Additionally, subsequent design and improvements anticipated at this site would further Housing Element goals through the following General Plan policies:

- Policy HO-1.5 The County shall direct higher-density residential development to Community Regions and Rural Centers.
- Policy HO-1.9 The County shall work with local community, neighborhood, nonprofit housing partners, and special interest groups to integrate affordable workforce housing into a community and to minimize opposition to increasing housing densities.
- Policy HO-1.16 The County shall minimize discretionary review requirements for affordable housing.
- Policy HO-1.17 The County shall ensure that its departments work together in all aspects of housing production in order to make certain that housing policies and programs are implemented as efficiently and effectively as possible and to ensure that funding is judiciously managed.

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

Rationale: The proposed Tentative Parcel Map has been analyzed and conditioned in accordance with CPO zone, Commercial (C) General Plan land use designation. Future development on proposed Parcel A would be reviewed for compliance with applicable development standards. The Remainder Parcel would remain undeveloped due to wetlands. As proposed and conditioned, the project conforms to the CPO zone, with Title 120 of the County Code for Minor Land Divisions. The project is consistent with this section.

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

Rationale: The proposed Tentative Parcel Map would create two (2) parcels of 5.429-acres (Parcel A) and 0.253-acres (Remainder Parcel) from an existing 5.682-acre parcel. Future development on Parcel A would be designed to meet the CPO development standards including minimum lot size, minimum lot width, and building setbacks. As shown on the Tentative Parcel Map, Parcel A would be physically suitable for the proposed type and density of development. The Remainder Parcel would remain undeveloped due to wetlands. The project is consistent with this section.

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: With the incorporation of Conditions of Approval, the project would not result in substantial environmental damage or substantial avoidable injury to fish or wildlife, or their habitat and the type of proposed residential development would be consistent with existing residential development in the Cameron Park Community Region. The project is consistent with this section.

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

Rationale: The proposed project has been reviewed for potential public health hazards. The project has been conditioned to mitigate potential impacts associated with future residential development and occupancy including air quality, storm water management, and fire safety. As conditioned, the proposed project would not cause serious public health hazards. The project is consistent with this section.

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

Rationale: Future development on Parcel A would be required to meet applicable fire safe requirements including maintaining defensible space from structures to property lines. The Remainder Parcel would remain undeveloped. With

adherence to the fire safe requirements, the proposed project would be in compliance with the requirements of Public Resources Code Section 4291. The project is consistent with this section.

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: The project would not result in any changes to currently existing easements. There are no known off-site improvements proposed or required which would necessitate changes to, nor development within, any existing easements. Therefore, as proposed, the project would not result in any changes to an existing easement. The project is consistent with this section.

5.0 Government Code §1266.01 Fire Protection Findings (Parcel Maps)

5.1 Before approving a Tentative Map, or a Parcel Map for which a Tentative Map was not required, for an area located in a State Responsibility Area (SRA) or a Very High Fire Severity Zone, a legislative body of a County shall make the following findings: (1) A finding supported by substantial evidence in the record that the subdivision is consistent with: (A) regulations adopted by the State Board of Forestry or Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code, or (B) consistent with local ordinances certified by the State Board of Forestry or Fire Protection as meeting or exceeding the state regulations.

Rationale: Based on review of the California Fire Hazard Severity Zone Viewer map for 2020, the project site is in a Moderate Fire Severity Zone. Future development on Parcel A is required to meet applicable fire safe requirements that would be reviewed at time of grading and building permit. The Remainder Parcel would remain undeveloped. With adherence to the fire safe requirements, the proposed project would be in compliance with the Public Resources Code. The project is consistent with this section.

5.2 Before approving a Tentative Map, or a Parcel Map for which a Tentative Map was not required, for an area located in a State Responsibility Area (SRA) or a Very High Fire Severity Zone, a legislative body of a County shall make the following findings: a finding supported by substantial evidence in the record that structural fire protection and suppression services will be available for the subdivision through any of the following entities: (A) A County, City, Special District, Political Subdivision of the State, or another entity organized solely to provide fire protection services that is monitored and funded by a County or other public entity; (B) The Department of Forestry and Fire Protection by contract entered into pursuant to Section 4133, 4142, 4144 of the Public Resources Code.

Rationale: Future development is required to meet applicable fire safe requirements. With adherence to the fire safe requirements, the proposed project would be

in compliance with the Public Resources Code. The project is consistent with this section.

CONDITIONS OF APPROVAL

Tentative Parcel Map P24-0009/Bass Lake Family Apartments Zoning Administrator/August 21, 2024

Planning Division:

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

Exhibit F.....Tentative Parcel Map, P24-0009

Any deviations from the project description, conditions, or exhibits shall 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:

A Tentative Parcel Map to subdivide a 5.682-acre undeveloped parcel to create two (2) parcels of 5.429-acres (Parcel A) and 0.253-acres (Remainder Parcel). The proposed parcels would meet the required development standards for the CPO zone including minimum lot size of 6,000-square feet and lot width of 60-feet. Parcel A could support future development. The Remainder Parcel would remain undeveloped due to wetlands. Access to proposed Parcel A would be from a private driveway from Foxmore Lane, a County-maintained roadway. No access is proposed to the Remainder Parcel. Parcel A would be served by connecting to public water service for potable water and emergency water supply and public sewer service. Electric service to Parcel A would be provided by connecting to Pacific Gas and Electric (PG&E).

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, 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.

2. **Tentative Parcel Map 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 Conditionally of Approved Maps) of the Subdivision Ordinance.

