

## **FINDINGS**

### **General Plan Amendment A14-0005/Rezone Z14-0009/Tentative Map TM14-1514 El Dorado Springs 23 Planning Commission/December 11, 2014**

#### **1.0 CEQA FINDINGS**

An Initial Study has been conducted to determine if the proposed project would have a significant effect on the environment. Supporting technical studies, including Air Quality Analysis/Greenhouse Gas Analysis, Traffic Impact Analysis, Biological Resources Assessment, Geotechnical Engineering Study, Cultural Resources Inventory and Evaluation, and Environmental Noise Assessment, are referenced in this Initial Study. Based on the Initial Study, a Mitigated Negative Declaration have been determined as specific impacts to Biological Resources and Noise have been identified that would be subject to mitigation measures minimizing its effects to a less than significant level.

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 2850 Fairlane Court Placerville, CA 95667.

Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The project description and conditions of approval, which include the original mitigation measures, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

#### **2.0 ADMINISTRATIVE FINDINGS**

##### **General Plan**

##### **2.1 Land Use Element- General Plan Policies 2.1.1.7 (Development within Community Region) 2.2.1.2 (Land Use Type and Density), 2.2.1.3 (Population Range), 2.2.5.3 (Rezone Consistency), 2.2.5.21 (Development Compatibility).**

The project is appropriately located in the Community Region of El Dorado Hills where public services such as water, sewer, emergency services, and schools exists and would adequately serve the project. The project density of 2.26 dwelling units/acre (du/ac) is consistent with the density under High Density Residential. The subdivision would be compatible with the surrounding residential development in the area. Impacts to on-site biological and cultural resources and habitat shall either be preserved as part of the project or mitigated accordingly. The project is consistent with the recorded density restrictions on the property.

**2.2 Land Use Element- General Plan Policy 2.2.5.4 (Application of Planned Development).**

The number of lots is below the 50-lot quantity. Therefore, project is consistent with this policy and does not require a Planned Development.

**2.3 Land Use Element- General Plan Policy 2.2.5.21 (Project Compatibility).**

El Dorado Springs 23 subdivision shall be a part of the existing and planned residential density and design in this area of El Dorado Hills.

**2.4 Circulation and Transportation Element- General Plan Policies TC-Xe, TC-Xf, TC-Xg, TC-Xh (Levels of Service and Concurrency).**

The proposed development would be accessed via improvement and connection to existing road infrastructure currently serving the residential neighborhood. As analyzed and determined by the Transportation Division, the proposed development would not worsen the existing Level of Service (LOS) in the area. As conditioned, payment of standard traffic impact mitigation (TIM) fees shall be required prior to issuance of the residential building permits.

**2.5 Public Services and Utility Element- General Plan Policies 5.1.2.1, 5.1.2.2, 5.1.2.3, 5.2.1.3 (Adequacy of Public Utility for Water and Sewer Services).**

The proposed development is within the El Dorado Irrigation District (EID) service area where public water and sewer utilities currently exist. The development would be required to improve and connect to these infrastructures in order to obtain the service. A Facility Plan Report (FPR), which details the necessary facility improvements, would be required subject to review and approval by EID. An EID meter award letter would be required as proof of rights to service prior to filing of the Final Map.

**2.6 Public Services and Utility Element- General Plan Policies 5.4.1.1, 5.4.1.2 (Drainage and Erosion).**

The subdivision is designed to address storm drainage using open ditch and underground pipes, subject to Design and Improvement Standards Manual (DISM) construction and design standards. Best Management Practices shall be enforced in order to minimize erosion effects during site construction. Impacts to wetlands would be mitigated through permitting requirements from the issuing agencies including the U.S. Army Corps of Engineers and California Regional Water Quality Board.

**2.7 Health and Safety Element- General Plan Policies 6.2.3.1 and 6.2.3.2 (Fire Protection Services), 6.5.1.1 (Noise).**

The project is located within the El Dorado Hills Community Region, where fire protection service is provided by the El Dorado Hills Fire Department. This site is designated as moderate in terms of fire hazard. Specific project conditions of approval, including minimum fire suppression and road standards, shall be applied subject to verification by the Fire Department prior to any construction. Site development shall be required to implement and adhere to specific provisions identified in the approved Wildfire Safe Plan. Vehicular noise along White Rock Road shall be mitigated to a less than significant level with construction of a soundwall.

### **3.0 Zoning**

The subdivision is consistent with the applicable provisions of the Zoning Ordinance including requirement for density, lot size regulation, and yard setbacks.

### **4.0 Subdivision Ordinance**

#### **4.1 That the proposed map is consistent with the applicable general and specific plans;**

As discussed above, the project is consistent with applicable policies of the General Plan including density, neighborhood compatibility, and availability of infrastructures necessary to serve the project.

#### **4.2 That the design or improvement of the proposed subdivision is consistent with the applicable general and specific plans;**

The project and required improvements have been designed in conformance with the applicable policies of the General Plan, including allowable density, infrastructure availability, and preservation of sensitive resources.

