

Findings

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with the California Environmental Quality Act (CEQA) and is adequate for this proposal.
- 1.2 The Initial Study identifies that this project proposes a less than significant impact on the environment with specific mitigation outlined within the Biological Resources, Noise, and Transportation categories. By including mitigation for these categories, the effects on the Mandatory Findings of Significance section are also reduced below a level of significance for the this project.
- 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 Planning and Building Department, 2850 Fairlane Court, Placerville, CA 95667.
- 1.4 Public Resources Code Section 21081.6 requires the County to adopt a mitigation monitoring or reporting 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 their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 GENERAL PLAN FINDINGS

2.1 The project is consistent with General Plan Policy 2.2.1.2.

The site is designated under the General Plan as Multifamily Residential (MFR). The MFR land use designation identifies those area suitable for high-density, single family and multifamily design concepts such as apartments, single-family attached dwelling units, and small-lot single-family detached dwellings. Lands identified as MFR shall be in locations with the highest degree of access to transportation facilities, shopping and services, employment, recreation and other public facilities. The minimum allowable density is five dwelling units per acre, with a maximum density of 24 dwelling units per acre. Except as provided in Policy 2.2.2.3, this designation is considered appropriate only within Community Regions and Rural Centers.

Rationale: The project proposes the construction of 41 single-family residential units. The Multifamily General Plan land use designation permits a density range of 5 dwelling units to 24 dwelling units per acre. The project site is 5.6 acres. The project would be at a density of 7.32 units per acre, which meets the prescribed gross density for the Multifamily Land Use Designation of the General Plan. The site is within the Cameron Park community region of the county. The proposed project is compatible with the land use designation and existing similar uses in the area. Therefore, the proposed 41-lot subdivision would be consistent within the MFR land use designation.

2.2 **The project is consistent with General Plan Policy 2.2.3.1.**

General Plan Policy 2.2.3.1, the Planned Development overlay, shall allow residential, commercial, and industrial land uses consistent with the density specified by the underlying zoning district with which it is combined. Primary emphasis shall be placed on furthering uses and/or design that (1) provide a public or common benefit on- or off-site, (2) cluster intensive land uses or lots to conform to the natural topography, (3) minimize impacts on various natural and agricultural resources, (4) avoid cultural resources where feasible, (5) minimize public health concerns, (6) minimize aesthetic concerns, and (7) promote the public health, safety, and welfare.

Except as otherwise provided, residential Planned Developments shall include open space lands comprising at least 30 percent of the total site which may be owned in common, by easement or fee title, by the homeowners or may be dedicated to a public agency. The following are exempt from the open space requirement:

- A. Condominium conversions,
- B. Residential Planned Developments consisting of five or fewer lots or dwelling units,
- C. Infill projects within Community Regions and Rural Centers on existing sites 3 acres or less are exempt from the open space requirement,
- D. Multi-Family Residential developments, and
- E. Commercial/ Mixed Use Developments

Rationale: The project is a Multi-Family Residential Development, thus precluding the project from the open space requirements. The project was reviewed by the Cameron Park El Dorado Community Advisory Committee on July 24, 2017 (Exhibit L), during which no aesthetic or architectural concerns were made about the buildings; however, the comments were in regards to landscaping and fencing elements for which the applicant acknowledges the committee's recommendations. The project is an infill development to

provide moderate income homes for the Cameron Park neighborhood; therefore, the project supports public health, safety, and welfare.

2.3 The project is consistent with General Plan Policy 2.2.5.2.

All applications for discretionary projects or permits including, but not limited to, General Plan amendments, zoning boundary amendments, tentative maps for major and minor land divisions, and special use permits shall be reviewed to determine consistency with the policies of the General Plan. No approvals shall be granted unless a finding is made that the project or permit is consistent with the General Plan. In the case of General Plan amendments, such amendments can be rendered consistent with the General Plan by modifying or deleting the General Plan provisions, including both the land use map and any relevant textual policies, with which the proposed amendments would be inconsistent.

Rationale: The project has been reviewed in accordance with General Plan Policy 2.2.5.2 and has been found to be consistent with all applicable policies of the General Plan. As conditioned and mitigated, the proposal is consistent with the intent of the General Plan, as determined within the General Plan Findings.

2.4 The project is consistent with General Plan Policy 2.2.5.3.

This Policy requires: 1) that a Rezone request be based on the General Plan's general direction as to minimum parcel size or maximum allowable density; and 2) assessment of whether changes in conditions that would support a higher density or intensity zoning district. The specific criteria to be considered include, but are not limited to, the following:

A. Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands.

Rationale: The project will be served by El Dorado Irrigation District (EID), according to the Facility Improvement Letter (FIL) dated June 6, 2016. The project currently has 14.75 of installed/uninstalled water EDUs (Equivalent Dwelling Units) and it would require to obtain 21.25 additional EDUs from EID.

B. Availability and capacity of public treated water system.

Rationale: The project will be served by El Dorado Irrigation District (EID), according to the Facility Improvement Letter (FIL) dated June 6, 2016.

C. Availability and capacity of public waste water treatment system.

Rationale: The project will be served by the El Dorado Irrigation District's Deer Creek Wastewater Treatment Plant.

