



EL DORADO COUNTY PLANNING & BUILDING DEPARTMENT

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TO: Board of Supervisors

FROM: Gina Hamilton, Senior Planner

DATE: July 8, 2021

RE: SP-R20-0001/TM20-0001/DA20-0001/Heritage at Carson Creek

The purpose of this memorandum is to provide staff's analysis in regard to the Planning Commission's reasons for recommending denial of the above-referenced project at the June 10, 2021 Planning Commission hearing; make a minor modification to the written description of the Tentative Map portion of the project description; to revise Condition of Approval (COA) #36 as presented in the staff report from the June 10, 2021 Planning Commission hearing; to add COA #86; and to summarize and address public comments received prior to July 8, 2021.

PLANNING COMMISSION RECOMMENDATION

At its June 10, 2021 public hearing, the Planning Commission voted to recommend denial of the proposed project to the Board of Supervisors. Following deliberation, Commissioner Ross (District No. 5) made a motion, with a second from Commissioner Williams (District No. 4), to recommend denial of the project to the Board of Supervisors, noting reasons for denial as follows:

1. Incompatible zoning uses (residential lots adjacent to industrial lots/ buffers);
2. Concerns about the types of housing developments that our County should be promoting (work force housing);
3. Concerns about a connection road to Sacramento County area (Empire Ranch); and
4. Subdivision driveway lengths of only 18 feet (setbacks).

The motion passed 3-2.

STAFF ANALYSES

For consideration by the Board of Supervisors, below are staff analyses relative to the Planning Commission's reasons for recommending denial:

1. Incompatible zoning uses (residential lots adjacent to industrial lots/ buffers).

The Planning Commissioners commented that placing residential land uses adjacent to the existing El Dorado Hills Business Park (EDH Business Park) may result in issues related to land use compatibility (e.g., noise or air quality incompatibility).

Staff Analysis: The Carson Creek Specific Plan (CCSP) was approved and the CCSP Environmental Impact Report (EIR) was certified and adopted in September 1999. Potential land use compatibility issues were addressed in the 1999 EIR. The EIR assumed a 30-foot landscape area between residential uses and the EDH Business Park. The EIR concluded that land use compatibility impacts would be less than significant with building setbacks and the 30-foot landscape buffer. Potential air quality and noise impacts were mitigated to less than significant.

The Initial Study for the Addendum to the EIR prepared for the proposed project addressed land use compatibility related to noise and air quality. The Initial Study determined that there would be no new significant impacts associated with noise or air quality due to implementation of the proposed project.

The tentative subdivision map for the proposed project includes a landscaped buffer between the proposed residential units and the existing business park, similar to the one identified as an appropriate buffer between residential development and the EDH Business Park in the CCSP and the CCSP EIR.

2. Concerns about the types of housing developments that El Dorado County should be promoting (work force housing).

The Planning Commissioners expressed concerns about constructing age-restricted housing on the proposed project site instead of “workforce housing”.

Staff Analysis

Section 2.1, Purpose and Authority, in the CCSP states that: The Specific Plan responds to El Dorado County's need for an age-restricted community. (p. 2-1)

The proposed project would include age-restricted housing for people ages 55 and up. Any proposal to construct non-age-restricted residential units in the CCSP area would require a new proposed Specific Plan Amendment to allow for non-age-restricted residential units and evaluation of potential environmental impacts associated with a non-age-restricted subdivision.

Staff also notes that there is no guarantee that denial of the proposed project would result in a new proposal to construct a different type of housing on the project site.

Staff concludes this response by noting that of the 409 age-restricted housing units in the proposed community, nearly half of the units (184) are currently accommodated by the existing CCSP. The proposed project would add 225 units to the already-approved residential units.

3. Concerns about a connection road to Sacramento County area (Empire Ranch).

Some Planning Commissioners expressed concerns that the project, as proposed, would preclude the County from seeking a road connection to the west into Sacramento County.

Staff Analysis

During the hearing, County Department of Transportation (DOT) Director, Rafael Martinez, indicated that DOT is willing to work with the applicant to address potential connection points to Sacramento County, south of the EDH Business Park.

A connection to White Rock Road at the future Empire Ranch Parkway intersection is planned for, but not programmed in the County's 20-year Capital Improvement Program. DOT staff previously identified a viable route from Carson Crossing Drive to the White Rock Road/ Empire Ranch Intersection, and worked with Sacramento County to get the corridor identified in the Sacramento County General Plan.

