

November 18, 2009

09 NOV 18 PM 4:03

RECEIVED
PLANNING DEPARTMENT

Peter Mauer, Zoning Administrator
El Dorado County Development Services Department
2850 Fairlane Court
Placerville, CA. 95667

Re: Ebright, Proposed Subdivision, APN # 018-320-11, P08-0006

Dear Mr. Mauer:

In response to the Planning department staff summary and recommendation of denial we provide the following comments:

FIRE SAFE ROAD

Lake Valley Fire Department – First Responders

Attached please find a revised letter from the Lake Valley Fire Protection District Fire Marshall, Gareth Harris. Mr. Harris confirms in his letter that the access road to the Ebright parcels is Fire safe with the proposed mitigation which includes; installation of a 96' cul-de-sac, the extension of the water main line to the cul-de-sac, and to provide for a new fire hydrant at the cul-de-sac. Additionally, any new structures built on the Ebright parcels will be required to have an automatic fire sprinkler system.

Department of Transportation

Please see letter in file from DOT Director Jim Ware dated September 22, 2009. In this letter Mr. Ware acknowledges the untimely comments from his staff and the procedural problems with the Design Waiver Request process. Mr. Ware acknowledges that the project review process will change as a result of this project.

Cal Fire

Comments continue to come in from Cal Fire. It is noted that Cal Fire was on the public circulation list when the project went out for Agency Comments on October 30, 2008. It is further noted that in the staff summary, copies of the design waiver request by Aspen Environmental was included along with the comments and conditions placed on the subject roadway by Lake Valley Fire Department Chief, Garreth Harris. No comments were received by Calfire for the December 8, 2008 TAC meeting. No representative from Calfir attended the December 8, 2008 TAC meeting.

NOT A DEVELOPMENT PROJECT

The proposed project is the subdivision of existing structures. The Tahoe Regional Planning Agency does not allow for any new subdivisions in the Lake Tahoe Basin with the exception of subdividing pre-1987 existing structures. With this project the applicant, Mr. Ebright, is proposing to subdivide his existing 7.48 parcel with two residences, (note that existing density is non-conforming with TRPA Code of Ordinances.) into two parcels, each with one residential unit. The maximum development for density has been reached on the Ebright parcels. There are currently three residences served by the existing roadway. The subdivision will not change or allow an increase in the density of units on the Ebright parcels. Approving the subdivision will allow for improved fire safety to the existing three residences and the adjoining forest area.

DESIGN IMPROVMENTS STANDARDS MANUAL

The findings necessary to approve the waiver in the design improvements standards manual were made on September 9, 2008 and are attached to the staff summary as Exhibit G. By implementing the conditions outlined in Fire Chief Garreth Harris' September 16, 2009 letter support the three findings made.

In addition to Mr. Harris' letter it is again important to note that this is not a development project. Policy 2.1.1.7 directs that *development be limited in some cases until such time as adequate roadways, utilities, and other public service infrastructure becomes available and wildfire hazards be mitigated.*

The development already exists. By approving the subdivision the County will allow for the Ebrights to mitigate development that already exists. The anticipated roadway and fire improvement mitigation costs will exceed \$ 75,000.

DUE PROCESS

The subject application was determined to be complete as of September 2008. On October 30, 2008 Notification was sent to ALL CONCERNED AGENCIES. The deadline for response was December 2, 2008. It is noted in the Notice that if Comments are not received by December 2, 2008 they may not be taken into consideration. Chief Garreth Harris conditionally approved the proposed roadway to the Ebright parcels on May 29, 2008 , Exhibit I. The El Dorado County Department of Transportation provided a no

comment letter on November 7, 2008. Cal Fire provided no comments by the deadline of December 2, 2008. On December 8, 2008 The County held the Technical Advisory Committee meeting. Nobody from DOT or Cal Fire attended the hearing. As of December 8, 2008 Mr. Ebright was told that the roadway as conditioned by Lake Valley Fire Department was a non issue.

It was not until April 28, 2009 that Mr. Ebright any myself were notified by staff that "NEW" comments had been received by staff from DOT and CalFire. The new conditions imposed by Cal Fire and DOT were not received in a timely manner and should not be considered. Staff claims that this is a DOT issue. However, it is noted that according to the staff billing of the project, attached, that staff met with or discussed the project with DOT over eight times. Comments from DOT on the project were not received for over five months pasted the deadline for Comment.

NON-CONFORMING USE

In September 2008 staff requested information from us as to the status of the Commercial use existing onsite. We provided the approval documentation from the TRPA and El Dorado County from 2001 to staff in October 2008. Staff was agreeable with our documentation provided. Why is this now a new issue? Was this overlooked by staff for the past 13 months? In addition, the staff summary outlining of the existing commercial use, on page 2 of the staff summary is wrong. The Ebright family has a construction storage yard onsite. The storage yard is used to store construction materials and equipment for jobs complete offsite.

On average, the storage yard is visited once or twice a week to obtain material and equipment for offsite jobs. This storage yard has been in placed and utilized by the Ebright family since 1946. Located away from the storage yard and up by the main residence is a home office for the Ebright family business. This office is where the part time employee works not at the storage yard. As stated in the staff summary, the existing use was permitted by the TRPA and El Dorado County in 2001. " *This use would potentially need to cease if the parcel map were approved* .

Attached please find a description of the existing and historic uses associated with the Ebright Construction storage yard.

PROJECT CONDITIONS

We are also concerned about the conditions being placed on the project. Conditions include # 10, firesafe turnaround relocation ?, # 12 relocation of propane tank?, # 21 onsite access why 20' wide ? , 22 why 75,000 pound rating our existing engineers report

Ebright Parcel Map P08-0006


Page 4

is for 55,000 pounds? #25 Road easement, why 50' wide and who is the easement for? # 26 why a maintenance entity all parcels owned by Ebright, # 33 Why is Phase I required when no Hazmat material exist onsite? Site was reviewed and approved by Environmental Management in 2001 with approval of Boundary line adjustment.

In conclusion, we believe that the project as conditioned by the Fire Marshall in charge of the Lake Valley district and the subject site meets the intent of the California Fire Code. By approving the Ebright subdivision the County will allow the Ebrights to mitigate the existing development by improving the fire access roadway, provide for a new fire hydrant and enable the Lake Valley Fire Department to better serve the Cascade Subdivision and surrounding areas.

Thank you for your project approval consideration. If you have any questions or need any additional information please advise us immediately.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Dill".

Mike Dill

cc: Norma Santiago
Charles B. Ebright

C.B. EBRIGHT COMPANY, INC

P.O. BOX 7585 SOUTH LAKE TAHOE, CA 96158 (530) 544-2722 FAX(530) 544-4602

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Historical Perspective

C.B. Ebright

November 17, 2009

1. 1946-1960. Charles Ebright started Tahoe Redwood Fence Company. Equipment consisted of a flatbed truck and trailer with a pick up. Equipment was stored "on site" as well as fence building, lumber and misc. The office is the same as presently used. Seasonal use only. One employee in summer with C.B. Ebright, owner.
2. 1960-1971. Charles B. Ebright started a rental business, Cascade Equipment Company. This was primarily a water truck rental business. Use was seasonal, from May to October. This equipment typically would leave on site storage yard in the early summer and return in October or November for the winter. This office was located where the office is situated today.
3. 1971-1979 Charles B. Ebright died in 1971. Brig Ebright continued Cascade Equipment Company until April of 1979 when C.B. Ebright Company, Inc. was started. This was a general engineering construction business. This onsite storage yard again was used seasonally as well as the existing office.
4. 1979-Present. C.B. Ebright has been in business for 30 years this year, 2009. Storage yard is used for pipe, lumbar, and equipment storage on a seasonal basis. Most equipment leaves storage yard for summer jobs and returns for winter storage. Summer employees in storage yard are used occasionally when material is needed..usually 1 or 2 men picking up material once or twice a week..no more. The office has one part time employee four days a week. The storage yard and office are separated by approx. 80 L.F. See site plans.