D. Distance to and capacity of the serving elementary and high school.

Rationale: The project site is located within the Rescue Union School District. The nearest elementary school is Green Valley Elementary, located approximately 0.6 miles from the site. The assigned high school for the site is Ponderosa High School, El Dorado Union High School District. Prior to building permit issuance for each of the proposed lots, payment of school fees would be required, which would provide funding for any additional school capacity necessary to serve additional students.

E. Response time from nearest fire station handling structure fires.

Rationale: The project site is located within the Cameron Park Fire Department service area. The Department has reviewed the project and has determined that with the requested conditions of approval, the District would be able to provide adequate fire protection to the site.

F. Distance to nearest Community Region or Rural Center.

Rationale: As shown on the Location Map (Exhibit A), the project site is located the West side of Starbuck Road 0.5 miles North of the intersection with Green Valley Road in the Cameron Park area.

G. Erosion hazard.

Rationale: The soils on site are silty sands, gabbro bedrock, and thin areas of sandy clay. There is a 1 to 1 ½ foot layer of moderately expansive soil at depths ranging from 1 ½ to 60 feet. The grading necessary for the onsite and offsite road improvements would be required to comply with applicable grading and erosion control policies established by the County. The Transportation Department would review the grading plans to verify conformance with established policy.

H. Septic and leach field capability.

Rationale: The project would be served by the El Dorado Irrigation District's Deer Creek Wastewater Treatment Plant; therefore, it would not require septic and leach fields.

I. Groundwater capability to support wells.

Rationale: The project is to be served by the El Dorado Irrigation District and does not require the use of groundwater.

J. Critical flora and fauna habitat areas.

Rationale: A Biological Site Assessment was prepared for the project in March of 2017 as a biological site reconnaissance to a previous Biological Site Assessment (BSA) that was done in August 2007. No wetlands or other water of the U.S. are present at the site. The dominant plant species on the site are non-native grasses. Also, present in non-native grassland are scattered native trees, including native Oaks and foothill pine. This study further indicates a proposed mitigation plan to help mitigate the removal of the blue oak tree #344 on the project site (Mitigation Measure BIO-1).

K. Important timber production areas.

Rationale: The project site does not contain and is not adjacent to any important timber production areas.

L. Important agricultural areas.

Rationale: The project is not within an agricultural district or located on forest land and would not convert farmland or forest land to non-agricultural use.

M. Important mineral resource areas.

Rationale: The project site does not contain or is located adjacent to any important mineral resource areas.

N. Capacity of the transportation system serving the area.

Rationale: The Transportation Department has reviewed the traffic study prepared for the project (Exhibit M-N). Although the new lots would allow for up to one new dwelling units on each of the 41 new parcels, the LOS established by the County would not be exceeded by the project and the surrounding road circulation system would not be impacted to a level that cannot be mitigated. Mitigation Measure TR-1 has been included as part of this project to bring impacts to a level of less than significant. The Transportation Department determined that completion of the required driveways and payment of Traffic Impact Mitigation Fees prior to building permit issuance would also reduce impacts to the existing traffic system in the area.

O. Existing land use pattern.

Rationale: The project is located within the Cameron Park Region. The project is surrounded by multifamily residential and single-family residential developments. The project would not conflict with the existing land use pattern in the area or physically divide an established community.

P. Proximity to perennial water course.

Rationale: There are no waters or wetlands shown on the USGS Rescue quad map or the USFWS National Wetlands Inventory map. No waters or wetlands are visible on aerial or ground level photographs. There is no aquatic habitat on the site to support amphibians or fish. None of the reviewed sources show evidence of any water or wetlands on the project.

Q. Important historical/archeological sites.

Rationale: A cultural resources study was conducted by the Historic Resource Associates dated October 2007. Following a field investigation of the project area, no significant prehistoric or historic archaeological sites, features, or artifacts were found, nor were any significant historic buildings, structures, or objects discovered. According to the North Central Information Center (NCIC), there has been twelve cultural resource surveys conducted within a ¼ mile radius of the project area. State and Federal inventories list no historic properties within the project area. Further archival and/or field study by a cultural resource professional is not recommended.

R. Seismic hazards and present of active faults.

Rationale: The project site does not contain or is adjacent to seismic hazards or active faults. Adherence to standard construction practices would prevent any seismic related hazards.

S. Consistency with existing Conditions, Covenants, and Restrictions.

Rationale: The site does not have any existing CC&Rs.

2.5 The project is consistent with General Plan Policy 2.2.5.21.

General Plan Policy 2.2.5.21 requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses.

Rationale: The project site is surrounded by single-family residential, multi-family residential, and commercial land uses. The new parcels would be similar

in size to the surrounding parcels, and the proposed residential use would be compatible with the existing development in the vicinity. Access to the site would be provided via a new project driveway in the approximate location of existing Camarc Drive, which extends west from Starbuck Road into the project site, and one new driveway extending east from Hastings Drive. The parcels to the South and across the street from Green Valley Road are also Multifamily Residential (MFR) with multi-unit residential (RM) and Planned Development (PD), which is substantially consistent to what this project is proposing. The use is consistent and compatible with the land use designation; therefore, compatible with the development pattern in the immediate surroundings.

2.6 The project is consistent with General Plan Policy 2.3.2.1.

Policy 2.3.2.1 states that disturbance of slopes thirty (30) percent or greater shall be discouraged to minimize the visual impacts of grading and vegetation removal.

