

Findings

1.0 CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

- 1.1 The project is a residential project and a part of an adopted El Dorado Hills Specific Plan (EDHSP) Environmental Impact Report (EIR), this project is statutorily exempt from the requirements of CEQA pursuant to Section 15182 stating that a residential project is exempt where a public agency has prepared an EIR on a specific plan after January 1, 1980. No impacts have been identified which were not discussed and mitigated in the EIR. Implementation of the project is subject to conformance with applicable mitigation measures detailed in the Mitigation Monitoring Plan in the EIR. No further environmental analysis is necessary.
- 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 Planning and Building Department - Planning Division at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 ADMINISTRATIVE FINDINGS

2.1 General Plan

The El Dorado County General Plan designates the subject site as Adopted Plan, a designation in reference to areas where specific plans have been adopted. These plans and the respective land use maps are accepted and incorporated by reference and is hereby adopted as the General Plan Land Use map for such area. Since the EDHSP 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. Additionally, the project has been found by the Department of Transportation (DOT) to be consistent with General Plan Policy TC-Xa.

2.2 Specific Plan

The proposed residential development is located within the Village A portion of the ESHSP area. The design of the development conforms to the applicable standards under specific policies of the plan. The development would be served by existing public services and have access to amenities provided by Serrano El Dorado Owners’ Association (HOA). Therefore, the proposed tentative map/planned development is found to be consistent with the EDHSP. A detailed discussion of project consistency with applicable EDHSP policies is shown below:

EDHSP Policy Criteria	Policy Reference	Consistency Discussion
General Policy	1.4.1.a (Complimentary to El Dorado)	Consistent. Village A-14 is an extension of the existing residential development within the Village A area of the EDHSP. Future residents of Village

	Hills Community)	A-14 would receive existing public utility services and benefit from the amenities provided by Serrano Associates, including parks and recreation and private homeowner’s association services.
	1.4.1.e (Design Review)	Consistent. The residential development substantially meets the design guideline components including site layout, circulation, architectural elements, landscaping, and building materials.
Site Development and Grading	1.4.1.1 a,b,d,h,and i (Design and Development)	Consistent. Site development would include establishing of residential pads, driveways and internal roads utilizing minimal and balanced grading. One oak tree may be impacted as part of development, but only if Russi Ranch Drive is connected to future Country Club Drive. Impact to the above oak tree, should it occur, would be subject to oak tree mitigation measure(s) described in the EDHSP EIR. If applicable, said oak tree mitigation measure(s) would be required to be incorporated into future improvement and site grading plans as needed. The development would have on-site landscaping utilizing plants identified within the EDHSP.
Air Quality	1.4.1.3	Consistent. The project would be conditioned to implement and enforce dust-reducing construction practices, which would be verified during review of construction plans.
Noise	1.4.1.4	Consistent. In order to minimize significant noise impacts, the project has been designed to include adequate residential setbacks and a masonry soundwall along the project site property lines adjacent to the future Country Club Drive. Construction of these residences would utilize standard building materials that would maintain interior noise levels of 45 db or below. Thereafter, common ambient residential noise/sounds would be expected, consistent with existing residential village in the area.
Architecture	1.4.2.1	Consistent. The residential subdivision would incorporate architectural design similar to existing themes in the other residential villages in EDHSP area.
Residential Densities (Village A-Density	2.2	Consistent. Pursuant to EDHSP and the Development Agreement, density within any EDHSP village is limited to the maximum density allowed by the El Dorado/Salmon Falls Area Plan,

Consistency)		which Village A is identified as High Density Residential with a maximum density of 5 dwelling units/acre. The EDHSP identified Village A to have a net density of 4.01 du/acre based on 606 units within 151 acres. Current development within Village A (Phase 1-13) totals 322 units within 104 acres. With the addition of the 51 Village A-14 residential units, the total lots would be 373 residential units and overall density 3.3 du/acre, which meet the established criteria.
Dwelling Unit Types	2.3.1.1.c	Consistent. Though the EDHSP identifies appropriate dwelling unit types corresponding to a village, allocation of these dwelling units is determined by the specific site factors including lotting pattern, topography, tree coverage and orientation. Given its relatively flat topography and orientation, the project site would adequately accommodate the proposed development and ancillary amenities.
Residential Open Space	6.2.2	Consistent. The proposed development would include on-site landscape common open space areas that would be privately owned and maintained by the Homeowner’s Association.
Parks and Recreation	7.6.2.1	Consistent. Future residents of Village A-14 would have access to two existing parks site near the entrance to Village A off Silva Valley Road.