CITY AND COUNTY



OF SAN FRANCISCO

MAR 10 10 03 AM '71

RECEIVED
PLANNING DEPARTMENT

BOARD OF SUPERVISORS

CITY HALL, SAN FRANCISCO 94102 • TELEPHONE 558-3184

March 4, 1971

Mr. Harold Ebright
Cascade Stables
Emerald Bay
Lake Tahoe, California

Dear Mr. Ebright:

This is to inform you that, upon motion made by Supervisor Roger Boas, the Board of Supervisors adjourned its regular meeting of February 22, 1971, out of respect to the memory of the late Charles Ebright.

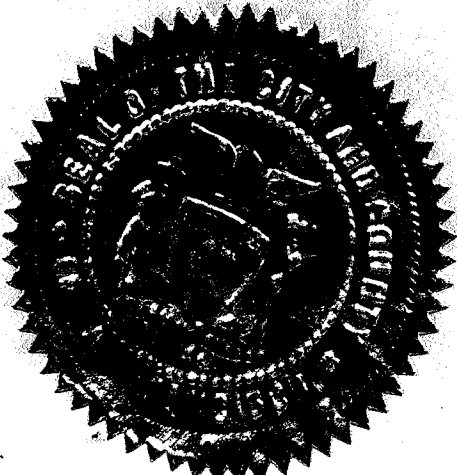
The members of the Board, with a profound sense of civic and personal loss, recalled the many fine qualities of heart and mind which distinguished Mr. Ebright and brought justifiable recognition to him in the community.

The Supervisors realize that mere words can mean so little to you at a time such as this, but they do want you and the members of your family to know of their deep sympathy and heartfelt condolence.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Dolan", written over a horizontal line.

ROBERT J. DOLAN
Clerk of the Board





El Dorado County
Development Services

INVOICE

Billing ID Number:

16834

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PLANNING DEPARTMENT

EBRIGHT CHARLES B TR

P O BOX 7585

SOUTH LAKE TAHOE

CA 96158

Invoice Date: 11/9/2009

Staff	Date Worked	Hours	Charge	Task Description	Activity	Work Description
P08-0006						
Aaron Mount	2/8/2008	0.5	50.00	Permit Processing	Application Intake	app intake
Aaron Mount	2/11/2008	0.5	50.00	Permit Processing	Application Intake	app intake
Pierre Rivas	2/21/2008	0.5	50.00	Permit Processing	Case Assignment	Mtg. w/Aaron Mount, review application, assign to Jason Hade.
Jason Hade	2/26/2008	3.75	375.00	Permit Processing	App. Completeness Letter	Review application for completeness, draft letter, & respond to applicant phone call
Pierre Rivas	2/27/2008	0.5	50.00	Permit Processing	App. Completeness Letter	Review incomplete letter, review parcel map.
Pierre Rivas	2/28/2008	0.25	25.00	Permit Processing		Review parcel map and incomplete letter
Jason Hade	2/28/2008	1	100.00	Permit Processing	App. Completeness Letter	Revise incomplete letter & update LMIS status
Jason Hade	3/3/2008	0.25	25.00	Permit Processing	New Case Review Meeting	Discuss at new case review meeting
Jason Hade	3/7/2008	0.25	25.00	Permit Processing	Phone w/Applicant or Agent	Respond to agent call
Jason Hade	3/17/2008	0.25	25.00	Permit Processing	Phone w/Applicant or Agent	Respond to applicant call
Jason Hade	3/19/2008	0.65	65.00	Permit Processing	Planner File Review	Review project files for 3/21 meeting w/applicant
Jason Hade	3/20/2008	0.75	75.00	Permit Processing	Parcel Research	Research past BLA & COC files for 3/21 meeting w/applicant
Jason Hade	3/21/2008	1.25	125.00	Permit Processing	Meeting w/Applicant or Agent	Meeting w/applicant
Pierre Rivas	3/21/2008	1.25	125.00	Permit Processing	Meeting w/Applicant or Agent	Mtg. w/Charles Ebright, Mike Dill, Jason Hade (parcel design, road standards).
Jason Hade	6/6/2008	0.5	50.00	Permit Processing	Phone w/Applicant or Agent	Respond to call & follow-up via email
Jason Hade	6/10/2008	0.25	25.00	Permit Processing	Phone w/Applicant or Agent	Respond to agent call
Jason Hade	8/11/2008	0.25	25.00	Permit Processing	Miscellaneous Filing	Receive/file project status update from agent
Jason Hade	9/18/2008	1.5	150.00	Permit Processing	Phone w/Applicant or Agent	Respond to agent call & meeting w/agent
Jason Hade	10/14/2008	0.25	25.00	Permit Processing	Phone w/Applicant or Agent	Respond to applicant call
Jason Hade	10/17/2008	3	300.00	Permit Processing	App. Completeness Letter	Review additional info for completeness, draft complete letter, LMIS update, & project TAC routing
Jason Hade	10/20/2008	0.25	25.00	Permit Processing	Phone w/Applicant or Agent	Respond to applicant call
Jason Hade	11/4/2008	0.15	15.00	Permit Processing	Consult w/ other Depts/Agencies	Respond to Surveyor's Office call
Jason Hade	11/5/2008	0.25	25.00	Permit Processing	Miscellaneous Filing	Receive/file TAC comments
Jason Hade	11/14/2008	0.25	25.00	Permit Processing	Miscellaneous Filing	Receive/file TAC comments
Jason Hade	11/19/2008	0.15	15.00	Permit Processing	Consult w/ other Depts/Agencies	Discuss TAC comments w/DOT
Jason Hade	11/25/2008	0.25	25.00	Permit Processing	Miscellaneous Filing	Receive/file TAC comments
Jason Hade	12/2/2008	0.25	25.00	Permit Processing	Miscellaneous Correspondence	Respond to Environmental Management Dept. email