Rationale: The site contains some areas of steep slopes. Over 88% of the site contains a maximum slope of 10%, however 4% of the site includes slopes of 30% or steeper. The tentative map for this project indicates the location of proposed access drives and residences on each lot. The proposed driveways would be constructed outside the steep slope areas, and the locations of the proposed structures avoid steep slopes to the extent possible.

2.7 The project is consistent with General Plan Policy TC-Xa.

According to Policy TC-Xa, the following policies shall remain in effect until December 31, 2018:

1. Traffic from residential development projects of five or more units or parcels of land shall not result in, or worsen, Level of Service F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.
2. The County shall not add any additional segments of U.S. Highway 50, or any other highways and roads, to the County's list of roads from the original Table TC-2 of the 2004 General Plan that are allowed to operate at Level of Service F without first getting the voters' approval.
3. All necessary road capacity improvements shall be fully completed to prevent cumulative traffic impacts from new development from reaching level of Service F during peak hours upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county before any form of discretionary approval can be given to a project.

4. County tax revenues shall not be used in any way to pay for building road capacity improvements to offset traffic impacts from new development projects. Non-county tax sources of revenue, such as federal and state grants, may be used to fund road projects. Exceptions are allowed if county voters first give their approval.
5. The County shall not create an Infrastructure Financing District unless allowed by a 2/3rds majority vote of the people within that district.
6. Mitigation fees and assessments collected for infrastructure shall be applied to the geographic zone from which they were originated and may be applied to existing roads for maintenance and improvement projects.
7. Before giving approval of any kind to a residential development project of five or more units or parcels of land, the County shall make a finding that the project complies with the policies above. If this finding cannot be made, then the County shall not approve the project in order to protect the public's health and safety as provided by state law to assure that safe and adequate roads and highways are in place as such development occurs.

Rationale: The application for the project was received on February 10, 2017 and deemed complete on June 22, 2017. This complete date coincides with the effective date of Measure E, which was approved by voters June 7, 2016 and became effective on July 29, 2016. On July 31, 2017 the Court issued a ruling on Measure E litigation, however, this ruling was after the application had already been deemed complete on June 22, 2017. Due to the period of when the application was deemed complete, Measure E still applies to this project. According to the Subdivision Map Act (GC 66474.2.), the local agency shall apply only those ordinances, policies, and standards in effect at the date the local agency has determined that the application is complete (unless the agency has initiated a change to a standard "by way of ordinance, resolution, or motion"). Although the new lots would allow for up to one new dwelling unit on each of the 41 new parcels, the LOS established by the County would not be exceeded by the project and the surrounding road circulation system would not be impacted.

The Traffic Impact Analysis (Exhibit M-N) indicated that the LOS would not be significantly impacted by the proposed project. The project would generate an average of 409 new daily trips, 32 new AM peak hour trips (9 inbound, 23 outbound), and 40 new PM peak hour trips (25 inbound, 15 outbound) under typical "annual average" traffic demand conditions. The calculation is based on the ITE Trip Generation Manual 9th Edition. Access to the sites is proposed via two (2) existing project driveways from Hastings Drive and from Starbuck Road. The generated project trips are insignificant to one driveway at Starbuck road.

The transportation impact study identifies one intersection currently operation at Level of Service (LOS) F that would be significantly worsened by the project. The project is required to mitigate the impacts to the worsened intersections as seen in TR-1. The project does not add any road segments to U.S. Highway 50 or to any of the roads listed in TC-2.

2.8 The project is consistent with General Plan Policy TC-Xd.

Level of Service (LOS) for County-maintained roads and state highways within the unincorporated areas of the county shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions except as specified in Table TC-2. The volume to capacity ratio of the roadway segments listed in Table TC-2 shall not exceed the ratio specified in that table. Level of Service will be as defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council) and calculated using the methodologies contained in that manual. Analysis periods shall be based on the professional judgment of the Department of Transportation which shall consider periods including, but not limited to, Weekday Average Daily Traffic (ADT), AM Peak Hour, and PM Peak hour traffic volumes.

Rationale: The project is within the Cameron Park Community Region. Identified by Table TC-2, the closest road segment of Cameron Park Drive between Robin Land to Coach Lane is 3.23 miles away from the project vicinity, therefore, this project would not significantly worsen any county roads to below LOS E.

2.9 The project is consistent with General Plan Policy TC-Xe.

For the purposes of this Transportation and Circulation Element, “worsen” is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

- A. A 2 percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily, or
- B. The addition of 100 or more daily trips, or
- C. The addition of 10 or more trips during the a.m. peak hour or the p.m. peak hour.

Rationale: Pursuant to the project transportation impact study prepared by Wood Rogers dated July 2017, the project would add 10 additional trips during the AM peak hour. Mitigation is required to bring project impacts to less than significant level. The mitigation measure is outlined in findings 2.10 below.

2.10 The project is consistent with General Plan Policy TC-Xf.

At the time of approval of a tentative map for a single family residential subdivision of five or more parcels that worsens (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element based on existing traffic plus traffic generated from the development plus forecasted traffic growth at 10-years from project submittal.

Rationale: The Traffic Impact Analysis analyzed that the project would significantly impact the Green Valley Road/ Hastings Drive-Winterhaven Drive. The project shall re-stripe the intersection to include a two-way left-turn median lane along Green Valley Road in place of the existing eastbound and westbound left-turn pockets. This mitigation measure was also included as part of the conditions of approval for this project.

2.11 The project is consistent with General Plan Policy TC-Xh.

Policy TC-Xh require that all subdivisions shall be conditioned to pay the traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.