3. **Notice of Exemption (NOE) Recording Fee:** The applicant shall submit to Planning Division a \$50.00 recording fee for the County Recorder to file the NOE within 48 hours of any decision-making body approving the project. Checks shall be made payable to El Dorado County.
4. **Condition Compliance:** Prior to issuance of any grading or building permit, or commencement of any use authorized by this action, the applicant shall provide a written description, together with appropriate documentation, in hard copy and electronic format, showing conformance of the project with each Condition imposed as part of the project approval. The applicant shall also schedule an inspection by the El Dorado County Planning and Building Department, Planning Division (Planning Division) prior to issuance of a grading or building permit for verification of compliance with applicable Conditions of Approval.
5. **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 El Dorado County (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 County and its agents, officers, and employees from any claim, action, or proceeding against County or its agents, officers, or employees to attack, set aside, void, or annul an approval of County concerning a General Plan Amendment, Rezone, and Tentative Parcel Map. The County shall notify the applicant of any claim, action, or proceeding, and the County shall cooperate fully in the defense.

6. **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.
7. **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.

8. **Easements:** Prior to recording the final map, applicant shall ensure that the El Dorado County Surveyor's Office conduct 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.
9. **Adequate Facilities:** Prior to recording the final map, applicant shall provide the Planning Division with a "will serve" letter from PG&E for the proposed resultant parcels.
10. **Protection of Wildlife (Raptors):** Prior to issuance of any grading or building permits on Parcel A, if development activities occur during the nesting season (February 1-August 31), then a qualified biologist should conduct a nesting bird survey prior to initiation to determine the presence of any active nests within the study area. The nesting bird survey should be conducted within 14 days prior to commencement of ground-disturbing or other development activities. If the nesting bird survey shows there is no evidence of active nests, then a letter report should be prepared to document the survey and be provided to the project proponent and no additional measures are recommended. If development does not commence within 14-days of the nesting bird survey, or halts for more than 14 days, then an additional survey is required prior to starting or resuming work within the nesting season. If active nests are found, then a qualified biologist should establish a species-specific buffer to prohibit development activities near the nest to minimize nest disturbance until the young have successfully fledged or the biologist determines that the nest is no longer active. Nest monitoring may also be warranted during certain phases of construction to ensure nesting birds are not adversely impacted. If active nests are found within any trees slated for removal, then an appropriate buffer should be established around the tree

and all trees within the buffer and should not be removed until a qualified biologist determines that the nest has successfully fledged and/or is no longer active. This shall be included as a note on the final map.

County Department of Transportation (DOT) (Standard):

11. Prior to the issuance of any grading and/or building permits, future development on Parcel A shall comply with the requirements from DOT, as applicable.

Rescue Fire Protection District (RFPD):

12. Prior to the issuance of any grading and/or building permits, future development on Parcel A shall comply with the requirements from RFPD, as applicable.

Air Quality Management District (AQMD) (Standard):

13. **Fugitive Dust:** Grading and excavation operations will result in temporary negative impact on air quality with regard to release of particulate matter (PM10) in the form of dust. A Fugitive Dust Plan (FDP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction if a grading permit is required from the El Dorado County Planning and Building Department, Building Division (Building Division). Mitigation measures for dust control shall comply with the requirements of AQMD Rule 223, Fugitive Dust - General Requirements and Rule 223.1 Construction, Bulk Material Handling, Blasting, Other Earthmoving Activities and Trackout Prevention.
14. **Paving:** Project construction and related paving shall adhere to AQMD Rule 224, Cutback and Emulsified Asphalt Paving Materials, if applicable.
15. **Painting/Coating:** Project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
16. **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. Burning shall adhere to AQMD Rule 300, Open Burning.
17. **Construction Emission:** During grading, building, and other construction activities, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (CARB) Regulation for In-Use-Off-Road Diesel Fueled Fleets (§ 2449 et al, Title 13, Article 4.8, Chapter 9, California Code of Regulations [CCR]). The full text can be found at CARB website: <https://ww2.arb.ca.gov/our-work/topics/construction-earthmoving-equipment>

18. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be registered with 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.
19. **Electric Vehicle (EV) Charging - Residential:** Construction shall comply with the applicable requirements identified in the 2022 Cal Green Building Code §4.106.4 at [2022 California Green Building Standards Code, Title 24, Part 11 \(CAL Green\) - Chapter 4 Residential Mandatory Measures - §4.106.4 Electric Vehicle \(EV\) charging for new construction \(iccsafe.org\)](#).

County Surveyor's Office:

20. Upon project approval from the Planning Division, a Parcel Map Package will need to be submitted to the County Surveyor's Office.
21. All survey monuments must be set prior to recording the Parcel Map or the developer shall have surety of work to be done by bond or cash deposit. Verification of set survey monuments and the amount of the bond or deposit to be coordinated with the County Surveyor's Office prior to the filing of the Parcel Map.
22. The roads serving the development shall be named by filing a completed Road Name Petition with the County Surveyor's Office. Proof of any signage required by the County Surveyor's Office must be provided prior to recording the Parcel Map.
23. Site addressing for the project shall be coordinated with the County Surveyor's Office prior to recording the Parcel Map.
24. Prior to recording the Parcel Map, a letter will be required from all Agencies that placed Conditions on the map. The letter will state that "**all Conditions placed on P24-0009 by (that Agency) have been satisfied**". The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.
25. All boundary monuments disturbed during project construction shall be reset by a Professional Land Surveyor or Qualified Engineer as defined by Section 8771 of the California Business and Professions Code (Land Surveyor's Act).

El Dorado County Stormwater Coordinator, West Slope

26. The project shall comply with the applicable requirements from the El Dorado County Stormwater Coordinator, West Slope.

El Dorado Irrigation District (EID)

27. The project shall comply with applicable requirements from El Dorado Irrigation District (EID) for connecting to service for potable water and emergency water service and sewer/wastewater service.