

STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: AUGUST 9, 2016

Item 3 – Request to amend the Conditions of Approval for Tentative Parcel Map #2775, proposing the division of 7.85 acres into two parcels consisting of 2.78 and 5.07 acres. The request seeks the elimination of Condition #12, which required the destruction of a well on proposed Parcel #1 (2.78 acre parcel).

Applicant: Golden Eagle Resource, LLC

Supervisory District: 3

Location: 16375 Suncatcher Lane, at the SW intersection with Tiger Creek Road in the Pioneer area (APN 033-740-004).

- A. Current Zoning Designation:** “R1A,” Single-family Residential & Agricultural District
- B. Current General Plan Designation:** R-S, Residential–Suburban (one family per one acre population density).
- C. Source of Water:** Parcel 1 - Amador Water Agency; Parcel 2 - well
- D. Sewage Disposal:** Individual septic systems
- E. Description:** This is a request for amended Conditions of Approval for TPM #2775, seeking elimination of Condition #12 which required the destruction of an existing well on proposed Parcel #1 due to its proximity to the septic system. The R-S, Residential Suburban General Plan classification requires public water connection for parcels less than 5 acres. Proposed Parcel #1, at 2.78 acres, has been connected to public water, and the applicant is seeking relief from Condition #12 in order to retain the existing well.

Prior to recommending approval of the condition amendment, the Amador County Environmental Health Department required the applicant to prove that the well would not risk contamination from the existing septic system. This was accomplished by excavation of the soil surrounding the septic tank and the sewage transport line, both of which were demonstrated to be water tight (see attached ACEH correspondence).
- F. Staff Recommendation:** Staff has no technical objections to the Planning Commission approving this map amendment with the adoption of a Notice of Exemption subject to the findings and amended Conditions of Approval attached to the staff report.

Stephen J. Buckley

From: Stephen J. Buckley [REDACTED]
Sent: Thursday, June 09, 2016 9:34 AM
To: 'planning@amadorgov.org'
Subject: Request for Map Extension and Map Amendment, TPM 2775, Golden Eagle Resources

Mr. Chuck Beatty,

SJB Consulting, acting as agent for the property owner, is requesting changes to the approved tentative parcel map, TPM 2775. These changes are as follows:

- 1) Extension of the expiration date of the map from June 14, 2016 to June 14, 2017.
- 2) Amendment of Condition 12 related to the abandonment of the existing wells on the property.

We are requesting these items to allow the property owner the time and means to adequately comply with the conditions of the map. We are currently working with Environmental Health to develop appropriate language for the revision to Condition 12.

We understand that fees of [REDACTED], respectively, will be required. A check in the amount of [REDACTED] will be submitted to your department today.

Be sure to contact us with any pertinent comments and/or questions.

Thanks,

Stephen J. Buckley
President

SJB Consulting Group
Applied Wastewater Solutions, Inc.

P.O. Box 1137, Jackson, CA 95642
209.223.0201
www.sjbconsulting.net



Chuck Beatty <[REDACTED]>

PM #2775

1 message

Mike Israel <[REDACTED]>

Wed, Jul 20, 2016 at 1:48 PM

To: Chuck Beatty <[REDACTED]>

July 20, 2016

Chuck,

The developer demonstrated on July 14, 2016, that the existing septic tank that is less than 100 feet from the water supply well is water tight, as mentioned in the first bullet of the attached letter. On May 4, 2016, the sewer line was exposed and shown to be schedule 40, cemented welded pipe, located 39 feet from the existing well, satisfying the second bullet. The criteria required by this office in order to assent to amending the parcel map to remove item 12 from conditions of approval have been met. This office would have no objection to a proposed amended map eliminating that condition.

Thanks,

Mike

Michael W. Israel, REHS
Director of Environmental Health
810 Court Street
Jackson, CA 95642
voice: (209) 223-6439
fax: (209) 223-6228

 pm2775amendment.pdf
80K

PROPOSED AMENDED CONDITIONS OF APPROVAL

AMADOR COUNTY PLANNING COMMISSION

**Conditions of Approval
and Mitigation Monitoring Program**

PROJECT: Amended Tentative Parcel Map No. 2775

SUBDIVIDER: Golden Eagle Resources, LLC.

DESCRIPTION: Request by Golden Eagle Resources, LLC to amend Parcel Map No. 2775 by reducing the map from a three-way division to a two-way land division with proposed parcels measuring approximately 2.78 and 5.07 acres in size due to the discovery of a lack of public water availability.