Rationale: Traffic Impact Mitigation fees would be required at the time of Building Permit.

2.12 The project is consistent with General Plan Policy HO-1.2.

To ensure that projected housing needs can be accommodated, the County shall maintain an adequate supply of suitable sites that are properly located based on environmental constraints, community facilities, and adequate public services

Rationale: This project would provide up to 41 new units. The project would contribute towards meeting the quantity of housing units anticipated to be built within the planning horizon of the general plan. The project would have access to adequate public services, facilities, and the project has been designed to accommodate the environmental conditions of the site.

2.13 The project is consistent with General Plan Policy HO-5.1.

The County shall require all new dwelling units to meet current state requirements for energy efficiency and shall encourage the retrofitting of existing units.

Rationale: The project would result in up to 41 new residential units, which would be subject to the standards of Title 24, California's Energy Efficiency Standards for Residential and Nonresidential Buildings.

2.14 The project is consistent with General Plan Policy 5.1.2.1.

Policy 5.1.2.1 says that prior to the approval of any discretionary development the approving authority shall make a determination of the adequacy of the public services and utilities to be impacted by that development. Where demand is determined to exceed capacity, the approval of the development shall be conditioned to require expansion of the impacted facility or service to be available concurrent with the demand, mitigated, or a finding made that a CIP project is funded and authorized which will increase service capacity.

Rationale: The project proposes to connect into El Dorado Irrigation District (EID) water and sewer services. A Facilities Improvement Letter dated June 6, 2016 (Exhibit O) identifies a 6-inch water line within Camarc Drive and a 6-inch sewer line that traverses through the property. In order to receive service from this sewer line, an extension of facilities of adequate size must be constructed. The project would not generate a substantial increase in solid waste. Other utility companies reviewed the project and had no comments. Park fees will be assessed and have been included in the Conditions of Approval for this project. Impacts to emergency services and public services such as transit and schools will be impacted by the addition of 41 homes, but the impact is less than significant as detailed in the Initial Study.

2.15 The project is consistent with General Plan Policy 5.1.2.3.

Policy 5.1.2.3 requires that new development be required to pay its proportionate share of the costs of infrastructure improvements required to serve the project to the extent permitted by State law. Lack of available public or private services or adequate infrastructure to serve the project which cannot be satisfactorily mitigated shall be grounds for denial of any project or cause for the reduction of size, density, and/or intensity otherwise indicated on the General Plan land use map to the extent allowed by State law.

Rationale: The project would include development that would increase demand for public services and utilities, however, conditions of approval and mitigation measures, including payment of fees, have been included to ensure adequate capacity is maintained.

2.16 The project is consistent with General Plan Policy 5.2.1.2.

Policy 5.2.1.2 requires an adequate quantity and quality of water for all uses, including fire protection, to be provided for with discretionary development.

Rationale: The project was reviewed by the Cameron Park Fire Department, and the El Dorado Irrigation District (EID) for adequate public services capacity.

The site will need installation into existing EID facilities. The project, as conditioned, is consistent with this policy.

2.17 The project is consistent with General Plan Policy 5.5.2.1.

Policy 5.5.2.1 Concurrent with the approval of new development, evidence will be required that capacity exists within the solid waste system for the processing, recycling, transformation, and disposal of solid waste.

Rationale: The project would generate solid waste that would be similar in character to that associated with domestic use and construction-related waste. The project site will be served by El Dorado Disposal Service for solid waste collection, disposal, and recycling services. El Dorado Disposal Service transports waste to the Transfer Station and Material Recovery Facility in Placerville and the Potrero Hills Landfill (CalRecycle 2015a). The Potrero Hills Landfill has a remaining estimated capacity of approximately 13.9 million cubic yards (in 2006) and is estimated to remain in operation until February of 2048. The relatively small increase in solid waste would not consume a substantial proportion of the permitted capacity at either facility and would not result in the need to expand or construct new landfill facilities. In addition, this project would adhere to all required State or County waste management ordinances and requirements, such as diversion of construction and demolition debris and hazardous waste handling requirements that ensure that use of landfill space is limited and potential for accidental spills is minimized.

2.18 The project is consistent with General Plan Policy 5.7.1.1.

General Plan Policy 5.7.1.1, Fire Protection in Community Regions, requires the applicant to demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection would be provided concurrent with development.

Rationale: Cameron Park Fire Department would provide fire protection service to the project site and ensure that water supplied to the parcels is adequate to meet emergency fire needs. Cameron Park Fire Department approved the proposed roads for fire access and conditioned the project to be consistent with this policy.

2.19 The project is consistent with General Plan Policy 5.7.2.1.

Policy 5.7.2.1 requires that prior to approval of new development, the responsible fire protection district shall be requested to review all applications to determine the ability of the district to provide protection services. The ability to provide fire protection to existing development shall not be reduced below acceptable levels as a consequence of new development. Recommendations such as the need for additional equipment, facilities, and adequate access may be incorporated as conditions of approval.

Rationale: The project was reviewed by the Transportation Department, Cameron Park Fire Department, and CALFIRE to ensure that adequate access and water would be provided to meet Fire Safe standards and conform to the County Design Improvement Standards Manual. Access to the subdivision would be via a new project driveway in the approximate location of existing Camarc Drive, which extends west from Starbuck Road and Hastings Drive, both existing public county-maintained roads. Fire protection to existing development would not be reduced below acceptable levels, and specific conditions such as access requirements and water availability have been incorporated.

