

**COUNTY OF EL DORADO DEVELOPMENT SERVICES  
PLANNING COMMISSION  
STAFF REPORT**



**Agenda of:** February 13, 2014

**Staff:** Tom Dougherty

**TENTATIVE MAP REVISION/BOUNDARY LINE  
ADJUSTMENT**

**FILE NUMBER:** TM07-1458-R/BLA13-0015/Migianella

**APPLICANT:** Shan Nejatian & Marie Mitchell

**ENGINEER:** CTA Engineering and Surveying, Olga Sciorelli

**REQUEST:** Boundary Line Adjustment and revision to an approved Tentative Subdivision Map with phasing plan to create eight single-family residential lots ranging in size from 3 to 4.5 acres.

**LOCATION:** West side of Kaila Way, approximately 580 feet north of the intersection with Salmon Falls Road, in the El Dorado Hills area, Supervisorial District 1. (Exhibit A).

**APN:** 110-020-45 (Exhibit B)

**ACREAGE:** 26 acres

**GENERAL PLAN:** Medium Density Residential (MDR) (Exhibit C)

**ZONING:** Single Family Three-Acre Residential (R3A) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Mitigated Negative Declaration

**RECOMMENDATION:** Staff recommends the Planning Commission take the following actions:

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
2. Adopt the Mitigation Monitoring Program in accordance with CEQA Guidelines, Section 15074 (d) as incorporated in the Conditions of Approval and Mitigation Measures;

3. Approve Boundary Line Adjustment BLA13-0015 based on the Findings presented; and
4. Conditionally approve Tentative Map TM07-1458-R based on the Findings and subject to the Conditions of Approval.

**Project Description:** Rezone Z07-0043 and Tentative Map TM07-1458 were approved by the Board of Supervisors on May 12, 2009. The action rezoned the property from Estate Residential Five-Acre (RE-10) to Three-Acre Residential (R3A), and approved a Tentative Map creating eight residential lots served by El Dorado Irrigation District (EID) public water and individual septic systems. A copy of the original approved map is provided as Exhibit H.

The applicants are requesting to revise the approved Tentative Map as follows:

1. Add a phasing plan (Phase 0, 1, and 2),
2. Revise lot lines and areas;
3. Add a Boundary Line Adjustment with the parcel identified with Assessor's Parcel Number 101-430-01;
4. Revise project road circulation as follows:
  - a. No connection to Wolf Creek Road;
  - b. Removal of the cul-de-sac; and
  - c. Add a new driveway connection for proposed Lot 2 (formerly Lot 1);
5. Revise the road sections;
6. Revise the lot oak canopy removal allotments due to the reduction in canopy removal from the revised infrastructure improvements;
7. Request revisions to Transportation Condition of Approval 12 for no improvements to Kaila Way (constructed to a 24-foot wide roadway) and no connection to Wolf Creek Road (as no longer necessary due to lot layout changes);
8. Removal of Transportation Condition 13 requiring a secondary access;
9. Revision of Transportation Condition 18 concerning a roadway turnaround at the secondary access point at Wolf creek Road; and
10. Removal of El Dorado Hills Fire Department Conditions 49 (Wolf Creek Road improvement requirements) and 52 (gate requirement between Wolf Creek Road and the project) as they are no longer applicable.

The boundary line adjustment would readjust the boundary lines of the subject parcel with the parcel identified by APN 110-430-01. The proposed adjustment is noted on the tentative map and can also be understood by comparing the existing parcel configuration of the subject parcel on the Assessor's Parcel Map in Exhibit B to the proposed tentative map.

#### **Adjacent Land Uses:**

The project is bounded to the north, south, and west by existing single family residential development. The project would create eight residential parcels consistent with the density of existing parcels in the area. The project would not result in land uses that would alter the residential character of the area.

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	R3A	MDR	Existing single-family residence
<b>North</b>	R3A/RE-5	MDR	Single-family residences and vacant parcel
<b>South</b>	RE-10	MDR	Single-family residences and vacant parcel
<b>East</b>	RE-5/RE-10	MDR	Single-family residences and vacant parcel
<b>West</b>	R3A/RE-5/RE-10	MDR	Single-family residences and vacant parcel

**Site Description:** The site contains a gated driveway entrance to a graveled driveway leading to the existing single-family dwelling. Vegetation on-site consists of native grasslands and blue oak canopy, with very few native shrubs. Slopes are generally mild and uphill from Kaila Way, with the majority of slope falling within a 0-20 percent range. Most of the cleared areas are covered with rows of grape plants in a vineyard fashion.