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration (MND)

PLANNING COMMISSION APPROVAL DATE: June 14, 2011

NOTICE OF INTENT (TO FILE A NEGATIVE DECLARATION): May 4, 2011

NOTICE OF DETERMINATION DATE: June 29, 2011

TENTATIVE PARCEL MAP EXPIRATION DATE: June 14, 2014

GUBERNATORIAL SB 1185 EXTENSION DATE: June 14, 2016

EXTENSION OF EXPIRATION DATE:

IMPORTANT NOTES:

NOTE A: It is suggested the subdivider contact the Environmental Health, Public Works, and Planning Departments and any other agencies involved prior to commencing the preceding requirements. Improvement work shall not begin prior to the review of the plans and the issuance of a permit by the Public Works Department. The Inspector must have a minimum of 48 hours notice prior to the start of any construction.

NOTE B: An extension of time for completion of this tentative map is possible, provided said extension is applied for by the applicant, to the Planning Department, in writing, prior to the expiration date of the tentative map.

NOTE C: Information concerning this map can be obtained through the Amador County Planning Department, 810 Court Street, Jackson, CA 95642 (209) 223-6380.

FISH AND GAME FEES:

1. *No permits shall be issued, fees paid, or activity commence, as they relate to this project, until such time as the Permittee has provided the Planning Department with the Department of Fish and Game Filing Fee for a Notice of Determination or a Certificate of Fee Exemption*

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Project: Tentative Parcel Map No. 2775 – Golden Eagle Resources

from Fish and Game. THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.

PARCEL MAP RECORDATION REQUIREMENTS:

2. Prepare and submit Parcel Map. THE SURVEYOR'S OFFICE SHALL MONITOR THIS REQUIREMENT.
3. Submit Preliminary Title Report as evidence of ownership. A Parcel Map Guaranty must accompany the map at the time of recording. THE SURVEYOR'S OFFICE SHALL MONITOR THIS REQUIREMENT.
4. A Registered Civil Engineer or Licensed Land Surveyor must survey all parcels. Monuments are to be set, reset, or verified (if existing) according to County Standards. THE SURVEYOR'S OFFICE SHALL MONITOR THIS REQUIREMENT.
5. Pursuant to Section 66463.1 of the Government Code (Subdivision Map Act) multiple Parcel Map(s) may be filed prior to the expiration of the tentative map. Any multiple Parcel Map(s) so filed shall be reviewed as to submittal to the Board of Supervisors for Parcel Map approval. The shape and size and development of any single unit or multiple units will be subject to Public Works Agency and Environmental Health Department review of traffic circulation and sewage disposal. MONITORED BY THE SURVEYOR'S OFFICE, PUBLIC WORKS AGENCY, AND ENVIRONMENTAL HEALTH DEPARTMENT.

SOILS:

6. Preliminary Soils Report:
 _____ Submit Preliminary Soils Report by a Registered Civil Engineer required in Section 17.28.240 of the County Ordinance Code.
 Waived as defined in Section 66491 (a) of the Subdivision Map Act.
 NO MONITORING NECESSARY.

EASEMENTS:

7. Prior to recordation of any Parcel Map, provide easements as required for utilities by County Code Section 17.28.030. THE SURVEYOR'S OFFICE SHALL MONITOR THIS REQUIREMENT.

TAXES:

8. All current and delinquent taxes must be paid. Security, in the form of a cash deposit, must be posted for estimated taxes, and special assessment collected as taxes, which are a lien against the subject property, but which are not yet payable. The Tax Collector shall draw upon this cash deposit to pay the taxes, and special assessments collected as taxes when they become payable. When all current and/or delinquent taxes have been paid, and any required security has been posted with the County Tax Collector, the Tax Collector will submit a letter to the County Surveyor's Office stating that this condition has been satisfied. (Note: Please refer to Amador County Code

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Sections 17.72.120, 17.72.130 and 17.72.140 {amended May 15, 2007}, and Government Code Sections 66492 and 66493). THE SURVEYOR'S OFFICE SHALL MONITOR THIS REQUIREMENT.

PUBLIC WORKS FEES:

10. The subdivider shall pay the actual costs of Plan Checking, Inspection, and Testing as provided in Section 17.40 of the County Ordinance prior to recordation of any final map(s). Five percent (5%) of a Licensed Civil Engineer's Estimate of the Improvement Costs will be deposit with the Public Works Agency in the Surveying and Engineering Office (2-1/2% at the time of submission and 2-1/2% prior to inspection and testing). THIS REQUIREMENT SHALL BE MONITORED BY THE PUBLIC WORKS AGENCY.