2.20 The project is consistent with General Plan Policy 5.7.4.1.

Policy 5.7.4.1 requires that prior to approval of new development, the applicant shall demonstrate that adequate medical emergency services are available and that adequate emergency vehicle access will be provided concurrent with development.

Rationale: The development would increase the need for fire protection and emergency medical services. There is adequate equipment and staff to maintain acceptable fire service ratios, response times, and other performance objectives with implementation of the project. No additional facilities would be needed to serve the project site.

2.21 The project is consistent with General Plan Policy 5.7.4.2.

Prior to approval of new development, the Emergency Medical Services Agency shall be requested to review all applications to determine the ability of the department to provide protection services. The ability to provide protection to existing development shall not be reduced below acceptable levels as a consequence of new development. Recommendations such as the need for additional equipment, facilities, and adequate access may be incorporated as conditions of approval.

Rationale: Cameron Park Fire Department (CPFD) provided a letter to the County outlining requirements to provide fire and emergency medical services to the project site, and all of the provisions identified by the CPFD requiring compliance with their fire standards. CPFD has adequate equipment and staff to maintain acceptable fire service ratios, response times, and other performance objectives with implementation of the project. No additional facilities would be needed to serve the project site.

2.22 The project is consistent with General Plan Policy 5.8.1.1.

School districts affected by a proposed development shall be relied on to evaluate the development's adverse impacts on school facilities or the demand therefor. No development that will result in such impacts shall be approved unless:

1. To the extent allowed by State law, the applicant and the appropriate school district(s) have entered into a written agreement regarding the mitigation of impacts to school facilities; or
2. The impacts to school facilities resulting from the development are mitigated, through conditions of approval, to the greatest extent allowed by State law.

Rationale: New school facilities would likely not be needed to accommodate anticipated increases in student enrollment resulting from the proposed project. The project site is located within the Rescue Union School District. The nearest school is Green Valley Elementary, located approximately 0.6 miles from the site. The assigned high school for this site is Ponderosa High School, El Dorado Union High School District. New development is required to provide necessary funding and/or capital facilities for the school system, as determined by applicable State-mandated development impact fees. Prior to building permit issuance for each of the proposed lots, payment of school fees would be required. The conditions of approval require the payment of school facility mitigation fees in accordance with State law.

2.23 **The project is consistent with General Plan Policy 6.2.2.2.**

Policy 6.2.2.2 says that the County shall preclude development in areas of high and very high wildland fire hazard or in areas identified as “urban wildland interface communities within the vicinity of Federal lands that are a high risk for wildfire,” as listed in the Federal Register of August 17, 2001, unless such development can be adequately protected from wildland fire hazard, as demonstrated in a Fire Safe Plan prepared by a Registered Professional Forester (RPF) and approved by the local Fire Protection District and/or California Department of Forestry and Fire Protection.

Rationale: The project site is in an area of high fire hazard for wildland fire pursuant to Figure 5.8-4 of the 2004 General Plan Draft EIR. The El Dorado County General Plan Safety Element precludes development in areas of high wildland fire hazard unless such development can be adequately protected from wildland fire hazards as demonstrated in a Fire Safe Plan prepared by a Registered Professional Forester (RPF) and approved by the local fire Protection District and/or California Department of Forestry and Fire Protection. Both Cameron Park Fire Department and the California Department of Forestry and Fire Protection (CALFIRE) reviewed the application. A determination was made in a letter dated April 18, 2017 (Exhibit P) that this project now falls within Local Responsibility Area (LRA) under the authority of Cameron Park Fire Department who categorizes this project in a “moderate” fire hazard severity zone. Therefore, the high fire hazard designation is overruled and A Wildland Fire Safe Plan is no longer required for the project. Therefore, development in a moderate fire hazard area is consistent with this general

plan policy with the conditions established by the Cameron Park Fire Department.

2.24 The project is consistent with General Plan Policy 6.2.3.1.

As a requirement for approving new development, the County must find, based on information provided by the applicant and the responsible fire protection district that, concurrent with development, adequate emergency water flow, fire access, and firefighting personnel and equipment will be available in accordance with applicable State and local fire district standards.

Rationale: Cameron Park Fire Department (CPFD) provided a letter to the County outlining requirements to provide fire and emergency medical services to the project site, and all of the provisions identified by the CPFD requiring compliance with their fire standards. The project must also adhere to an approved Wildland Fire Safe Plan. The site is approximately four miles from the nearest fire station and CPFD has adequate equipment and staff to maintain acceptable fire service ratios, response times, and other performance objectives with implementation of the project.

2.25 The project is consistent with General Plan Policy 6.2.3.2.

Policy 6.2.3.2 requires that new development demonstrate that adequate access exists, or can be provided, to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Rationale: The project must prepare and adhere to the approved Wildland Fire Safe Plan as well as the conditions added as recommended by both the Cameron Park Fire Department and CALFIRE for emergency vehicle access including roadway widths and turning radii, fire flow and sprinkler requirements, and vehicle ingress/egress. Compliance with these requirements will assure adequate emergency access and evacuation routes.

