

Findings

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Environmental Impact Report (EIR) together with the comments received during the public review process. As further detailed in Exhibits Q and R, the project will not have a significant effect on the environment with adherence to and implementation of mitigation measures. The EIR reflects the independent judgment of the County and has been adequately completed in compliance with CEQA for this project.
- 1.2 The Planning Commission finds that through application of feasible conditions and mitigation measures placed on the project, potential impacts on the environment have been eliminated or substantially mitigated. A Mitigation Monitoring and Reporting Program (MMRP) will be adopted to ensure implementation of mitigation measures.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Community Development Services-Planning and Building Department at 2850 Fairlane Court, Placerville, CA.

2.0 GENERAL PLAN FINDINGS

- 2.1 **General Plan (Land Use and Housing Element) Policies 2.1.1.2 (High Intensity Development in Community Region), 2.2.1.2 (Range of Land Uses), 2.1.1.3 (Mixed Use Development), 2.1.1.7 (Applicability to General Plan) 2.2.3.1.A (Residential Planned Development), 2.2.5.3 (Rezone), 2.2.5.7 (Zoning Consistency with the General Plan) and HO-1.5 (High Density Development in Community Region)**

The project (including the proposed amendment to specific General Plan policies) has been reviewed and verified for consistency with the specific policies identified involving the type of project and its compatibility within its environment. The project site is located within the Community Region of El Dorado Hills in an area where a specific plan (El Dorado Hills Specific Plan) has been adopted. This region of the county is where the high-intensity, self-sustaining, compact urban-type development or suburban-type development is anticipated to occur in an area where nearby public infrastructure and services exist. School services would be provided by Buckeye Union School District (Oak Meadow and Silva Valley Elementary Schools) and El Dorado High School District (Oak Ridge High School). Fire and emergency services would be provided by El Dorado Hills Fire Department from its nearest fire station (Station 85) located less than 2 miles from the project site. El Dorado Irrigation District (EID) would provide water and sewer services. Police services would be provided by County Sheriff and parks and recreation

by El Dorado Hills Community Services District. The existing road system in the area has sufficient capacity to serve the project, subject to specific mitigation measures.

The project site does not contain any timber, agricultural, and mineral resources or flora/fauna habitats. No important historical/archeological resources have been identified at the site and no active seismic hazard exists. The site borders an existing man-made perennial water course (Town Center Lake), a Town Center East Development Plan amenity.

The El Dorado Hills Specific Plan provides for a range of residential types and density and variety of commercial uses. Specifically, the site is within the adopted Town Center East Development Plan (Village T of the El Dorado Hills Specific Plan) that consists of a range of commercial uses that provide opportunities for employment, shopping, and entertainment to the residents of El Dorado Hills. Though it exceeds the maximum density, placing the project within the commercial area would promote the mixed-use development concept by concentrating various uses in proximity to public infrastructure and amenities and achieve efficiency and convenience.

The residential development has been designed to match and complement the existing architectural theme and features in the Town Center East. In addition to the amenities provided within the complex, future residents would have access to privately maintained infrastructure (private roads, drainage, and sidewalks) and on-site amenities (Town Center Lake and trails). The apartment complex shall be subject to applicable provisions of the Conditions, Covenants and Restriction (CC&R) for the Town Center. The project infrastructure and amenities connect to the other infrastructure (i.e., trails, sidewalks, roads) outside of the TCE into neighboring residential and commercial development where other recreational, housing, and commercial opportunities exist.

2.2 **General Plan (Public Services and Utility Element) Policies 5.1.2.1 (Adequacy of Public Services and Utilities), 5.2.1.2 (Adequacy of Water for Fire Protection), 5.2.1.6 (Infill Development), 5.3.1.1 and 5.3.1.7 (Connection to Public Wastewater), 5.4.1.1 (Storm Drainage), 5.6.2.1 (Energy Conserving Landscaping) 5.7.1.1 and 5.7.2.1 (Adequate Facilities for Fire Protection)**

The project has been reviewed and verified for consistency with the specific policies involving timing of necessary infrastructure to serve the development. The apartment complex would receive potable and recycled water and sewer services provided by EID. The project would be required to connect to existing facilities adjacent to the project site.

As part of the project design, storm drainage and runoff infiltration from the project site would be addressed with implementation of Low Impact Development (LID). Specifically, landscape design techniques and measures such as managing rainfall by materials that infiltrate, filter, store, evaporate, and/or detain runoff as close to its source as possible shall be applied. The site is surrounded by existing network of storm drain piping and inlets, which lead into Town Center Lake. The project shall be conditioned to

adhere and implement all applicable standards and Best Management Practices (BMP) as part of construction permit and plan, subject to review and approval by the Transportation Department.

The El Dorado Hills Fire Department has reviewed the project and provided recommendations for the implementation of fire protection measures and construction of necessary fire protection infrastructures, including fire hydrants, emergency access roads, and sprinklers. Enforcement and implementation of department conditions would ensure that the project is designed to allow for proper fire protection.

2.3 General Plan (Conservation and Open Space Element) Policy 7.4.1.6 (Habitat Loss)

As analyzed in the EIR, and based on the results of database searches, known regional occurrences, and habitat present on the site, the project site does not contain any habitat that supports sensitive plant or wildlife species, and therefore the project will not result in habitat loss. However, the small trees on the project site perimeter and trees present along the edge of Town Center Lake near the project site could be used for nesting by migratory birds protected under the Migratory Bird Treaty Act (MBTA). A mitigation measure shall require the applicant to monitor potential presence of these birds and their habitat. If construction activities occur during nesting season, the applicant shall conduct necessary preconstruction survey and apply a protection buffer to minimize the potential impacts to nesting birds.