2.3 Zoning/Planned Development

The residential development conforms to the Single-Unit Residential (R1) Zone District standards, as modified under Section 130.52.040 of the El Dorado County Zoning Ordinance (Development Plan Permit). Specifically, the project is residential development contemplated by the EDHSP which is consistent with the El Dorado County General Plan. It has been designed to meet the applicable standards of the EDHSP in order to accommodate the residential development and provide a desirable environment for its future residents. The modified standards correspond to the nature of the design and use of the development. Existing public utility services would be adequately provided by local purveyors. The development is designed to conform to the existing residential neighborhood consistent with the policies and standards of the EDHSP.

2.4 Subdivisions Ordinance

The Subdivisions Ordinance Section 120.44.030 (Findings Requiring Disapproval) requires the approving authority not approve a tentative map if the approving authority makes any of the following findings:

2.4.1 That the proposed map is not consistent with applicable general and specific plans;

The proposed development would create a total 51 residential lots in conformance with the standard and design provisions of the EDHSP, as adopted by the El Dorado County General Plan.

2.4.2 That the design or improvement of the proposed division is not consistent with applicable general and specific plans;

The improvement of the subdivision has been designed in conformance with the identified residential land use requirements in the EDHSP. The subdivision shall adhere to applicable improvements of the El Dorado County Design Improvement Standard Manual (DISM) and shall be constructed in accordance to construction plans and permit requirements.

2.4.3 That the site is not physically suitable for the type of development; and

2.4.4 That the site is not physically suitable for the proposed density of development;

The project site is physically suitable to accommodate the type and density of the proposed residential development. The site is predominantly flat, does not contain sensitive vegetation, and shall conform to the established surrounding residential development in the area. With its proximity to the Carson Creek drainage swale area, appropriate construction measures shall be adhered to avoid impacts to the resource subject to verification by affected agencies. The infill site would have available access and connection to public utilities existing in the area. Modified standards and improvement requirements would sufficiently accommodate the development.

2.4.5 That the design of the division or the proposed improvements are likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat; and

2.4.6 That the design of the division or the type of improvements is likely to cause serious public health hazards;

Development of the residential subdivision is subject to the applicable provisions of EDHSP and mitigation measures under the EIR) including regulation of proper pad design and layout minimizing impacts to natural resources, adherence to air quality measures, and reduction of noise impacts. Prior to issuance of development permits, construction and improvement plans shall be reviewed for conformance to applicable County standards and Serrano Architectural Review Committee requirements. Therefore, the project is not likely to cause substantial environmental damage.

2.4.7 That the design of the division or the improvements are not suitable to allow for compliance of the requirements of section 4291 of the Public Resources Code;

The development is subject to the applicable EDHSP 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 hydrant, construction of non-combustible fencing material adjacent to open space, and

adherence to Wildfire Fire Safe Plan provisions. Therefore the proposed subdivision conforms to the requirements of Section 4291 of the Public Resource Code;

- 2.4.8 **That the design of the subdivision or the type of improvements will 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. (Ord. 3805 §15, 1988: prior code §9702)**

Utility 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.

2.5 Design Waivers

The following design waiver requests are subject to specific findings in accordance with Section 120.08.020.A.2a-d of the El Dorado County Subdivisions Ordinance (Design Waivers). Each request is followed by a response justifying the waiver.

Design Waiver 1: Modification of road improvements under Standard Plan 101 B including the reduction of right-of-way width from 50 feet to 46 for Russi Ranch Drive and from 50 feet to 42 feet for A Street and B Street, reduction and construction of road pavement width from 36 feet to 31 feet; construction of 4-foot wide sidewalks along one side of Russi Ranch Drive and on both sides of A and B Streets, and construction of modified rolled curb and gutter;

- 2.5.1. There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.