2.26 The project is consistent with General Plan Policy 6.7.7.1.

The County shall consider air quality when planning the land uses and transportation systems to accommodate expected growth, and shall use the recommendations in the most recent version of the El Dorado County Air Quality Management (AQMD) Guide to Air Quality Assessment: Determining Significance of Air Quality Impacts Under the California Environmental Quality Act, to analyze potential air quality impacts (e.g., short-term construction, long-term operations, toxic and odor-related emissions) and to require feasible mitigation requirements for such impacts. The County shall also consider any new information or technology that becomes available prior to periodic updates of the Guide. The County shall encourage actions (e.g., use of light-colored roofs and retention of trees) to help mitigate heat island effects on air quality.

Rationale: The project's air quality impacts were evaluated based on the significance criteria and recommendations in the El Dorado County Air Quality Management District's Guide to Air Quality Assessment, as detailed in Section 4.8, "Air Quality" of the General Plan EIR. The project will be conditioned to implement Conditions of Approval measures to reduce emissions. As the project is for a subdivision, heat island effects are not anticipated. The project is in compliance with the General Plan Policy.

2.27 The project is consistent with General Plan Policy 7.1.2.1.

General Plan Policy 7.1.2.1 prohibits development or disturbance on slopes exceeding 30 percent unless necessary for access.

Rationale: Approximately 96 percent of the site's topography contains less than 30 percent slopes. No development would occur on sites with slopes 30 percent or greater; therefore, the project complies with the policy related to steep slopes.

2.28 The project is consistent with General Plan Policy 7.3.2.2.

Policy 7.3.2.2 says that projects requiring a grading permit shall have an erosion control program approved, where necessary.

Rationale: Grading and improvement plans are required to reduce or mitigate erosion and sedimentation from the project. The grading plans would incorporate appropriate erosion control measures as provided in the Grading, Erosion and Sediment Control Ordinance and El Dorado County SWMP. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps would be implemented.

2.29 The project is consistent with General Plan Policy 7.4.4.4.

General Plan Policy 7.4.4.4 requires all new non-exempt development projects that would result in impacts to oak resources in accordance to the standards of the Oak Resources Management Plan (ORMP).

Rationale: The proposed project includes the removal of individual oak trees on site. A technical study and oak tree or oak woodland removal permit shall be required for the project site. This project was analyzed (Exhibit Q) in accordance with the Oak Resources Management Plan, at the request of the project applicant. As mitigated and conditioned, the project will mitigate for removal of tree #344 via payment of the in-lieu fee identified in the ORMP. The in-lieu fee for individual oak trees is \$153 per inch of dbh. The estimated Project in-lieu fee is \$4,284 (28 inches x \$153 per inch). The ultimate determination of the fee amount will be made by El

Dorado County. Mitigation Measure BIO-1 would serve to protect biological habitat and special-status species.

2.30 The project is consistent with General Plan Policy 7.5.1.3.

According to Policy 7.5.1.3, cultural resource studies (historic, prehistoric, and paleontological resources) shall be conducted prior to approval of discretionary projects.

Rationale: The project site was evaluated for historic, prehistoric, and archaeological resources, which included record searches and field surveys. The project will be conditioned to implement measures to protect the potential for discovering previously unknown resources. The project is in compliance with the General Plan Policy.

2.31 The project is consistent with General Plan Policy HO-1.5.

Policy H-O1.5: *The County shall direct higher density residential development to Community Regions and Rural Centers.*

Rationale: The project site has a Multi-Family Residential (MFR) General Plan Designation. The MFR land use designation permits a density range of 5 dwelling units to 24 dwelling units per acre. The project site is 5.6 acres. The proposed project would be at a density of 7.32 units per acre, which meets the prescribed gross density for the Multi-Family Land Use Designation of the General Plan. The development is also within the Community Region of Cameron Park.

According to a memo from County's Housing, Community and Economic Development Program (HCED) dated August 2, 2017 (see Exhibit A, attached), in response to a request for project review comments, "The location of the proposed Z17-0001, PD17-0001, TM17-1531 - CAMERON RANCH has been identified by its General Plan Land Use designation as a prime area to include affordable multi-family residential work-force housing. The proposed project site is within close proximity to amenities such as schools, transportation, employment, medical, recreation, and retail services. Therefore, it is recommended that the project's final conditions of approval require at least 10% of the units to be developed as affordable to moderate and/or low income households."

2.32 The project is consistent with General Plan Policies HO-1.6 and HO-1.18.

Policy 1.6: *The County will encourage new or substantially rehabilitated discretionary residential development to provide for housing that is affordable to very low-, low- and moderate-income households.*

Policy 1.18: *The County shall develop incentive programs and partnerships to encourage private development of affordable housing.*

Rationale: A Memo from Housing, Community and Economic Development Programs (HCED) dated August 2, 2017 (Exhibit A) outlines the benefits the applicant could receive if 10 percent of the new single-family residential units were made affordable to moderate and/or low income households. The memo further states that if 20 percent of the units are set aside as affordable, the project may be eligible for TIM Fee Offsets under Board Policy B-14 (TIM Fee Offset for Development with Affordable Housing) as well as priority fast-track processing of the discretionary project. The offer to restrict some of the units as affordable was not accepted by the applicant. The County's affordable housing program is not mandatory.