Jason Hade	12/3/2008	1.5	150.00	Permit Processing	Miscellaneous Correspondence	Scan/review TAC comments, forward to applicant, & review planning issues for TAC meeting
Jason Hade	12/5/2008	2	200.00	Permit Processing	Site Visit	Site visit & receive/file TAC comments
Jason Hade	12/8/2008	1.25	125.00	Permit Processing	TAC	Attend TAC meeting, follow-up, & respond to applicant call
Gina Hunter	12/12/2008	0.15	15.00	Permit Processing	Other Billable Time (explain)	Review Cultural Resource Report
Jason Hade	1/21/2009	0.75	75.00	Permit Processing	Consult w/ other Depts/Agencies	Receive/review utility letters, scan, & forward to EMD for review
Jason Hade	1/28/2009	0.35	35.00	Permit Processing	Consult w/ other Depts/Agencies	Forward EMD email to agent to address unresolved water/sewer issues
Aaron Mount	2/10/2009	0.25	25.00	Permit Processing	Environmental Document Prepar	soil data research
Jason Hade	2/10/2009	5.95	595.00	Permit Processing	Environmental Document Prepar	Prepare draft initial study (first 10 pages) & staff report exhibit maps
Jason Hade	2/11/2009	6.5	650.00	Permit Processing	Environmental Document Prepar	Complete draft initial study, begin draft staff report (3 pages), & meeting w/Pierre & DOT to discuss fire safe road issues
Pierre Rivas	2/11/2009	1	100.00	Permit Processing		Mtg. w/Jason (road improv., fire safe); mtg. w/Paula & Larry Appel.
Jason Hade	2/12/2009	2	200.00	Permit Processing	Staff Report Preparation/Revision	Staff report design waiver analysis & set-up meeting w/DOT to discuss same
Jason Hade	2/17/2009	1.25	125.00	Permit Processing	Staff Report Preparation/Revision	Prepare draft staff report (project issues & General Plan consistency sections) & reschedule meeting w/DOT
Jason Hade	2/18/2009	6	600.00	Permit Processing	Staff Report Preparation/Revision	Complete draft staff report (zoning, environmental review, & Attachments 1 & 2)
Pierre Rivas	2/20/2009	0.5	50.00	Permit Processing		Mtg. w/Jim Ware, Eileen, Jason (fire safe min. rd. standards).
Jason Hade	2/20/2009	3.5	350.00	Permit Processing	Miscellaneous Meetings	Meeting w/DOT to discuss road improvement issues, follow-up w/Fire District & applicant, prepare exhibits, ND form, & parceling
Jason Hade	2/23/2009	2	200.00	Permit Processing	Phone w/Applicant or Agent	Respond to applicant, surveyor, & Fire District calls, & discuss w/Pierre
Pierre Rivas	2/24/2009	0.25	25.00	Permit Processing	Other Billable Time (explain)	Mtg. w/Jason (review ltr. To Lake Valley Fire, revise ltr.).
Jason Hade	2/24/2009	2	200.00	Permit Processing	Miscellaneous Correspondence	Prepare memo/info packet for Fire District & DOT review & respond to EMD call
Jason Hade	3/12/2009	0.75	75.00	Permit Processing	Miscellaneous Correspondence	Receive/file revised TAC comments, forward to applicant, & update draft staff report
Jason Hade	3/16/2009	0.25	25.00	Permit Processing	Miscellaneous Correspondence	Respond to Surveyor's Office email
Jason Hade	3/17/2009	0.6	60.00	Permit Processing	Consult w/ other Depts/Agencies	Follow-up w/EMD, DOT, & Fire District re: revised conditions of approval
Jason Hade	3/30/2009	0.25	25.00	Permit Processing	Phone w/Applicant or Agent	Respond to applicant call
Jason Hade	3/31/2009	0.25	25.00	Permit Processing	Consult w/ other Depts/Agencies	Respond to Fire District call
Jason Hade	4/1/2009	0.75	75.00	Permit Processing	Miscellaneous Meetings	Meeting w/DOT & follow-up via email
Jason Hade	4/15/2009	1.25	125.00	Permit Processing	Miscellaneous Correspondence	Review EMD email & follow-up w/applicant & meeting w/DOT to discuss revised conditions of approval & referral to CAL FIRE
Jason Hade	4/16/2009	0.35	35.00	Permit Processing	Staff Report Preparation/Revision	Revise document headers
Pierre Rivas	4/21/2009	0.1	10.00	Permit Processing	Other Billable Time (explain)	Mtg. w/Jason (fire safe rd. standards).
Jason Hade	4/21/2009	0.7	70.00	Permit Processing	Phone w/Applicant or Agent	Respond to applicant call & discuss revised conditions of approval issues w/Pierre & DOT
Jason Hade	4/22/2009	0.5	50.00	Permit Processing	Consult w/ other Depts/Agencies	Call DOT re: revised conditions of approval & return applicant call re: requested meeting to discuss DOT issues
Jason Hade	4/27/2009	0.75	75.00	Permit Processing	Miscellaneous Meetings	Review DOT conditions, discuss w/DOT, & schedule meeting w/Pierre
Pierre Rivas	4/28/2009	0.75	75.00	Permit Processing	Other Billable Time (explain)	Mtg. w/Jason & Adam (road improv., water supply issues).

Supply ESSENT

Jason Hade	4/28/2009	1.25	125.00	Permit Processing	Miscellaneous Meetings	Meeting w/Pierre & DOT re: conditions of approval, call Environmental Management Dept., respond to applicant call, & FAX DOT letter to applicant
Jason Hade	5/4/2009	0.25	25.00	Permit Processing	Consult w/ other Depts/Agencies	Respond to Environmental Management Dept. call
Jason Hade	5/5/2009	0.25	25.00	Permit Processing	Miscellaneous Correspondence	Respond to CAL FIRE email
Jason Hade	5/6/2009	0.25	25.00	Permit Processing	Consult w/ other Depts/Agencies	Respond to Environmental Management Dept. call
Jason Hade	5/7/2009	0.5	50.00	Permit Processing	Phone w/Applicant or Agent	Respond to applicant call, receive/file CAL FIRE comments, forward to applicant, & schedule meeting w/applicant to discuss
Jason Hade	5/11/2009	1.25	125.00	Permit Processing	Meeting w/Applicant or Agent	Meeting w/applicant, FAX CAL FIRE letter to applicant, & call TRPA for meeting follow-up
Pierre Rivas	5/11/2009	1.15	115.00	Permit Processing	Meeting w/Applicant or Agent	Mtg. w/Mike Dill, Rick Ebright, Jason, Eileen, Adam (fire safe rd. standards).
Jason Hade	5/14/2009	1	100.00	Permit Processing	Consult w/ other Depts/Agencies	Email TRPA re: coverage issues, respond to Lake Valley Fire District call via email, meeting w/DOT to discuss fire safe issues, & respond to applicant call via email
Pierre Rivas	5/15/2009	0.15	15.00	Permit Processing	Other Billable Time (explain)	Mtg. w/Jason (review of Env. Mtg. letter).
Jason Hade	5/15/2009	0.5	50.00	Permit Processing	Miscellaneous Filing	Receive/review/file EMD water letter & meeting w/Pierre to discuss
Jason Hade	5/18/2009	0.15	15.00	Permit Processing	Miscellaneous Correspondence	Review email from TRPA re: coverage issues
Jason Hade	6/8/2009	0.15	15.00	Permit Processing	Phone w/Applicant or Agent	Respond to applicant call
Pierre Rivas	6/9/2009	0.1	10.00	Permit Processing	Miscellaneous Meetings	Mtg. w/Jason (fire safe road requirements).
Jason Hade	6/9/2009	1.5	150.00	Permit Processing	Miscellaneous Meetings	Meeting w/Cal Fire & DOT re: off-site road improvements, meeting follow-up, & follow-up w/agent via email
Jason Hade	6/10/2009	0.25	25.00	Permit Processing	Consult w/ other Depts/Agencies	Respond to Cal Fire phone call & email
Jason Hade	6/11/2009	0.5	50.00	Permit Processing	Phone w/Applicant or Agent	Respond to applicant calls & email & meeting w/Peter & Pierre to discuss access issues
Pierre Rivas	6/11/2009	0.2	20.00	Permit Processing	Miscellaneous Meetings	Mtg. w/Jason & Peter Maurer (road easement).
Jason Hade	6/15/2009	2.75	275.00	Permit Processing	Staff Report Preparation/Revision	Conference call w/CAL FIRE, DOT, & Lake Valley Fire Protection District, call applicant to discuss status, & prepare revised denial staff report
Pierre Rivas	6/15/2009	0.25	25.00	Permit Processing	Miscellaneous Meetings	Mtg. w/Jason (road easement status, fire safe standards).
Jason Hade	6/16/2009	5.5	550.00	Permit Processing	Staff Report Preparation/Revision	Complete revised staff report, exhibits, initial study, label exhibits, & prepare State Clearinghouse form
Jason Hade	6/22/2009	0.35	35.00	Permit Processing	Miscellaneous Meetings	Discuss preliminary parcel map guarantee w/Surveyor's Office & Pierre
Jason Hade	6/23/2009	0.5	50.00	Permit Processing	Miscellaneous Correspondence	Review preliminary parcel map guarantee and email to Surveyor's Office for review
Jason Hade	6/24/2009	0.75	75.00	Permit Processing	Miscellaneous Correspondence	Respond to applicant email & meetings w/Surveyor's Office & Pierre to discuss preliminary parcel map guarantee review results
Jason Hade	6/25/2009	0.15	15.00	Permit Processing	Miscellaneous Correspondence	Respond to applicant email
Jason Hade	7/22/2009	0.15	15.00	Permit Processing	Miscellaneous Meetings	Discuss staff report comments w/Pierre & review TRPA email
Jason Hade	7/23/2009	3	300.00	Permit Processing	Staff Report Preparation/Revision	Complete staff report & initial study revisions, scan exhibits, update LMIS & project tracking log status, & respond to applicant email
Jason Hade	8/13/2009	0.15	15.00	Permit Processing	Miscellaneous Correspondence	Respond to applicant email