#### **4.3 That the site is physically suitable for the type of development;**

The site is physically suitable for the proposed residential development. The topography of the site would be able to accommodate the development; sensitive areas would be preserved in open space areas; and affected wetland features would be mitigated through permitting requirements.

#### **4.4 That the site is physically suitable for the proposed density of development;**

The density of the project can be accommodated on the site. The lots and roads are adequately sized and designed; necessary infrastructures to serve the site would be accommodated within identified right-of-way and easements; and sensitive resources identified to be preserved are located in open space areas.

**4.5 That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish and wildlife or their habitat;**

As analyzed in the Initial Study for the project, identified project effects to biological resources shall be mitigated to less than significant level. Therefore, the project is not likely to cause substantial environmental damage or injure wildlife or their habitat.

**4.6 That the design of the subdivision or the type of improvements is not likely to create serious public health and safety problems or unacceptable fire risks to occupants or adjoining properties;**

The project is required to construct improvement in accordance with the conditions of approval and applicable regulations so as to not create public health and safety problems for future residents and/or the adjoining residential neighborhood.

**4.7 The board of supervisors shall not deny approval of a final map pursuant to section 66474 of the Subdivision Map Act if a tentative map has been approved for the proposed subdivision and if the board finds that the final map is in substantial compliance with the previously approved tentative map;**

Prior to recordation, the final map for this subdivision shall be reviewed and verified for conformance with the approved tentative map.

**4.8 That the design of the subdivision or the type of improvements will not conflict with easement, acquired by the public at large, for access through or use of property within the proposed subdivision.**

Subject to conditions of approval, all necessary utility and right-of-way easements for the project are appropriately depicted on the submitted plans and shall be further verified for any conflicts by the County Surveyor's Office at the time of filing of the Final Map for any portions of the approved tentative map.

**5.0 Design Waivers**

The Design Waivers requested are subject to specific findings under Section 16.08.020 of the El Dorado County Subdivision Ordinance described below.

- A. There are special conditions or circumstances peculiar to the property proposed to be subdivided which would justify the waiver.
- B. Strict application of the design or improvement requirements of this chapter would cause extraordinary and unnecessary hardship in developing the property.
- C. The waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.
- D. 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 following describes the requested Design Waivers and responds to the required findings.

**Design Waiver 1:** Reduction Right-of-Way for A through C Drive from 50 feet to and 40 feet; and

**Design Waiver 2:** Reduction of road width for A through C Drive from 36 feet to 29 feet.

- A. Reduced right-of-way and roadway width will better conform to the existing topography and natural features on the site. This waiver will also aid in creating a more efficient clustering of housing within the development. The increased right of way and road width would require more extensive grading work, increasing the potential for wetland impacts and increasing impervious area.
- B. Wider road rights-of-way and roadway width would unnecessarily increase the physical landform disturbance and the potential for wetland impacts.
- C. The Project is proposing a gated community with private streets. The proposed roadway width is consistent with County Standard Plan 101B and County adopted fire regulations. This waiver is not anticipated to be detrimental to the health, safety, convenience, and welfare of the public.
- D. The waivers would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable, as the requested waivers exclusively apply to this subdivision.

**Design Waiver 3:** Allow driveway to be within 25 feet from a radius return, allow 10-foot wide driveways for single car garage and 16-foot wide driveways for two-car garage, and omit 4-foot taper to back of curb;

- A. Application of this waiver will provide for more flexibility and creative design opportunities, and provide for a more unique overall subdivision appearance while reducing project impervious area.
- B. Strict application will limit final product choices and create unnecessary hardship.
- C. The Project proposes a gated community with private streets. With low anticipated traffic volumes, this waiver is not

anticipated to be detrimental to health, safety, convenience, and welfare of the public.

- D. The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance as this waiver exclusively applies to this subdivision.

**Design Waiver 4:** Reduce standard sidewalk width from 6-foot wide to 4-foot wide, and allow on one side of the internal road, only

- A. Narrow sidewalks will better conform to the existing topography and features of the site and will contribute to a reduction in project impervious area.
- B. Strict application of this standard will unnecessarily increase physical landform disturbance, the potential for wetland impacts, impervious area and decrease the quality of preserved open spaces.
- C. The Project proposes a gated community with private streets. Sidewalks will accommodate pedestrian circulation. This waiver is not anticipated to be detrimental to health, safety, convenience, and welfare of the public.

General Plan Policy TC-5a requires sidewalks and curbs only in subdivisions where residential lots are less than 10,000 sf. All residential lots within the proposed subdivision are larger than 10,000 sf. The County and the project applicant shall ensure that sidewalks have an unobstructed width of 4-foot, or the unobstructed width shall meet the current regulatory standard in place at the time of improvement plan approval, whichever is greater.

- D. The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance as this waiver exclusively applies to this subdivision.