

# **FINDINGS**

## **Tentative Subdivision Map Revision TM01-1381-R-5/Planned Development Revision PD01-0009-R-4/Serrano Village M2/M3 Planning Commission/June 8, 2017**

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made pursuant to *Section 66472.1* of the *California Government Code*:

### **Findings**

#### **1.0 CEQA FINDINGS**

1.1 This project is Statutorily Exempt from the California Environmental Quality Act pursuant to Section 15182 as this residential development is consistent with the adopted specific plan (El Dorado Hills Specific Plan) for which an Environment Impact Report (EIR) has been certified. The EIR (State Clearinghouse No. 86122912) was certified in 1988 with the adoption of the specific plan. The project has been reviewed for consistency with the EIR and determined that no new impacts have been identified that have not been previously analyzed and mitigated in the EIR.

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 Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

The El Dorado Hills Specific Plan EIR can be accessed at:

[http://www.edcgov.us/Government/Planning/Zoning\\_Ordinances\\_for\\_Specific\\_Plans.aspx#El%20Dorado%20Hills](http://www.edcgov.us/Government/Planning/Zoning_Ordinances_for_Specific_Plans.aspx#El%20Dorado%20Hills).

#### **2.0 GENERAL PLAN FINDINGS**

##### **2.1 General Plan**

The El Dorado County General Plan designates the subject site as Adopted Plan (AP), a designation applicable to areas where specific plans have been adopted. The El Dorado Hills Specific Plan and the respective land use maps were accepted and incorporated by reference and adopted as the General Plan Land Use map for the project. Since the Specific Plan has been incorporated by reference under General Plan Land Use Element Policy 2.2.1.2, the proposed residential tentative subdivision map and planned development is found to be consistent with the General Plan.

#### **3.0 SUBDIVISION FINDINGS**

- 3.1 The proposed map is consistent with applicable general and specific plans; and
- 3.2 The design or improvement of the proposed division is consistent with applicable general and specific plans;

The proposed revisions to the approved Serrano Village M2/M3 Tentative Subdivision Map are minor in nature and maintain consistency with the General Plan, El Dorado Hill Specific Plan and the overall design and improvements for the map.

- 3.3 The site is physically suitable for the type of development;

The site is physically suitable for the type of development. The site is relatively flat and would be padded as part of residential development.

- 3.4 The site is physically suitable for the proposed density of development;

The project site is a part of a larger entitled property that is physically suitable to accommodate the density of the proposed development.

- 3.5 The design of the division or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat; and

- 3.6 The design of the division or the type of improvements would not cause serious public health hazards;

The proposed revision to the approved map has been designed to preserve open space on site, maintain the functionality of the residential development, and would not cause serious public health hazards.

- 3.7 The design of the subdivision or the improvements is suitable to allow for compliance of the requirements of section 4291 of the Public Resources Code.

The development is subject to the applicable Specific Plan policies involving site design and maintenance of open areas susceptible to brush fires. Further, the subdivision is subject to specific project conditions from the El Dorado Hills Fire Department regarding location of fire hydrant, construction of non-combustible fencing material, and adherence to Wildfire Safe Plan provisions. Therefore the proposed subdivision conforms to the requirements of Section 4291 of the Public Resource Code;

- 3.8 The design of the subdivision or 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. In this connection the approving authority may approve a map if it finds that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

Easements necessary to serve the subdivision have been adequately depicted on the Tentative Subdivision Map and shall be further verified for any conflicts by the County Surveyor's Office at the time of filing of the final map.

#### **4.0 PLANNED DEVELOPMENT FINDINGS**

- 4.1 The proposed development plan is consistent with the General Plan, any applicable specific plan, and Chapter 130.28 (Planned Development (-PD) Combining Zone) of this Title;

The subdivision has been designed in conformance with the applicable provisions of the El Dorado Hills Specific Plan and meets the objectives of the Planned Development involving efficient subdivision design, resource preservation, and compatibility of land uses. Conformance with these provisions results in consistency with applicable policies of the General Plan.

- 4.2 The site is adequate in shape and size to accommodate proposed uses and other required features;

The project site has adequate size and shape to accommodate the proposed development. The site has direct access to roads and utilities, contains no significant topographic, and would be designed consistent the standards, as modified.

- 4.3 Exceptions to the development standards of the zone are justified by the design or existing topography;

The original modifications to Single-Unit Residential Zone District remain applicable to the approved development. The proposed modifications associated with this revision are justified by the design of the development, in accordance with the specific plan.

- 4.4 Adequate public services and facilities exist or will be provided to serve the proposed development including, but not limited to, water supply, sewage disposal, roads, and utilities;

The subdivision would receive water and sewer services provided by EID and be served by a private road circulation maintained by the homeowner's association.

- 4.5 If mixed-use development is being proposed, the development conforms to the standards in Section 130.40.180 (Mixed Use Development);

The project is not a mixed-use development.

- 4.6 The proposed development complies with the provisions of the -PD Combining Zone Section 130.28.010 (Planned Development (-PD) Combining Zone).

The subdivision design features reserved open space areas, biological and other natural resources, and utilizes engineering and development techniques in compliance with the provisions of the -PD Combining Zone section of the Zoning Ordinance implementing the policies of the specific plan.

## **5.0 DESIGN WAIVER FINDINGS**

The following design waiver request is hereby approved subject to the following findings:

### **5.1 Design Waiver:** Exceed the maximum required length of the narrow access portion of flag lot designed Lot 110 from 100 feet to 134 feet

#### **5.1.1** There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.

As part of the modification to expand the open space in this area of Serrano Village M3 subdivision, the re-design of Lot 110 into a flag lot with a narrow access portion of the lot in excess of 100 feet in length is necessary to retain develop ability of the lot and functionality of the Development Plan for the subdivision.

#### **5.1.2** Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.

Application of a shorter, standard depth for the narrow access portion of Lot 110 would result in the redesign of the lot and would affect the configuration and develop ability of adjacent Lots 111 and those to east, resulting in smaller lots, more grading and tree impacts, thereby posing an encumbrance to the design and functionality of the development.

#### **5.1.3** The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.

The proposed adjustment to the standard would be limited to Lot 110 only, would retain the functionality of the lot, and would not be injurious to adjacent properties or be detrimental to the health, safety or welfare of the public.

#### **5.1.4** The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.

The waiver would not have any effect of nullifying the objectives of the Subdivision Ordinance or other laws applicable to the subdivision as this waiver would allow modification to a DISM standard that does not prevent the develop ability of the lot or the entire Serrano Village M3 subdivision.