The project developer has expressed intentions to offer the for-sale units a SALES price affordable to moderate income households. The applicants are requesting Design Waivers to accommodate a new moderately priced subdivision as a partnership effort. HCED recommends that conditions for project approval should require the applicant:

to provide a written affordable housing plan to include, but not be limited to, the number of units, bedroom composition, and sales price targets for moderate-income households, and work with the County's Housing Community and Economic Development Programs. A copy of the affordable housing plan shall be submitted to the Planning and Building Department prior to final occupancy of the first unit (See Condition 63).

The project is consistent with General Plan Policy HO-1.6 and HO-1.18 when the above mentioned condition is added to the Conditions of Approval.

2.33 **The project is consistent with General Plan Policy HO-3.2.**

Policy HO-3.2: *Demolition of existing multi-family units should be allowed only if a structure is found to be substandard and unsuitable for rehabilitation and tenants are given reasonable notice, an opportunity to purchase the property, and/or relocation assistance by the landlord.*

Rationale: Parcel Number 102-110-14, 2761 Camarc Drive, contains an 8-unit multi-family complex that potentially provides housing for low to lower income households. The applicant explained that he would provide reasonable notice and help current tenants with relocation assistance. HCED recommends that conditions of approval should require:

an affordable housing plan to include, but not be limited to, noticing requirements to current tenants, relocation financing arrangements, comparable replacement housing policy and a two-year monitoring program for displaced residents in accordance with California Government Code Sections 7260-7277 – Relocation Assistance (See Condition 64).

The project is consistent with General Plan Policy HO-3.2 when the above-mentioned condition is added to the Conditions of Approval.

2.34 The project is consistent with California Government Code §65863.

California Government Code §65863: (a) Each city, county, or city and county shall ensure that its housing element inventory described in paragraph (3) of subdivision (a) of Section 65583 or its housing element program to make sites available pursuant to paragraph (1) of subdivision (c) of Section 65583 can accommodate, at all times throughout the planning period, its remaining unmet share of the regional housing need allocated pursuant to Section 65584, except as provided in paragraph (2) of subdivision (c). At no time, except as provided in paragraph (2) of subdivision (c), shall a city, county, or city and county by administrative, quasi-judicial, legislative, or other action permit or cause its inventory of sites identified in the housing element to be insufficient to meet its remaining unmet share of the regional housing need for lower and moderate-income households.

(b) (1) No city, county, or city and county shall, by administrative, quasi-judicial, legislative, or other action, reduce, or require or permit the reduction of, the residential density for any parcel to, or allow development of any parcel at, a lower residential density, as defined in paragraphs (1) and (2) of subdivision (g), unless the city, county, or city and county makes written findings supported by substantial evidence of both of the following:

(A) The reduction is consistent with the adopted general plan, including the housing element.

(B) The remaining sites identified in the housing element are adequate to meet the requirements of Section 65583.2 and to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584. The finding shall include a quantification of the remaining unmet need for the jurisdiction's share of the regional housing need at each income level and the remaining capacity of sites identified in the housing element to accommodate that need by income level.

Rationale: The project site consists of three parcels that have been identified in the County General Plan Housing Element as sites suitable for the development of housing for very-low to low income households. Together, these parcels consists of 5.6 acres and were attributed a reasonable capacity for the development of 62 units for very low- to low (VL/L) income households. (See General Plan Table B-3; Assessor's

Parcel Numbers 102-110-24 (49 units-VL/L) , 102-110-14 (8 units-VL/L) and 102-421-01 (5 units VL/L)

Codified on January 1, 2018 as California Government Code §65863, SB 166 is known as the “No Net Loss” law. The law prohibits jurisdictions, with certain exceptions, from permitting a development at a density lower than what was specified for the site in that jurisdiction’s housing element. The law does make certain exceptions. For example, in certain circumstances, if a jurisdiction has adopted a Housing Element that is in compliance with state law, it may make written findings supported by substantial evidence that the reduction in density is consistent with the adopted general plan, including the Housing Element, and that the remaining sites are adequate to accommodate the jurisdiction’s share of the regional housing need. A local jurisdiction that can successfully make these findings may be able to lower residential density on certain sites, as long as there is “no net loss” of density. The law defines “lower residential density” in multiple ways, depending on the circumstances, such as whether the site has been or will be rezoned. Typically, “lower residential density” will be defined as a lower residential density than what is identified in the Housing Element.

The County’s land inventory in the 2013-2021 Housing Element Update to support the Regional Housing Needs Assessment (RHNA) allocation of housing, including projects approved prior to the 2013 update and the potential development of vacant parcels and development on underutilized parcels, exceeds the net remaining RHNA in the lower income categories. In other words, the County has identified a surplus of available land inventory for development opportunities for all income categories. Approval of this project at the proposed density and affordability level should not result in a net loss of affordable housing for lower income categories, however, full analysis has not been completed for development projects between 2013-Present. The quantifiable analysis is limited to the data collected from 2013. Table HO28 (see below) indicates the west slope has a land inventory of 2,134 in the very-low/low (VL/L) category and removal of the project’s 62 VL/L would result in 2,072 VL/L category. In addition, the RHNA does identify a projected surplus of 1,740 VL/L from 2013-2021.