WATER SUPPLY:

11. Prior to recordation of any final map(s) submit, to the Environmental Health Department, a "will-serve" letter from the Amador Water Agency for water supply to "Parcel 1." THE ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS REQUIREMENT.
- ~~12. Prior to recordation of any final map(s) the subdivider shall have destroyed all existing wells on "Parcel 1" in accordance with Amador County Code. THE ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS REQUIREMENT."~~

SEWAGE DISPOSAL:

13. Prior to recordation of any final map, the subdivider shall have constructed, under permit and inspection by the Amador County Environmental Health Department, the disposal field to be located on proposed parcel 1 designed to serve the existing home located thereon. The existing disposal filed located on proposed parcel 2 shall be reserved and protected for future use by a structure on that parcel. THE ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS REQUIREMENT.

HUMAN HEALTH:

14. Prior to recordation of any final map the subdivider shall accomplish the following:
 - A. Submit a letter from a registered civil engineer, registered geologist, or other qualified consultant indicating that review of the property reveals no open or caved in areas due to mining, abandoned wells, or other hazardous excavations on the site. Any such area encountered shall be closed pursuant to State Health and Safety Code Section 115700. Any such excavations which are filled and compacted shall be identified on the final map.
 - {AND}**
 - B. Should any hazardous materials be located on the site, a proposed remediation plan shall be submitted to the Environmental Health Department for review and approval. Any such hazardous materials must be removed or remediated to the satisfaction of the Environmental Health Department prior to final map recordation.

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THE ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS REQUIREMENT.

DEDICATIONS:

15. Prior to recordation of any Final Map(s), provide an irrevocable offer of dedication of one-half of a 50-foot right-of-way along the property frontages of Black Prince Rd. and Suncatcher Lane. **Note:** All rights-of-way shall be curvilinear. THE PUBLIC WORKS AGENCY SHALL MONITOR THIS REQUIREMENT.
16. Prior to recordation of any Final Map(s), provide an irrevocable offer of dedication of one-half of a 60-foot right-of-way along the property frontage of Tiger Creek Road. Note: All rights-of-way to be curvilinear. THE PUBLIC WORKS AGENCY SHALL MONITOR THIS REQUIREMENT.

RIPARIAN HABITAT PROTECTION:

17. Prior to recordation of any Final Map(s), an undisturbed building setback 25 feet from centerline of all seasonal streams and 50 feet from centerline of all perennial streams shall be filed with any Final Map(S) as additional information. THE PUBLIC WORKS AGENCY SHALL MONITOR THIS REQUIREMENT.

MAP PROJECT CONDITIONS OF APPROVAL AND MITIGATION MONITORING PROGRAM

ARCHAEOLOGICAL, CULTURAL, HISTORICAL MITIGATION:

18. Prior to approval of any building permit, the applicant shall provide a statement, for the review and approval of the Planning Department, that if historic and/or cultural resources, or human remains are encountered during site grading or other site work, all such work shall be halted immediately within the area of discovery and the permittee shall immediately notify the Planning Department of the discovery. In such case, the permittee shall, at their expense, retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist shall be required to submit to the Planning Department for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken. **THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.**

RECREATIONAL:

19. Pursuant to County Code Chapter 17.50 (Ordinance No. 1198- Amador County Recreation and Fees Ordinance) a dedication of land, payment of fees, or a combination of both for park and recreational purposes shall be provided by the developer prior to the recordation of the Parcel Map. This fee has been calculated to be **\$156.54** per vacant parcel. THE AMADOR COUNTY RECREATION AGENCY SHALL MONITOR THIS REQUIREMENT.

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FIRE PROTECTION SERVICES:

20. To mitigate the impact on fire protection services, in accordance with Amador County Ordinance No. 1640, the developer shall participate in the annexation to the County's Community Facilities District No. 2006-1 (Fire Protection Services), including execution of a "waiver and consent" to the expedited election procedure, the successful completion of a landowner-vote election authorizing an annual special tax for fire protection services, to be levied on the subject property by means of the County's secured property tax roll, and payment of the County's cost in conduction the procedure. THE AMADOR FIRE PROTECTION DISTRICT SHALL MONITOR THIS MITIGATION.

Chairman
Amador County Planning Commission

- | | |
|-------------------------------------|---------------------------------------|
| (1) Applicant | (8) Fish and Game |
| (2) Preparer of Map | (9) California Department of Forestry |
| (3) Building Department | |
| (4) Environmental Health Department | |
| (5) Public Works Agency | |
| (6) Surveying Office | |
| (7) Amador Fire Protection District | |