At this time, DOT has not identified any need for further connections to Sacramento County in this area.

DOT staff also notes that the Sacramento County General Plan shows a land use designation of "Agricultural Land" adjacent to El Dorado County, south of White Rock Road.

4. Subdivision driveway lengths of only 18 feet (setbacks).

The Planning Commission commented that the front yard setbacks in the proposed Development Standards for the proposed Carson Creek Specific Plan Amendment Tentative Subdivision Map were such that some vehicles parked in driveways may extend across the sidewalks located between some driveways and streets.

Staff Analysis

California Vehicle Code Section 22500(f) states that

A person shall not stop, park, or leave standing any vehicle whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device, in any of the following places: (f) On a portion of a sidewalk, or with the body of the vehicle extending over a portion of a sidewalk, except electric carts when authorized by local ordinance, as specified in Section 21114.5. Lights, mirrors, or devices that are required to be mounted upon a vehicle under this code may

extend from the body of the vehicle over the sidewalk to a distance of not more than 10 inches.

The Conditions, Covenants, and Approvals (CC&Rs) for the proposed Heritage at Carson Creek community are expected to include language relevant to on- and off-street parking, including the Homeowners Association's (HOA) responsibility for enforcement of parking restrictions.

ALTERNATIVES TO PLANNING COMMISSION RECOMMENDATION

Based on the above analysis, staff recommends the Board consider one of the following actions:

- 1) Approve the proposed project, including:
 - a. Adopt the Addendum to the CCSP EIR,
 - b. Approve an amendment to the CCSP (SP-R20-0001) based on the Findings and subject to the Conditions of Approval as presented; Approve Tentative Subdivision Map (TM20-0001) based on the Findings and subject to the Conditions of Approval as presented, and
 - c. Adopt the ordinance approving the Development Agreement (DA20-0001) between the County of El Dorado, Carson Creek El Dorado, LLC, and Lennar Homes of California, Inc., for the development known as Heritage Carson Creek Village 11;

OR

- 2) Continue the item to a specific date for additional information and future action;

OR

- 3) Continue the item off-calendar, which would require a new public notice for future consideration and action.

MINOR MODIFICATION TO TENTATIVE MAP DESCRIPTION

Staff recommends making minor modifications to the description of the proposed Tentative Map, in the project description, to include identification of the 0.56-acre parcel supporting the western terminus of Investment Boulevard. The parcel is identified on the proposed Tentative Map and included in the project description in the Addendum to the EIR. Staff proposes the following text changes to the project description in the Condition of Approval (COA) #1.B (shown in strikethrough/ underline format, where strikethrough font indicates deletion of text and underline indicates addition of text). No other changes are proposed to the project description.

- B. Approve Tentative Subdivision Map of proposed Village 11 to divide a 132.1-acre site into.
 - 86.4 acres of Residential to include 410 buildable lots and 29 lots for landscaping and/or water quality Best Management Practices (BMP);

- 1.7-acre future LC site;
- 13.5 acres of Open Space;~~and~~
- 30.0-acre Park site.; and
- 0.56-acre parcel supporting the western terminus of Investment Boulevard.

Of the 410 buildable lots, 409 would support for-sale, market rate age-restricted units (ARUs), to be constructed in three (3) phases, and one would support a future private clubhouse. The proposed lots are shown in Exhibit N and the proposed development phasing is shown in Exhibit O. The residential lot sizes would range in size from 4,595 square feet to 13,522 square feet.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing Exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing Exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

REVISED CONDITIONS OF APPROVAL

Staff recommends revising the following Conditions of Approval (proposed changes shown in strikethrough/ underline format, where strikethrough font indicates deletion of text and underline indicates addition of text).