Jason Hade	8/26/2009	0.25	25.00	Permit Processing	Meeting w/Applicant or Agent	Meeting w/applicant to discuss access road width issues
Pierre Rivas	9/16/2009	1.25	125.00	Permit Processing	Hearing Attendance	Review file; ZA hearing; mtg. w/Claudia; followup with ZA; update LMIS.
Pierre Rivas	9/17/2009	0.25	25.00	Permit Processing	Miscellaneous Meetings	ZA/continuance Summary report to Jason Hade.
Jason Hade	9/21/2009	0.25	25.00	Permit Processing	Meeting w/Applicant or Agent	Meeting w/applicant & follow-up email to TRPA
Jason Hade	9/28/2009	1.8	180.00	Permit Processing	Parcel Research	Research issues raised at 9/16 ZA hearing in preparation for 11/18 ZA hearing
Jason Hade	9/29/2009	3.25	325.00	Permit Processing	Staff Report Preparation/Revision	Complete review of ZA issues, prepare follow-up memo w/conditions of approval, & discuss w/Pierre
Pierre Rivas	9/30/2009	0.75	75.00	Permit Processing		Mtg. w/Jason (review ZA comments, proposed conditions & find
Jason Hade	9/30/2009	4.5	450.00	Permit Processing	Staff Report Preparation/Revision	Meeting w/Pierre, meeting w/building inspector, & prepare draft Zoning Administrator follow-up staff memo for 11/18 hearing
Jason Hade	10/1/2009	1.5	150.00	Permit Processing	Staff Report Preparation/Revision	Complete draft staff ZA memo - Attachment 2 & respond to property owner call
Jason Hade	10/6/2009	0.15	15.00	Permit Processing	Miscellaneous Correspondence	Respond to applicant email
Pierre Rivas	10/8/2009	0.25	25.00	Permit Processing	Other Billable Time (explain)	Review memo to ZA.
Jason Hade	10/9/2009	2.5	250.00	Permit Processing	Staff Report Preparation/Revision	Complete draft ZA memo revisions & call property owner
Jason Hade	10/12/2009	1.75	175.00	Permit Processing	Staff Report Preparation/Revision	Phone w/applicant & complete ZA staff memo revisions (legal non-conforming use section) for 11/18 hearing
Jason Hade	10/13/2009	0.25	25.00	Permit Processing	Miscellaneous Filing	Receive/file TRPA letter re: map expiration
Jason Hade	10/19/2009	0.5	50.00	Permit Processing	Miscellaneous Correspondence	Receive/review CAL FIRE letter, discuss w/Roger, & forward to applicant ✓

Hours: 105.6 \$10,555.00

<i>Project</i>	<i>Status</i>	<i>Project Name</i>	<i>Payment</i>	<i>Receipt#</i>	<i>Date</i>	<i>Assigned To</i>	<i>Project ID</i>
P08-0006	C	EBRIGHT PARCEL MAP	2000.00	24536	2/8/2008	JASON HADE	16834
P08-0006	C	EBRIGHT PARCEL MAP	785.00	25550	1/30/2009	JASON HADE	16834

Total of Payments Received: 2785.00
 20% Retention: -400.00
 Current Labor Charges: -10555.00

Please Remit to:
Planning Services
2850 Fairlane Court
Placerville, CA 95667

Please Pay this Amount: \$8,170.00

Payment is due no later than 25 days after the invoice date. Failure to make timely payment will result in a suspension of activity on the project and may result in further collection processes. Please contact your planner with any payment issues.

Note: The receipt amount on this invoice represents the Planning Services' payment only. Any Department of Transportation or Environmental fees are not included on this invoice.

DEVELOPMENT SERVICES DEPARTMENT

COUNTY OF
EL DORADO

<http://www.co.el-dorado.ca.us/devservices>

PLANNING
SERVICES



NOV 25 PM 3
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PLANNING DEPARTMENT

PLACERVILLE OFFICE:
2830 FAIRLANE COURT
PLACERVILLE, CA. 95667
(530) 821-6355
(530) 842-0888 Fax
County Hours: 8:00 AM to 4:00 PM
planning@co.el-dorado.ca.us

LAKE TAHOE OFFICE:
3368 LAKE TAHOE BLVD. SUITE 302
SOUTH LAKE TAHOE, CA 96160
(530) 673-3330
(530) 842-9882 Fax
Counter Hours: 8:00 AM to 4:00 PM
tahoebuild@co.el-dorado.ca.us

RECEIVED

OCT 31 2008

EL DORADO LAFCO

October 30, 2008

TO ALL CONCERNED AGENCIES:

Please find enclosed the Initial Consultation information for your review and comment regarding the following application:

P 08-0006 – EBRIGHT PARCEL MAP (Charles B. Ebright/Mike Dill, Aspen Environmental/Turner & Associates, RLS): A request for a tentative parcel map to create two parcels ranging in size from 1.45 to 8.98 acres on a 10.43 acre site. The subject site contains two single family residential structures and one large and several smaller commercial structures. Design waivers are requested to permit: 1) Proposed parcel 2B to exceed the depth to width lot ratio and have no street frontage; 2) Cascade Road to remain 12 to 14 feet wide rather than be improved to 24 feet wide. The property, identified by Assessor's Parcel Number 018-320-11, consists of 10.43 acres, and is located on the northeast side of Cascade Road approximately 1 mile north of the intersection with US Hwy 50, in the South Lake Tahoe area.

Pursuant to Section 15063 of the State CEQA Guidelines, this Initial Consultation is being conducted to determine if the project may have a significant effect on the environment and determine whether an environmental impact report or a negative declaration will be prepared.

Review and comment by your agency is requested to identify your concerns to be considered by the County during our environmental review to mitigate impacts, develop conditions of approval, and/or modify the project. Your agency's written responses must be received by the Planning Services Department and your

The Technical Advisory Committee (TAC) will meet on December 8, 2008 to take one or more of the following actions; 1) Make an environmental determination, 2) Determine Final project conditions and/or, 3) Confirm the public hearing date. The meeting will be held in the El Dorado County Planning Commission Conference Room, at 2850 Fairlane Court, Placerville, CA. Please call this office one week prior to the meeting for the scheduled time. Technical Advisory Committee meetings are for agency discussion with the applicant and/or agent only. Other interested individuals may obtain project information by contacting the project planner.