Given the constraints on the portion of the property associated with future layout of Country Club Drive and the Carson Creek drainage swale area, the private residential development would be sufficiently served by the reduced right-of-way and related improvement of the internal streets. The proposed street improvements would adequately accommodate the anticipated vehicular and pedestrian traffic and on-site utilities necessary to serve the development. The streets shall be privately owned and maintained by the master Homeowner's Association.

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

Application of the standard street right-of-way and improvements would require wider pavement and additional disturbance to the site, thereby posing an encumbrance to the design and functionality of the development.

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

The modified street right-of-way would affect the construction private streets that would sufficiently serve the private residential development. The associated improvements shall be constructed in accordance to modified standards of the DISM, subject to improvement and other construction plans. Implementation of project condition of approvals and applicable mitigation measures shall be verified during review and prior to issuance of any construction permits. Therefore, the proposed deviation has been determined not to be detrimental to health, safety, and welfare of the public.

- 2.5.4. 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 modified standards would not have the effect of nullifying the objectives of this article or ordinance applicable to the subdivision as this standard would affect private streets serving the residential development. These streets shall be privately owned and maintained by the HOA. Other applicable improvement standards shall be enforced and verified during review construction plans.

Design Waiver 2: Reduction of minimum 100-foot centerline curve radius length to reduced lengths identified on the map

- A. There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver; and
- B. Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.

The development has been designed in accommodation of the constraints on the property associated with the future Country Club Drive and its proximity with the Carson Creek drainage swale area. Application of the standard could result in a re-design and adjustments of the site layout that could lead to unnecessary disturbance and impacts. As proposed, the modified standards would sufficiently accommodate vehicular traffic and ensure safety with restrictions to parking and vehicular speed along the private internal streets.

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

The proposed deviation would not be detrimental to public health, safety or welfare. The modified centerline curve radius length has been designed to sufficiently accommodate the vehicular traffic and speed anticipated for the private development. The required improvements shall be constructed in accordance to the modified construction standards of the DISM, subject to review of construction plans. Implementation of project condition of approvals and applicable mitigation measures shall be verified during review and prior to issuance of any construction permits.

- 2.5.5 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 modified standard would not have any nullifying effect on the objectives of this article or ordinance applicable to the subdivision as this standard would affect a street design serving the streets within a private residential development. The design would sufficiently accommodate on-site traffic and circulation conditions, which would be privately enforced by the Homeowner's Association. Construction of this improvement would be conducted in accordance with the DISM, subject to approved plans.

Design Waiver 3: Modification of standard road encroachment under Standard Plan 110 with Serrano encroachment design

- A. There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.
- B. Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.

The modified encroachment for the potential connection of Russi Ranch rive to future Country Club Drive would serve as an enhanced ingress and egress encroachment feature to Villages A and C that is distinct to many residential villages developed by Serrano within the EDHSP. This design creates a very unique subdivision look and architectural statement that Serrano has become known for. Deviating from the modified entrance at this stage of specific plan buildout would disrupt the very distinctive harmonious theme of the community. Strict application of the standard encroachment would cause an unnecessary hardship in marketing the new subdivisions. Without the continued use of the Serrano "typical" encroachment, the subdivisions would have a different look in comparison with the balance of the existing community within Serrano and has the potential to create a perception to prospective buyers that the new subdivision was built to a lesser standard than the existing ones.

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

The modified design of encroachment entrance would not be injurious to adjacent properties or detrimental to the welfare of the public as this improvement would be confined within entirely within the project site, serving the residents of the subdivision.

- 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.

Granting of the waiver would not have the effect of nullifying the objectives of the County Subdivisions Ordinance or other applicable County or state regulations applying to subdivisions. The modified encroachment entrance, which has been previously used in other Serrano villages, would sufficiently serve the subdivision as well as provide an aesthetically unique amenity for the subdivision.