2.4 General Plan (Health, Safety and Noise Element) Policies 6.5.1.2 (Acoustical Analysis), 6.5.1.3 (Noise Mitigation Measures), 6.5.1.7 (Non-Transportation Sources), 6.5.1.8 (Noise Sensitive Uses), 6.5.1.9 (Transportation Sources)

As detailed in the EIR, potential noise impacts (from both transportation and non-transportation sources) associated with project implementation were analyzed and determined to be less than significant. Standard building and construction materials that reduce impacts of ambient noise on the project will be utilized.

2.5 General Plan (Transportation and Circulation Element) Policies TC-Xd (Level of Service), TC-Xf (Maintaining LOS), TC-Xg (Traffic Analysis), TC-Xh (Payment of Impact Fees), TC-4i (Trail Connectivity)

As detailed in the EIR, a traffic impact analysis utilizing current standard protocols was conducted for the project and verified by Transportation Department. Affected public and private roadways have been determined to have less than significant impacts or non-CEQA impacts that would be voluntarily mitigated by the applicant. Traffic Impact Mitigation (TIM) fees shall be collected prior to issuance of building permits.

Town Center East Planned Development provides pedestrian and bicycle trails that connect to existing trails and sidewalks in the immediate area.

2.6 General Plan (Air Quality Element Policies) Policies 6.7.7.1 and 6.7.6.2

As detailed in the EIR, Air Quality and Greenhouse Gas impacts have been analyzed and determined to be less than significant with implementation of specific mitigation measures. Buildings designs would incorporate energy efficiency features, in accordance with the building code.

2.7 General Plan (Economic Development Element) Policy 10.1.9.2

This policy encourages specific plans and large planned developments in Community Regions and Rural Centers to include a broad mix of housing types that relate to local wage structure and achieve balance with existing and forecast resident household needs.

The apartment complex would cater to future residents that cover a range of demographic, age, and income. In addition to housing opportunity, residents of the complex would have potential employment opportunities within the Town Center East or in the neighboring commercial endeavors.

3.0 SPECIFIC PLAN FINDINGS

The project includes an amendment to specific policy texts and development standards of the adopted El Dorado Hill Specific Plan. In particular, the Specific Plan provides for various types of residential uses within the plan area ranging from custom homes to attached homes. Although apartments were not identified as a type of the residential use and the proposed project density exceeds the maximum identified in the Specific Plan, the proposed project meets the goals of the Specific Plan including providing a “mix of residential dwellings that appeal to a range of households...who seek a full-service community with opportunities for shopping, leisure, and employment activity.” The amendment to the Specific Plan would incorporate the apartment complex in the Village T area of the Specific Plan. The additional dwelling units will not exceed the total quantity of units approved for the Specific Plan. Given the density, construction of the apartment complex within the TCE area would be appropriate as this is in an area where development intensity, infrastructure, shopping, employment, and recreational opportunities are available. As discussed above, the project conforms to applicable policies of the General Plan and, as analyzed and concluded in the Environmental Impact Report and related CEQA Findings, the project will not have any significant effects to the environment, subject to implementation of specific mitigation measures

4.0 ZONING FINDINGS

The project would amend specific development standards under the Multifamily Residential (RM) zone district. Specifically, the density standards would be amended to match the proposed density of 47 dwelling units per acre as part of the amendment to the General Plan, El Dorado Hills Specific Plan, and Town Center East Development Plan exclusively for this site. The amendments to development standards including minimum

setbacks, maximum building height, and building coverage would be allowable under the provisions of Sections 130.28 (Planned Development) and 130.52.040 (Development Plan Permit) of the El Dorado County Zoning Ordinance. Staff has evaluated these amendments and finds the due to the project's location within an intensely developed site that is supported by existing infrastructure and services the amended standards would be appropriate and suitable for this project. Detailed justification for conformance to the required elements of Rezone Consistency under General Plan Policy 2.2.5.3 is included in General Plan Findings 2.1 above.

5.0 PLANNED DEVELOPMENT FINDINGS

5.1 The proposed development plan is consistent with the General Plan, any applicable specific plan, and Chapter 28 (Planned Development (-PD) Combining Zone) of this Title;

The site is within the adopted El Dorado Hills Town Center East (TCE) Development Plan, which is a part of Village T of the adopted El Dorado Hills Specific Plan. The project would change the underlying zone (from General Commercial to Multifamily Residential) but would retain the Planned Development combining zone. The proposed revisions to the TCE Development Plan for the project are consistent with the El Dorado Hills Specific Plan and General Plan.

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

The project site is adequate in shape and size to accommodate the proposed apartment complex and its amenities.

5.3 That any exceptions to the development standards of the zone are justified by the design or existing topography;

Implementation of the project requires revisions to existing TCE Development Standards including minimum building setbacks and maximum building height to accommodate the proposed residential density. The revised standards are justified by the design of the project.

5.4 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;

All required utilities are available for the proposed uses, including, but not limited to, water, sewer, roads, and electrical utilities

5.5 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 within its boundaries. However, as part of the TCE area, the project could achieve and promote the benefits of a mixed-use development.

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

As part of the approved TCE Development Plan, the proposed development complies with the provisions of Section 130.28.010 (Planned Development Combining Zone District).