If you have questions or need additional information, please call Planning Services office at (530) 621-5355.

EL DORADO COUNTY PLANNING SERVICES
Jason Hade, Project Planner

LAFCO - NO Comment
services covered: STPD, LVFPD
Erica Sanchez 11-25-08

JRH/dre

- cc: Alan Tolhurst, Planning Commissioner District 5
- Department of Transportation, Eileen Crawford
- El Dorado County Surveyor's Office
- Lake Valley Fire District/SLT
- South Tahoe P.U.D./SLT
- California Water Quality Control Board LH/WRCB
- Cal Fire

- Norma Santiago, Supervisor District 5
- Air Quality Management District
- Department of Transportation/SLT
- Sierra Pacific Power/W SLT
- Tahoe Regional Planning Agency
- Lake Tahoe Unified School District
- Building Services/SLT

EBRIGHT PARCEL MAP P08-0006

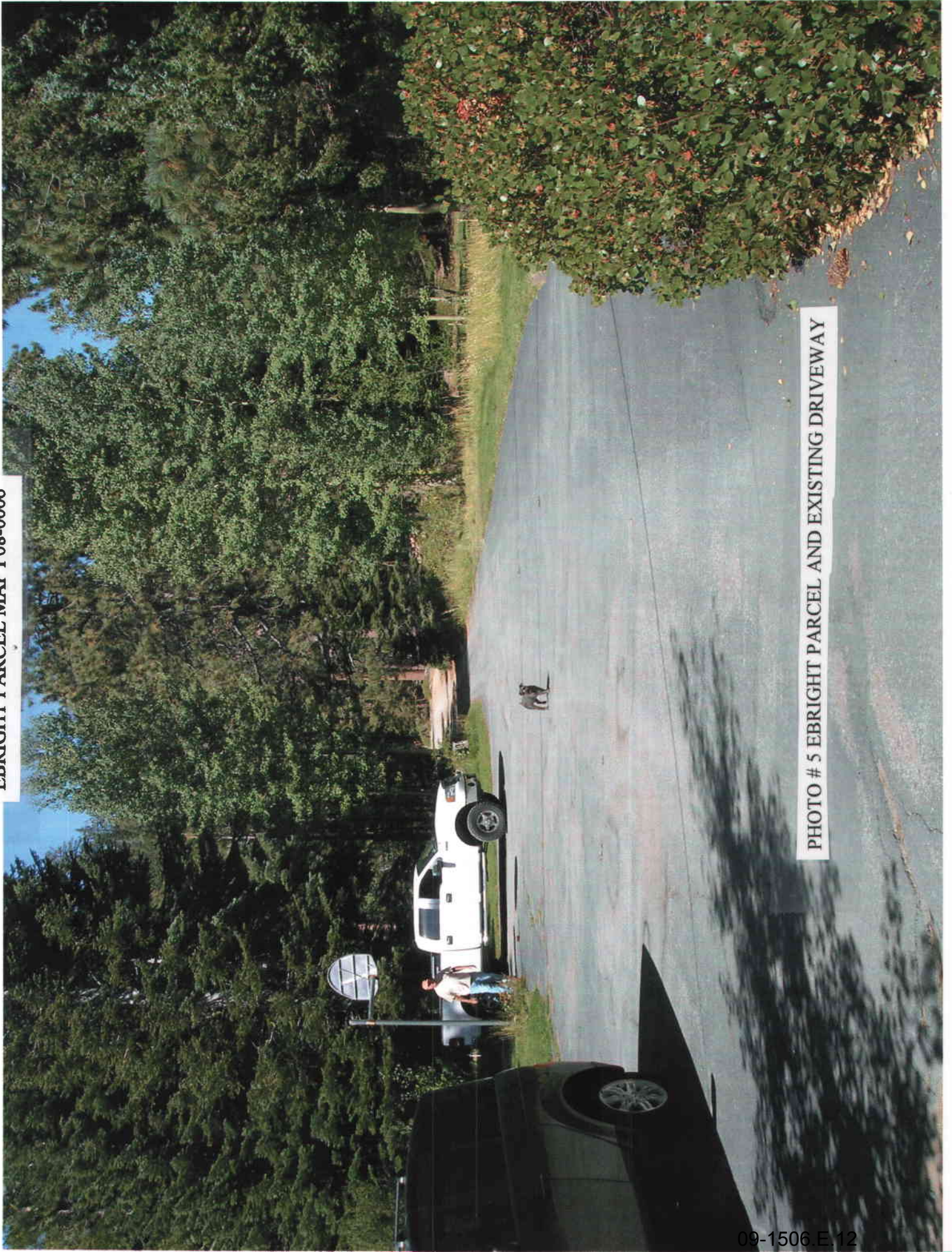


PHOTO # 5 EBRIGHT PARCEL AND EXISTING DRIVEWAY



PHOTO # 4 EBRIGHT ROAD @ JUNCTION

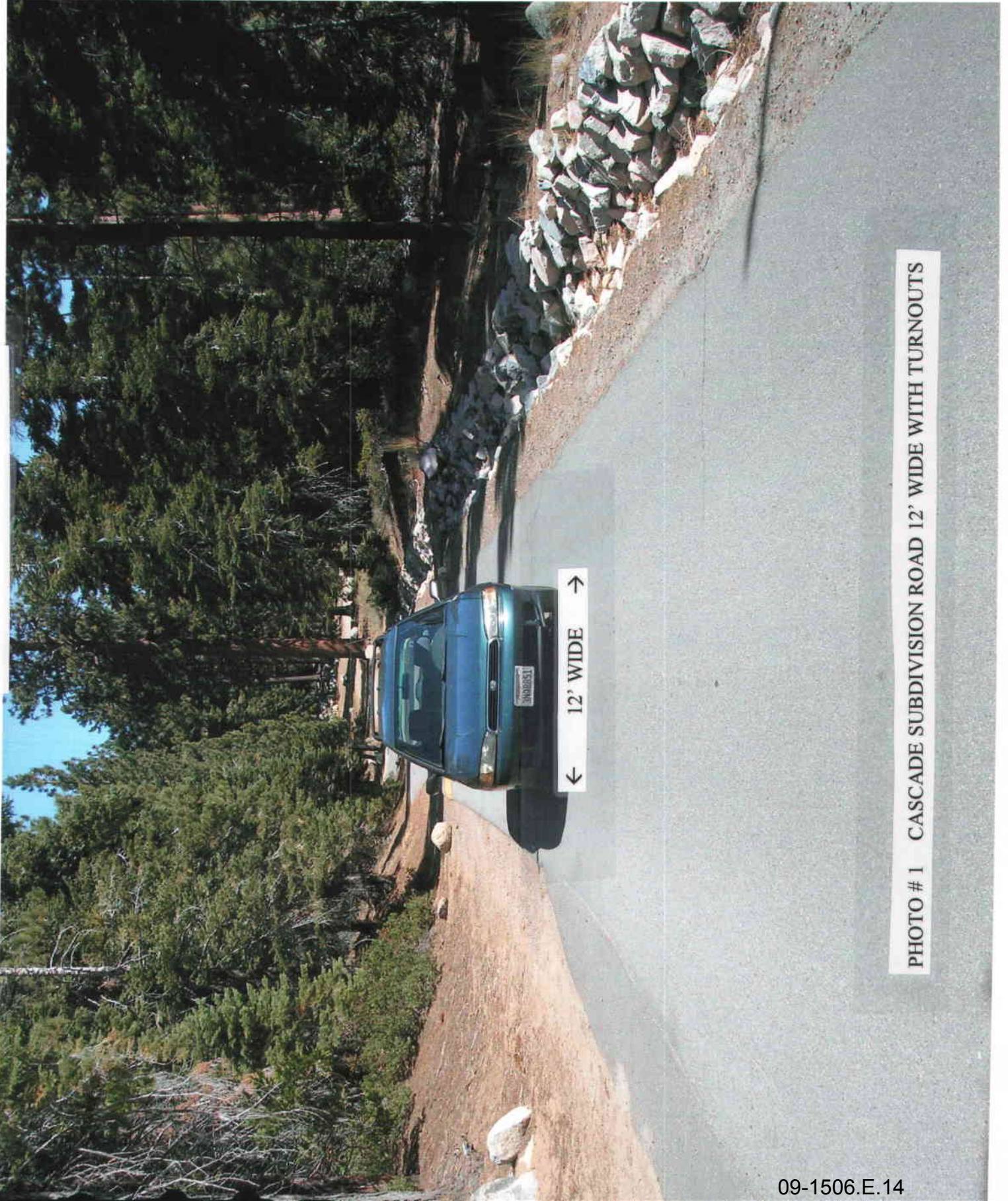


PHOTO # 1 CASCADE SUBDIVISION ROAD 12' WIDE WITH TURNOUTS

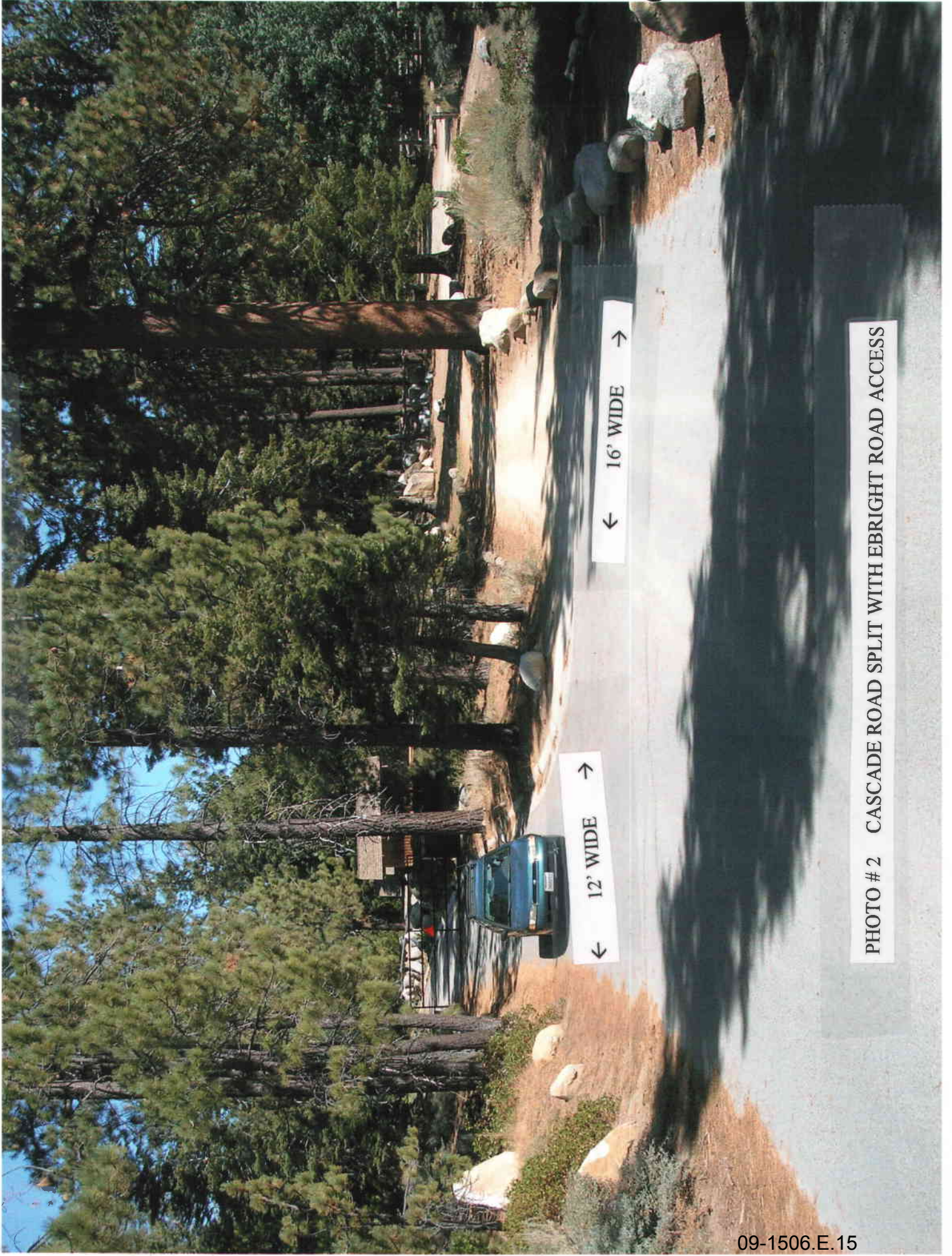


PHOTO # 2 CASCADE ROAD SPLIT WITH EBRIGHT ROAD ACCESS

EBRIGHT PARCEL MAP P08-0006

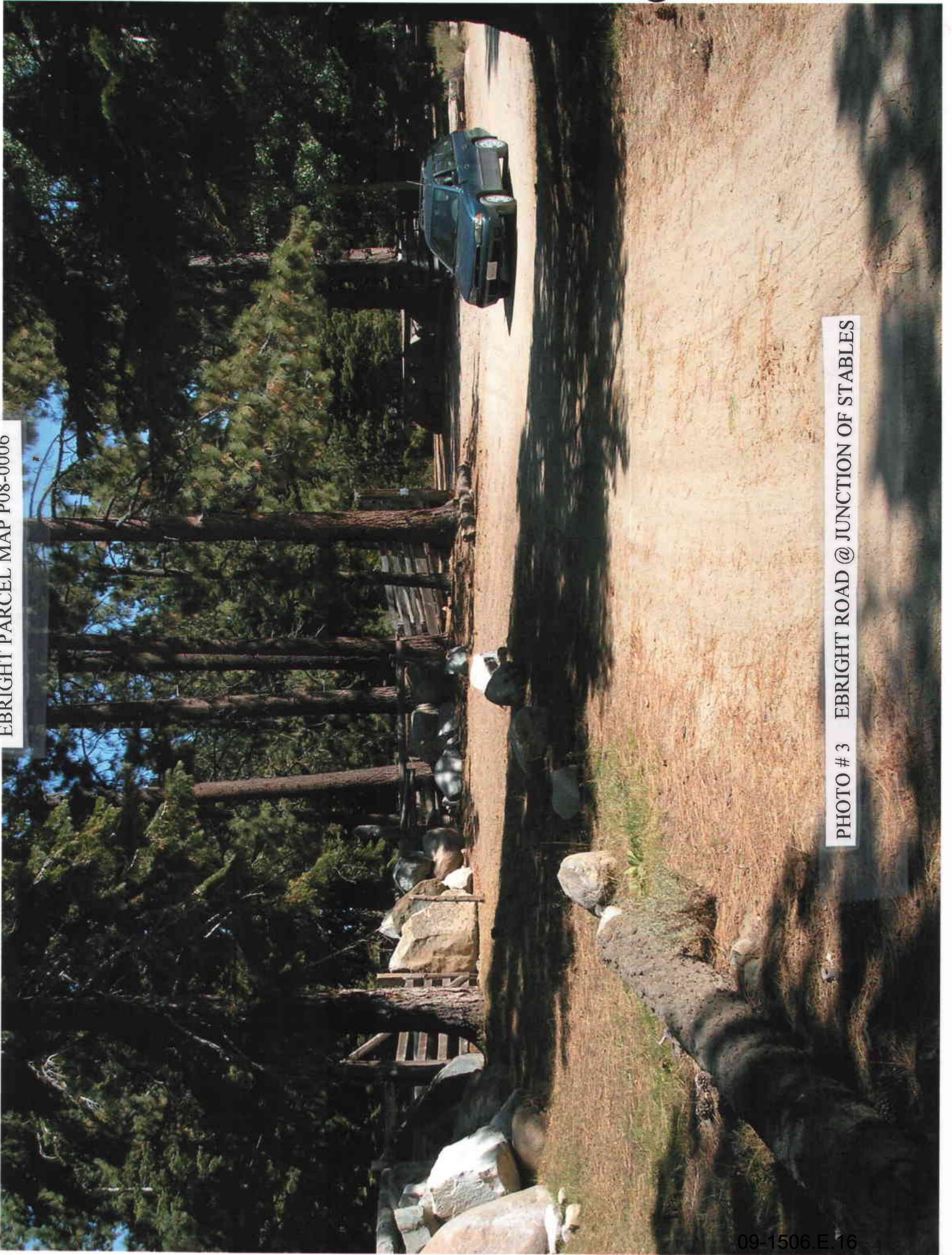


PHOTO # 3 EBRIGHT ROAD @ JUNCTION OF STABLES

November 13, 2009

Roger Trout, Director
El Dorado County Development Services
2850 Fairlane Court
Placerville, CA. 95667

Re: P08-0006 / Ebright Parcel Map

Dear Mr. Trout:

This letter is in follow-up to our meeting yesterday, November 12, with Supervisor Norma Santiago, and our subsequent conference call. As requested, below please find our questions and concerns associated with the County Staff Report dated October 12, 2009, and received by our office on November 9, 2009.

1. There have been three new comment letters issued for this project why are they not included in the staff summary, project conditions, and project discussion? The first letter was dated September 16, 2009 and was written by Fire Chief Garreth Harris from the Lake Valley Fire Department regarding the fire access. This letter is a confirmation of the proposed conditions placed on the tentative parcel map and one of the reasons staff requested a continuation of the September 16, 2009 hearing. The second letter is from Jim Ware Director of transportation dated September 22, 2009. As a result of the September continuation of the public hearing staff directed us to meet with DOT to determine why comments to the project were not received in a timely manner, December 8, 2008 deadline and why comments were provided in April 2009, and the fact that DOT has changed their policy and process so that all future discretionary projects are processed through the Placerville office. Finally the third letter is from Calfire and Chris Anthony in response to Chief Harris's September 16th letter, providing the same comments and conditions they provided in their April 24th letter five months after the comment period had ended (12/08/08)