**STAFF ANALYSIS:**

The General Plan designates the subject site as Medium-Density Residential (MDR). Policy 2.2.1.2 states the MDR designation identifies areas suitable for detached single-family residences with larger lot sizes which will enable limited agricultural land management activities. The maximum allowable density for MDR is one dwelling unit per 1.0 acre and parcel sizes ranging from 1.00 to 5.00 acres. The proposed 3 to 4.5 acre lots conform to the General Plan land use designation and the R3A Zone District. The site is located within the El Dorado Hills Community Region. All future residential development would be reviewed during the building permit submittal process to ensure compliance with the Development Standards of the R3A Zone District.

**Project Issues:** The primary issue with the project is access and circulation. Other discussion items for this project include fire safety and water supply, grading and drainage, oak canopy, and septic systems.

**Access and Circulation:** The project would be accessed from one encroachment onto Salmon Falls Road, a County-maintained roadway. From that encroachment, access to the site would be provided via Kaila Way which is currently a paved cul-de-sac, private road, a portion of which exceeds 15 percent grade. The existing Kaila Way would be extended for access to seven of the lots, and the existing residence would continue to utilize the existing graveled driveway. Access to Lot 2 would be provided by a new driveway (labeled Driveway C on the tentative map), from the existing Kaila Way cul-de-sac northward.

General Plan Policy 6.2.3.2 directs that adequate access exists, or can be provided, to ensure that emergency vehicles can access the site and private vehicles can evacuate the area. The original project had required a secondary access. For the current proposal, Cal Fire and the El Dorado Hills Fire Department have determined that Roadway B is allowed to exceed the maximum allowable dead end road limit as established by Title 14 – SRA Fire Safe Regulations as long as existing Kaila Way is re-graded to conform to El Dorado County’s adopted version of Title 14 as

follows, and that the applicant comply with the requirements of the Wildland Fire Safe Plan approved by Cal Fire and the El Dorado Hills Fire Department, dated July 21, 2013:

- a. For dead end roads and cul-de-sacs, the maximum is 12 percent. However, there is an exception to allow 15 percent for lengths not exceeding 600 feet.

The road improvements for Road A and Road B would be constructed to a modified Standard Plan 101B to allow for 20-foot wide travel lanes with 2-foot shoulders. The request is considered a rural subdivision because the lots are larger than two acres (Subdivision Ordinance, 16.04.050.K) and Standard Plan 101C would normally apply however, because the site is located within a community region, the 101B Standard applies. That Standard requires sidewalks but DISM Volume II, Section 2.E (1) only requires sidewalks for lots less than 10,000 square feet. Therefore Standard Plans 101B and C were blended for the “modified 101B” and a Design Waiver request was not required.

Kaila Way has the same requirement for modified 101B improvements where applicable, in addition to the slope reduction previously discussed. Fire Department approved turnarounds would be provided at locations shown on the tentative map. As conditioned, neither Transportation, Cal Fire, nor the Fire Department has any outstanding concerns with the emergency ingress/egress and circulation capabilities of the project.

**Fire Safety and Water Supply:** The project would utilize El Dorado Irrigation water facilities for potable and emergency water service. General Plan Policy 5.2.1.2 directs that there be adequate quantity and quality of water for all uses. Policy 5.7.1.1 directs that there be adequate emergency water supply, water pressure, storage, conveyance facilities, and access for fire protection.

The Facilities Improvement Letter (FIL) dated April 27, 2010 stated that there would be adequate services be available for the project. There is an existing ten-inch water line stub located in Lakehills Court and it was determined that the current system had the capacity to deliver the seven additional equivalent dwelling units required by the project, as well as the Fire Department required water pressure. EID staff determined in May of 2013 that for the revision request, an updated FIL would not be required as it “would not contain significantly different information regarding the available capacity or potential connection points, and that the requirement for a valid FIL will be evaluated at such time as Improvement Plans are submitted.”

In addition to the Wildland Fire Safe Plan requirements, the Fire Department has recommended other conditions of approval for the project to meet Fire Safe standards. The project has been conditioned to meet the requirements of the Department and adhere to the approved Fire Safe Plan. A copy of the Fire Safe Plan is included as an attachment to the Proposed Mitigated Negative Declaration and Initial Study (Exhibit L of this staff report).

