

**Findings**

**1.0 CEQA FINDINGS**

1.1 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.

1.2 The Initial Study identifies that this project proposes a less than significant impact on the environment.

1.3 The documents and other materials, which constitute the record of proceedings upon which this decision is based, are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA 95667.

**2.0 REZONE FINDING**

2.1. *That the rezone is consistent with the adopted 2004 General Plan Land Use Designation and the policies of the General Plan.*

The Single-family Two-acre Residential (R2A) Zone is consistent with the Medium Density Residential (MDR) land use designation based on the Consistency Matrix, Table 2-4. The R2A zone allows parcels to be a minimum of 2 acres in size while the MDR designation recommends 1.0 to 5.0 acres depending on the availability of infrastructure and public resources. The rezone is compatible with the surrounding pattern of development where a majority of parcels are 1.0 to 2.5 acres within a 500-foot radius of the property. With the tentative parcel map site design and the project-specific conditions related to improvements for infrastructure and design, this project meets the applicable conditions of *Policy 2.2.5.3*. This project also meets applicable policies outlined by the General Plan including, but not limited to, those established for wetland buffers, preservation of oak woodland tree canopy, slope preservation, and adequacy of public services and utilities.

**3.0 TENTATIVE PARCEL MAP FINDINGS**

3.1 *The proposed tentative parcel map, including design and improvements, is consistent with the General Plan.*

All necessary improvements have been considered by the reviewing disciplines in order to determine that this tentative parcel map, including design and improvements, is consistent with

the policies of the General Plan. The General Plan MDR land use designation allows a maximum density of one dwelling unit for parcels that are between 1.0 and 5.0 acres in size. The tentative map provides a 2.42-acre parcel 1 and 2.58-acre parcel 2, both of which address the allowed density and parcel size which is allowed within the MDR. This project will require that improvements for infrastructure such as for the road, water utility connection to the EID, a fire sprinkler system, be implemented during the processing of the final parcel map or during the review of building and grading permit applications. No impacts to biological resources, including oak trees, will be required, and County grading and drainage standards will be implemented to ensure that pre- and post-construction Best Management Practices (BMPs) are implemented in the design of future development on the property.

*3.2 The proposed tentative parcel map conforms to the applicable standards and requirements of the County's zoning regulations and Minor Land Division Ordinance.*

With the rezone, the new parcels 1 and 2 will be zoned R2A and existing development meets the zone regulations for development standards with the process of this project. Future residential development on either new parcel shall remain outside of the required setbacks and shall observe the established development standards of the underlying zone. By requiring necessary road improvements of 24-foot plus shoulders to Standard Plan 101C, a connection to the 6-inch water line for water delivery, installation of a fire sprinkler system, and designing any future residential component with pre- and post-construction Best Management Practices (BMPs) to meet County standard, this project meets the policies of the minor land division ordinance.

*3.3 The site is physically suitable for the proposed type and densities of development.*

This property is well suited within an established neighborhood in order to accommodate the R2A zone with the MDR designation. The proposed subdivision of the 5.0-acre lot into two new parcels can accommodate the existing single-family residential development on the new 2.42-acre parcel 1, while allowing the new 2.58-acre parcel 2 to remain vacant for future residential development. The pond, man-made drainage channel, oak trees and oak woodland tree canopy, and 30 percent slopes will not be impacted by this project because of proper site design and the amount of available land on the property that would allow for future residential development. The .1 percent of the property that comprises of 30 percent slopes is located adjacent the dam and will be partially located on parcel 1 and 2. Future development shall not impact these sloping areas. The property has an average slope between 1 and 10-percent and gently slopes from the rear toward the front property line. The location of the building envelop are situated outside of the front, side, and rear setbacks and directs direct development to the least sensitive parts of the property. Future development on parcel 2 will not affect site resources that exist closer to the center of the property. There is adequate land available on the property to allow for future residential development on parcel 2 to include areas available for developing a residence and providing adequate septic disposal areas that will observe a 50-foot buffer from the man-made drainage channel and 100-feet from the pond.

3.4 *The proposed subdivision is not likely to cause substantial environmental damage*

As designed, the two-parcel map will not have a significant impact on the environment. Any future development will be directed to the least sensitive portions of the property. Oak trees and oak woodland tree canopy shall be protected in place on and adjacent to the project site. Since the project is located within rare plant Mitigation Area 2, an in-lieu fee will be assessed during the building permit review phase which is suitable for impacts within this area. In addition, this project will not impact any drainage or wetlands either on- or off-site because future development activity shall incorporate proper Best Management Practices (BMPs) in order to contain or divert run-off to County and Regional Water Resources Control Board (RWQCB) standards.

**4.0 DESIGN WAIVER FINDINGS**

The Design and Improvements Standards Manual (DISM) requires that full road improvements be made to meet Standard Plan 101C and the request to reduce the road width from 24 feet to 20 feet to Standard Plan 101C cannot be justified based on the following:

4.1 *There are special conditions or circumstances peculiar to the property proposed to be subdivided which would justify the waiver.*

There are no special conditions or circumstances that are specific to this property and the road easement in order to justify the waiver because the full road improvements can be made without the need to impact any sensitive resources, including oak trees.

4.2 *Strict application of the design or improvement requirement of this chapter would cause extraordinary and unnecessary hardship in developing the property.*

There will be no extraordinary or unnecessary hardships in making the full road improvements to Standard Plan 101C placed on the property owner. The additional improvements will require a limited amount of road improvement along the road easement and property frontage to be widened with an additional of 2 feet of gravel added to each side of Sierra Oaks Drive to meet the design standard.

4.3 *The adjustment or waiver(s) would not be injurious to adjacent properties or detrimental to the health, safety, convenience, and welfare of the public.*

The required improvements to widen the road to Standard Plan 101C will occur within the road easement and will not be injurious to adjacent properties and will not be detrimental to the health, safety, convenience, and welfare of the public.

4.4 *The waiver(s) would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.*

Justification of the requested design waiver cannot be made and this decision would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.