2. Fire Safe Turnaround: El Dorado County Planning staff has had the proposed site plan and fire safe turnaround plan since October 12, 2008. The firesafe turnaround has been delineated on the plans with approximately 1/3 of the turnaround proposed on Parcel 2A and 2/3 of the turnaround proposed on parcel # 1. For the first time since the project was submitted staff is now requesting the turnaround be relocated and placed onsite. Why has this issue recently been discovered? Was this overlooked by staff for the past 13 months only to surface now? Please see site plans for existing site conditions and proposed turnaround area for clarification.
3. Non-Conforming Use: Similar to item # 2 staff has had the plans and project proposed for 13 months. In September 2008 staff requested information from us as to the status of the Commercial use existing onsite. We provided the approval documentation from the TRPA and El Dorado County from 2001 to staff in October 2008. Staff was agreeable with our documentation provided. Why is this now a new issue? Was this overlooked by staff for the past 13 months? In addition, the staff summary outlining of the existing commercial use, on page 2 of the staff summary is wrong. The Ebright family has a construction storage yard onsite. The storage yard is used to store construction materials and equipment for jobs complete offsite.

On average, the storage yard is visited once or twice a week to obtain material and equipment for offsite jobs. This storage yard has been in place and utilized by the Ebright family since 1946. Located away from the storage yard and up by the main residence is a home office for the Ebright family business. This office is where the part time employee works not at the storage yard. As stated in the staff summary, the existing use was permitted by the TRPA and El Dorado County in 2001. " *This use would potentially need to cease if the parcel map were approved*". Why? Is there an El Dorado County Code Section that addresses this?

4. We are also concerned about the "new" conditions being placed on the project. Conditions include # 10, firesafe turnaround relocation ?, # 12 relocation of propane tank?, # 21 onsite access why 20' wide ? , 22 why 75,000 pound rating our existing engineers report is for 55,000 pounds? #25 Road easement, why 50' wide and who is the easement for? # 26 why a maintenance entity all parcels owned by Ebright, # 33 Why is Phase I required when no Hazmat material exist onsite? Site was reviewed and approved by Environmental Management in 2001 with approval of Boundary line adjustment.

