

REVISED FINDINGS

Revised Tentative Map TM07-1458-R/Boundary Line Adjustment BLA13-0015Migianella Planning Commission/February ~~13~~27, 2014

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:

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received during the public review process. The proposed project, as conditioned, will not have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 Through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 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 approved project description and conditions of approval, with the corresponding permit monitoring requirement, is hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 1.4 The changes to the condition of approval requiring oak canopy removal replacement does not create any new potentially significant environmental effects. Pursuant to CEQA Guidelines §15073.5, recirculation of the negative declaration is not required because the addition of different tree replacement plan was in response to the applicant's request to utilize an off-site planting conservation easement option, which is allowed by Section 7.4.4.4.D of the Oak Woodland Management Plan, and it does not create new avoidable significant effects. The revised oak canopy replacement condition replaces the one previously considered in the negative declaration and is an equivalent measure to address oak canopy replacement.
- ~~1.4~~1.5 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of the Development Services at 2850 Fairlane Court, Placerville, CA.

2.0 GENERAL PLAN FINDINGS

- 2.1 The project is consistent with the Medium Density Residential (MDR) land use designation of the subject site as defined by General Plan Policy 2.2.1.2. The project

consists a tentative map creating 8 single-family residential lots for 26 acres, 0.31 units per acre, which is consistent with the one unit per acre maximum standard for MDR.

- 2.2 The project is consistent with all applicable Policies of the General Plan. As conditioned, the proposal is consistent with the intent of the following Policies:
- 2.2.1 2.2.5.21 (compatibility with surroundings) because the project provides larger sized parcels and setbacks designed to provide a more efficient transition from the HDR designated lots to the west and the LDR designated lots to the east;
- 2.2.2 5.1.2.1 (adequate utilities and public services), 5.2.1.2 (water for emergency), 5.2.1.4 (available domestic water), 5.7.1.1 (adequate emergency water and related facilities), because review of the El Dorado Irrigation District Facility Improvement Letter, septic capability test results, and El Dorado Hills Fire Department recommended conditions of approval have demonstrated there are adequate water and sewer facilities to support the project;
- 2.2.3 6.2.3.2 (adequate emergency vehicle ingress/egress) because the project must adhere to the approved Wildland Fire Safe Plan, and conditions have been added as recommended by the El Dorado Hills Fire Department to assure adequate emergency vehicle ingress/egress;
- 2.2.4 7.4.4.4 (impacts to oak canopy) because the project has demonstrated it can meet the requirements of Option A onsite and off-site by replanting within tree-less areas and as conditioned that planting will be compliant with the Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.4.4.4 (Option A).

As conditioned and mitigated, the project provides adequate access and site design that ensure compatibility with surrounding land uses, and is consistent with the General Plan policies identified above.

3.0 ZONING FINDINGS

- 3.1 The project is consistent with the El Dorado County Zoning Ordinance Development Standards. The eight lots conform to zoning and the development standards in Section 17.28.440 for minimum lot width of 150 feet, minimum parcel size of three acres, building setback requirements of 30 feet, as well having the space to comply with the parking requirements of two spaces not in tandem per dwelling unit pursuant to Section 17.18.060.

4.0 ADMINISTRATIVE FINDINGS

4.1 Tentative Subdivision Map Findings

- 4.1.1 The proposed Tentative Subdivision Map, including design and improvements, is consistent with the General Plan policies and land use map because as proposed, and modified by the Mitigation and Conditions of Approval, the map conforms to the Medium Density Residential General Plan land use designation and applicable General Plan policies including land use compatibility, lot size, fire safe access and emergency water supply, oak canopy replacement, and mitigation for threatened species, as set forth in the General Plan Findings, Section 2.0.
- 4.1.2 The site is physically suitable for the type and density of development proposed because the site contains sufficient developable areas to accommodate the proposed residential use and proposed density of approximately 0.3 units per acre.
- 4.1.3 The design of the subdivision and proposed improvements as conditioned, will not cause significant environmental damage or injure fish and wildlife habitat because potential environmental impacts for the subdivision have been minimized by the lot designs and three-acre plus sizes. The loss of indigenous oak tree canopy will be mitigated by replanting in compliance with the Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.4.4.4 (Option A). The potential for erosion during grading activities will be minimized by adherence to Best Management Practices required during the grading permit process.
- 4.1.4 The subdivision will have adequate access to accommodate the proposed density because the project has been conditioned to comply with El Dorado County Transportation Division and El Dorado Hills Fire Department requirements to assure adequate access.
- 4.1.5 The subdivision will not create serious public health and safety problems or unacceptable fire risk to future occupants to adjoining properties because the map will adhere to Fire Safe and Fire Code standards, and the approved Fire Safe Plan, which will ensure that the project does not create serious public health and safety problems or unacceptable fire risk to current and future occupants of adjoining properties.

4.2 Lot Line Adjustment

4.2.1 The Lot Line Adjustment conforms to the General Plan and Zoning Ordinance.

The Boundary Line Adjustment conforms to the General Plan and Zoning Ordinance by meeting the minimum parcel sizes and development standards.