**Grading and Drainage:** Pad grading is not proposed as part of the subdivision. Grading will be done as part of the subdivision improvements for roads, and infrastructure as noted on the Preliminary Grading and Drainage Plan (Exhibit G-1), and the Kaila Way Reconstruction Plan dated July 2013 (Exhibit G-2). The project would be required to install interceptor drains to avoid cross-lot drainage issues, to obtain off-site easements when applicable, and to use slope

rounding grading techniques to avoid the stair-step effect. The majority of the grading and drainage improvements associated with the proposed subdivision appear to be those associated with the required infrastructure improvements, which includes the roadways to access this site. The required road improvements would result in additional runoff in the project area. The Transportation Division has reviewed the Preliminary Drainage Report and has recommended conditions of approval for grading and drainage which are included in Attachment 1. The Drainage Report is included as an attachment to the Proposed Mitigated Negative Declaration and Initial Study (Exhibit L of this staff report).

**Oak Tree Canopy:** Pursuant to the Arborist Report for the Migianella Project Tree Canopy Mitigation Plan dated July 25, 2013, and the Tree Preservation Plan map dated July 2013, grading for the roads and infrastructure would require the removal of 0.72 acres of oak tree canopy. The future lot development is anticipated to remove 3.90 acres of canopy for a total planned oak canopy removal of 4.62 acres.

The Arborist Report determined the site has an existing oak canopy of 61 percent of the 26 acre parcel (16 acres) and is required to retain 70 percent in accordance with the standards under Option A. This allows up to 4.80 acres of canopy removal. The project proposes to remove 4.62 of the existing oak canopy and would retain over 70 percent. The Arborist Report confirms the Tree Preservation Plan demonstrates consistency with the standards under Option A of General Plan Policy 7.4.4.4 and it is included as an attachment to the Proposed Mitigated Negative Declaration and Initial Study (Exhibit L of this staff report). The Tree Preservation Plan map dated July 2013 is included as Exhibit F.

**Septic Systems:** The applicants propose to construct private septic systems for wastewater disposal. A percolation and soil mantle septic test report has been submitted and the Environmental Health Division determined that the project has the ability to support septic systems. The FIL and septic test are included as attachments to the Proposed Mitigated Negative Declaration and Initial Study (Exhibit L of this staff report).

**Agency and Public Comments:** The following agency and organizations were provided project details for review:

**El Dorado Hills Area Planning Advisory Committee (EDHAPAC):** The EDHAPAC reviewed the project at their September 11, 2013 meeting and voted 6-0 in support of the project changes. The EDHAPAC summary letter dated September 13, 2013 is included as Exhibit I.

**El Dorado Hills Community Service District (CSD):** The CSD would collect park in-lieu fees at the time of filing the final map. The CSD provides advisory items regarding review of any new CC&Rs, solid waste collection, and additional design criteria applicable to the project. Their recommended conditions of approval from the first map are carried over to the revision. They did not respond with any additional comments or concerns about the revision.

## ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Exhibit L) to determine if the project has a significant effect on the environment. The boundary line adjustment is Categorically Exempt from CEQA pursuant to Section 15305 which exempts minor alterations in land use limitations in areas with an average slope of less than 20 percent which do not result in any changes in land use or density. For the Tentative Map, potentially significant effects of the project on the environment have been mitigated by recommended conditions that avoid or lessen the impacts to a point of insignificance; therefore a Mitigated Negative Declaration has been prepared and a Notice of Determination (NOD) will be filed. A \$50.00 filing fee for the NOD is required and the NOD must be filed within five working days from the project approval.

The filing of the NOD begins the statute of limitations time period for when litigation may be filed against the County's action on the project. If the NOD is filed the statute of limitations ends 30 days from its filing. If no NOD is filed, it ends 180 days from the date of final action by the County.

In accordance with California Fish and Game Code Section 711.4, the project is subject to a fee of \$2,181.25 after approval, but prior to the County filing the Notice of Determination on the project. This fee plus the \$50.00 filing fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,181.25 is forwarded to the State Department of Fish and Wildlife and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

## SUPPORT INFORMATION

### Attachments to Staff Report:

Conditions of Approval  
Findings

Exhibit A.....	Location Map
Exhibit B.....	Assessor's Parcel Map
Exhibit C.....	General Plan Land Use Map
Exhibit D.....	Zoning Map
Exhibit E.....	Tentative Subdivision Map dated July 2013
Exhibit F.....	Tree Preservation Plan Map dated July 2013
Exhibit G-1.....	Preliminary Grading and Drainage Plan; July 2013
Exhibit G-2.....	Kaila Way Reconstruction Plan; July 2013
Exhibit H.....	Previously Approved Tentative Subdivision Map
Exhibit I.....	El Dorado Hills Area Planning Advisory Committee Letter; September 13, 2013
Exhibits J-1, J-2.....	Site Photos
Exhibit K.....	Aerial Map
Exhibit L.....	Proposed Mitigated Negative Declaration and Initial Study