Roger, Thank you for your time in looking into these issues. You can email responses, call me, or we can schedule a meeting for this afternoon or next Tuesday.

Sincerely,

Mike Dill

Cc: Charles B. Ebright
Norma Santiago



Mike Dill
<skiclassic@hotmail.com>
11/16/2009 07:30 AM

To: Roger Trout <roger.trout@edcgov.us>, Brig ebright
<cbebrightco@earthlink.net>
cc
bcc
Subject: RE: Ebright Parcel map P09-0009

Thanks Roger, I look forward to hearing from you at 1:00 pm Mike Dill 530-545-9323

To: skiclassic@hotmail.com
Subject: Re: Ebright Parcel map P09-0009
Date: Fri, 13 Nov 2009 17:31:02 -0800
From: roger.trout@edcgov.us

Hi Mike,

I will talk to you on Monday by telephone. I don't think these topics warrant a face to face meeting. I am going to have Jason Hade make sure all the informational letters you referenced in item 1 are provided to the Zoning Administrator. These documents are in the file, but it is a good idea to make sure the ZA reviews these before the hearing.

These are my thoughts on the other items that we can discuss Monday:

Item 2 about the turnaround was an issue I brought up at the last ZA. It can be resolved in two ways. The first is to move the turnaround to "on-site" as recommended. The other way is to get an easement for the off-site portion of the turn around. Either way would work, but it is up to you or the applicant to decide. The on-site option is completely in your control and could be done as a condition on the map. The off-site easement would need to be acquired and provided to the County prior to the County approving the Tentative Parcel Map (could take longer). Right now the easement is using the off-site areas, which could be "closed off" - maybe the applicant already has an easement?

Item 3 is about the Nonconforming use. This is very tricky and each case has to be evaluated on its own merits. We only know about the nonconforming use what has been told to us by the property owner. It appears to be common knowledge that the facility has operated since the mid 40's, but probably has changed over time. This is the tricky part about nonconforming uses. They are limited to what was happening when the Zoning Code changed to a residential zone (maybe the 60's or 70's). Staff has identified the worst case scenario: that a nonconforming use may need to cease in conjunction with a parcel split. However, in this case, maybe the use is fairly benign and the parcel split has no relevant effect. In that case, the special use permit would be the mechanism to memorialize the nonconforming use so that questions about the legality can be settled and compatibility with zoning determined (a required finding for approval of a parcel map).