7. **Agricultural Fencing:** Agricultural fencing per County Resolution No. 98A-90 standards shall be required as a condition of approval of tentative maps along the southern boundary of Carson Creek, along the Southern Pacific Railroad Right-of-Way (ROW), and along the Sacramento/El Dorado County line, in any location not built with a 6-foot solid fence. Fencing is required to be maintained by the property owners ~~or El Dorado Hills Community Services District (EDHCS), and shall be required in the CC&Rs~~ until such time the property is sold or deeded to another party, in which the maintenance obligation would transfer to the new owner(s) for maintenance. In the event that the property and fencing is deeded to a public entity, then any provisions for fencing standards embodied within the CC&Rs shall be considered null and void. (modified COA 7.2.1. in the CCSP.)
9. **Open Space Maintenance:** If an updated open space management plan shall be prepared by the developer, subject to review ~~and approval~~ by the EDHCS. The plan shall include wildfire management plans for the open space. (modified COA 7.2.3. in the CCSP.)
12. As a condition of approval of all tentative maps, a wood or other solid fence, at least six feet in height, will be constructed by the developer for

all residential lots adjacent to the boundaries of the CCSP (modified COA 7.2.9. in the CCSP.):

- A. Agricultural fencing per County Resolution No. 98A-90 shall be required along the Sacramento/El Dorado County line in any location not adjacent to a residential lot/parcel.
- B. Fence design will be as approved by the authorized enforcement authority for the CC&Rs and Design Review (i.e., HOA or EDHCSD)~~The CC&Rs will specify the fence design approval process. Fence design will be as approved by the EDHCSD and the appropriate design review committee.~~
- C. The developer will provide a funding mechanism, such as a homeowners association or a CFD, for the maintenance of fencing adjacent to open space.

Staff recommends revising the title of COA #36 to correct an error in the current language (proposed changes shown in strikethrough/ underline format, where strikethrough font indicates deletion of text and underline indicates addition of text). No changes are proposed to the body of COA #36.

- 36. CCSP EIR Mitigation Measure 4.16-1 (as modified to reflect the anticipated population of the proposed project~~that El Dorado Irrigation District (EID) has sufficient capacity to serve the project~~): Active Parks and Recreational Facilities.

ADDITIONAL CONDITIONS OF APPROVAL

In conjunction with the El Dorado County Sheriff's Office, for the purpose of addressing security and theft concerns during construction activities, staff recommends adding the following Condition of Approval (COA) as COA #86:

- 86. **Security and Theft Concerns:** Developers may enter into a Law Enforcement Services Agreement with the El Dorado County Sheriff's Office providing for patrol of the undeveloped project area, on an occasional basis, to prevent theft of building materials and heavy equipment and to minimize criminal activity in the project area. The Law Enforcement Services Agreement would include an hourly rate for Deputy costs and is subject to approval by the El Dorado County Board of Supervisors.

In conjunction with EDHCSD, to address community needs as expressed through the adopted El Dorado County Active Transportation Plan and the EDHCSD Master Plan, staff recommends adding the following Condition of Approval (COA) as COA #87:

- 87. **Revised Pedestrian Trail Plans:** EDHCSD shall review the Revised Pedestrian Trail Plans prior to approval of the first small lot final map.

PUBLIC COMMENTS

As of July 8, 2021 Planning Staff has received one written public comment regarding the Carson Creek Specific Plan Amendment/ Heritage at Carson Creek Tentative Subdivision Map project. Public comment summary and staff responses are below.

Steve Ferry submitted comments about adequate lighting in the proposed community, proposed minimum lot size should be at least 5,000 square feet, requirements for solar panels on the future clubhouse, construction of a beltway connector in the south area of El Dorado Hills, and inclusion of a specific hot water system in the proposed residences on the project site. Mr. Ferry also expressed opposition to approving the proposed project due to park lighting at an off-site park in an adjacent private community.

Lighting: Development of the project site would require the submission of detailed lighting plans with improvement plans as part of any final map process to demonstrate compliance the County's light standards (County Code Section 130.34.020 – Outdoor Lighting Standards), which prohibit light spillover onto adjacent property. (Land Use Element Policy 2.8.1.1).

Solar panels on future clubhouse: The future clubhouse would be required to meet California Building Code including solar requirements under California's Building Energy Efficiency Standards, Title 24, which require all new buildings in the state to have solar panels.

Lot size: The smallest single-family lot size accommodated by the CCSP is 3,000 square feet. Residential lot sizes for the proposed tentative map would range in size from 4,595 square feet to 13,522 square feet.

Beltway connector: See item #3 under Staff Analysis above.

Hot water system: The residential units developed on the project site would be required to meet California Plumbing Code including requirements for water heater efficiency under California's Building Energy Efficiency Standards, Title 24.