Item 4 are a number of specific questions on conditions of approval that should first be asked of the DOT staff (Eileen Crawford or Claudia Wade). If you don't get it worked out with them, then the ZA should hear your pitch and can weigh the issues, making appropriate adjustments to the conditions as necessary.

Thanks Mike. I hope to call you around 1 pm Monday (I put it on my calendar - if you need to change, please call Beverly Savage at 621-5324 and she can let me know when a better time to call will be).

Roger Trout
Director, Development Services Department

(530) 621-5369
Fax: 530-642-0508

roger.trout@edcgov.us

El Dorado County Development Services Department
2850 Fairlane Court
Placerville, CA 95667

Mike Dill <skiclassic@hotmail.com> 11/13/2009
08:59 AM

To <roger.trout@edcgov.us>, <norma.santiago@edcgov.us>, Brig ebright
<cbebrightco@earthlink.net>
cc
Subj Ebright Parcel map P09-0009
ect

Roger, as requested attached please find our questions and concerns associated with the October 12, staff summary. Please call upon review 530-545-9323. Thank you, Mike Dill

Hotmail: Free, trusted and rich email service. [Get it now.](#) [attachment
"EBRIGHTPARCELMAP09.doc" deleted by Roger P Trout/PV/EDC]

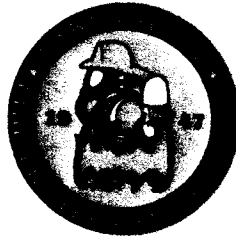
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LAKE VALLEY FIRE PROTECTION DISTRICT

"Serving the Community Since 1947"

Jeff Michael, Fire Chief



September 16, 2009

Honorable Norma Santiago
El Dorado County Government Center
330 Fair Lane
Placerville, CA 95667

Dear Supervisor Santiago,

This letter is in reference to the proposed subdivision and lot line adjustment for Brig Ebright's property in the Cascade area of unincorporated South Lake Tahoe, APN: 018-320-08. As you are aware, the road serving the entire Cascade community, Cascade Road, is only 12 foot wide and paved. The Ebright's proposed subdivision of a large 7.48 acre parcel into three smaller parcels will also be served by 12 foot wide Cascade Road. The proposal is to provide access to the three newly created parcels by a branch off of Cascade Road. Access to the three parcels will be on an existing 12 foot wide road that crosses adjacent private property. Legal authority to cross the adjacent private property was established under a 1959 court decision.

The applicant has applied for a variance to allow for a 12 foot wide access road serving his three new parcels due to practical difficulties in meeting the fire code required 20 foot width. This is due to the fact that the 1959 court decision only allows access over the adjacent property via an existing 12 foot wide road. The Fire District has taken the intent of the fire code into consideration and conditionally approved the 12 foot wide access road with mitigation. The mitigation proposed includes installing a fire apparatus turn-around at the end of the road, extending the underground water main and installing a fire hydrant at the fire apparatus turn-around, and installing an approved automatic fire sprinkler system in any structures built on any of the new parcels. In addition, with adequate defensible space around all structures and ignition resistant exterior construction as required under Chapter 7A of the building code, the Fire District feels that the intent of the code will be met with the proposed 12 foot access road.

Please feel free to contact me if you have any questions or if I can be of any assistance.

Sincerely,

Gareth S. Harris

Gareth S. Harris
Battalion Chief / Fire Marshal
Lake Valley Fire Protection District



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

2840 Mount Danaher Road
Camino, CA 95709
(530) 644-2345
Website: www.fire.ca.gov



October 19, 2009

To: El Dorado County Development Services Department.
Jason Hade, Project Planner
2580 Fairlane Court
Placerville, CA 95667

Subject: Ebright PM Design Waiver
PROJECT # P 08-0006

This letter is in reference to the proposed parcel split of the Ebright property located off of Cascade Road in South Lake Tahoe, CA. The parcel split is adjacent to Lake Tahoe and falls within the State Responsibility Area of CAL FIRE. The Fire Hazard Severity Zone for the property has been rated as Very High. Vegetative fuels consist of scattered overstory conifer trees and assorted understory shrubs and forbs. Mr. Ebright has requested a design waiver to allow the primary access road to remain at 12 to 14 feet as opposed to the required 20 foot road width. The access road is currently used as a driveway and is approximately 900 feet in length. The road is accessed from Cascade Road and dead-ends at the parcel split.

On June 15, 2009 an on-site meeting was conducted to review the parcel split. Mr. Ebright and his engineer, Mike Dill, were joined by representatives from CAL FIRE, County DOT and Lake Valley Fire Protection District. During the meeting CAL FIRE evaluated the proposed design waiver and determined that it could not support the waiver. The waiver would not meet the road width requirements found in the Fire Safe Regulations (*Title 14 California Code of Regulations*), the California Fire Code (*Title 24 California Code of Regulations*), and the County's Design and Improvement Standards Manual (*DISM*). El Dorado County DOT was also not supportive of the design waiver unless the road was widened.

The SRA Fire Safe Regulations and the California Fire Code provide minimum standards for road width. The road width standards assure:

1. Adequate evacuation routes for civilians,
2. Open access routes for emergency personnel and equipment,
3. Unobstructed traffic circulation during an emergency, and
4. Emergency response times will not be unnecessarily delayed.

CAL FIRE does not agree that a reduction in the road width standard can be mitigated by a turn-around at the end of the road, extension of a water line, hydrant installation, fire sprinklers in newly constructed structures, defensible space, and ignition resistant

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09-1506.E.22



MAINTENANCE DIVISION
 2441 Headington Road
 Placerville CA 95667
 Phone: (530) 642-4909
 Fax: (530) 642-9238

JAMES W. WARE, P.E.
 Director of Transportation

 Internet Web Site:
<http://co.el-dorado.ca.us/dot>

MAIN OFFICE
 2850 Fairlane Court
 Placerville CA 95667
 Phone: (530) 621-5900
 Fax: (530) 626-0387



September 22, 2009

Charles Ebright
 P.O.Box 7585
 South Lake Tahoe, CA 96158

RE: P 08-0006 Ebright Parcel Map

Dear Mr. Ebright;

This letter is to clarify concerns following our meeting on September 21, 2009 at the DOT offices.

You received two letters from the DOT regarding the conditions for this project. One dated November 7, 2008 from Steve Kooyman of the Lake Tahoe office stating that DOT had no comments and one letter dated April 28, 2009 from Adam Baughman stating minimum 18-foot road conditions for this project. While DOT acknowledges that the second letter was not received within the 30 day period prior to the Technical Advisory Committee (TAC) meeting (dated December 8, 2008) and therefore not timely, it was brought to our attention that road conditions were not being equally applied through out El Dorado County resulting in the April letter. We have changed our process and to date all discretionary project go through our Placerville office for conditioning. The DOT also acknowledges that had the April letter been provided to you at the TAC meeting, your decision to proceed with this project may have changed. The DOT conditions remain as drafted in the April letter, which require the construction of an 18-foot wide road leading to two or more parcels. Should the project be approved by the Zoning Administrator without this condition, DOT will not appeal that decision to a higher authority.

In addition, we stand corrected that an appeal fee to the BOS is \$100 **plus** Time & Materials costs. The fee structure can be found at <http://www.edcgov.us/Planning/combinedfees.html> Appeals by project applicant is charged at T&M, with \$100 as initial deposit. Appeals by others are \$100 only.

If you have additional questions or concerns, you may contact Eileen Crawford at 530-621-6077 or eileen.crawford@edcgov.us.

Sincerely,

James W. Ware, P.E.
 Director of Transportation

CC: Mike Dills, Aspen Environmental
 2409 Lupine TR, South Lake Tahoe, CA 96158