Table HO28
2013 Land Inventory Summary –El Dorado County

	Income Category			
	VL/L	Mod	Above	Total
Units approved or under construction	108	2	124	234
Entitlements (lots)*	--	--	5,762	5,762
Vacant land - residential	2,338	764	10,151	13,253
- West Slope	2,134	675	6,720	9,529
- East Slope	204	89	3,431	3,724
Vacant land – commercial/mixed use	257	--	--	257
Underutilized land – residential	925	148	0	1,073
Potential second units**	406	0	0	406
Subtotal	4,034	914	16,037	20,985
RHNA (net 2013-2021)	1,740	821	1,633	4,194
Surplus (Deficit)	2,294	93	14,404	16,791

Source: El Dorado County Community Development Agency. 7/2013
 * Includes Approved Specific Plans, Tentative and Parcel maps west slope only
 ** Estimated 4% of Vacant land – residential, "Above"

Housing element law specifies that jurisdictions must identify adequate sites (vacant and surplus lands that are appropriate for residential development) to be made available to encourage the development of a variety of housing types for all economic segments of the population. In evaluating the residential growth potential, the County of El Dorado has reviewed vacant sites in the unincorporated areas identified for residential use, which are summarized in the vacant land survey of the Housing Element, Appendix B.

3.0 ZONING FINDINGS

3.1 The proposed use is consistent with Title 130.

The parcel is zoned Multi-unit Residential (RM). The project has been analyzed in accordance with Zoning Ordinance Section 130.24.030 (Development Standards) for minimum lot size, widths, and building setbacks.

Rationale: The proposed project is consistent with the Multi-unit Residential-Planned Development (RM-PD) zoning designation. The project has been analyzed in accordance with Zoning Ordinance Section 130.24.030 (Development Standards) for minimum lot size, dimensions, height, and building setbacks. Setbacks within the RM zone are 20 feet for the front setback, five feet for the side setback, and 10 feet for the rear setback. The planned development overlay allows use of flexible development

standards, which would allow the project to lower the applicable side setbacks to four feet. The project, as proposed and conditioned, is consistent with the Zoning Ordinance, because the planned development has been designed to comply with the applicable development standards of the RM-PD as provided within Section 130.24.30 of the County Code.

3.2 The proposed project is consistent with Chapter 130.28: Planned Developments.

Chapter 130.28 of the Zoning Ordinance establishes standards for Planned Developments.

Rationale: The project has been analyzed in accordance with Section 130.28.050 (Residential Development Requirements) of the Zoning Ordinance. Projects zoned Multi-unit Residential (RM) is exempt from the 30 percent onsite open space requirements. A lawn area is proposed for the project. The project is a single-family residential development on a RM zoned parcels, which precludes the project from the 30 percent onsite open space requirements.

3.3 The proposed use is consistent with Section 130.37.060.

Noise sensitive land uses affected by non-transportation noise sources shall not exceed standards set forth in Table 130.37.060.1 (Noise Level Performance Standards for Noise Sensitive Land Uses Affected By Non-Transportation Sources).

Rationale: The proposed use for the site is single-family residential lots. No new non-transportation noise sources are proposed. Noise levels are not expected to change as a result of this project, as the project would not add any new sources of noise beyond those expected from a residential use. The driveways and new home construction would require the use of trucks and minor fill and grading, which may result in short-term noise impacts to surrounding neighbors. The newly created lots will create one residence on each lot; therefore, the project is not expected to generate noise levels exceeding the performance standards established in the General Plan and Zoning Ordinance. The proposed project would not expose people to noise levels in excess of standards established in the General Plan.

4.0 TENTATIVE SUBDIVISION MAP FINDINGS

4.1 The project is consistent with Section 120.44.030.

Section 120.44.030 of the Subdivision Ordinance. - Findings Requiring Disapproval, says that the approving authority shall not approve a tentative map if the approving authority makes any of the following findings:

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

Rationale: The proposed tentative map and the design of improvements of the subdivision are consistent with the General Plan. The proposed project would not require a General Plan Amendment, as it is currently consistent with the General Plan land use designations and densities of the Multifamily Residential (MFR) land use designation. The proposed development will avoid impacts to the oak woodland habitat and mitigate those it affects as stated in the Initial Study and Conditions of Approval.

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

Rationale: The design of the proposed tentative map and development plan are consistent with the General Plan. The Project site is 5.6 acres and is proposed to be subdivided into 41 parcels ranging in size from 2,821 to 7,725 square feet. The site is surrounded by both single and multi-family development and commercial development. Adequate access and utility-related infrastructure can be provided. The site is located appropriately for the development and physically suited for the proposed uses. There are no specific plans applicable to the project site.

C. That the site is not physically suitable for the type of development;

Rationale: The project has been designed to utilize the developable areas of the site. Slopes exceeding 30 percent have been avoided and the placement of building areas and new roads and driveways will minimize the impacts to the existing oak woodlands. The proposed development will avoid most tree removal and sensitive areas on site. The site is located appropriately for the development and physically suited for the proposed uses. The site is physically suitable for both the type and density of the development.

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

Rationale: The proposed project is consistent with the General Plan land use designations and densities of the Multifamily Residential (MFR) land use designation. The proposed tentative map and the design of improvements of the subdivision are consistent with the General Plan. The proposed

tentative map provides lot types consistent with the land uses, densities, and intensities consistent with the El Dorado County General Plan's policies for the County's Community Regions. According to the General Plan, standard residential subdivisions in the MFR land use designation shall maintain a density range from five to 24 dwelling unit per acre. The tentative map would create 41 parcels ranging in size from 2,821 to 7,725 square feet for a density of 7.32 units per acre. The development density would be similar to the residential development in the Cameron Park area.

E. 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;

Rationale: The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. The project is not within or adjacent to the Important Biological Corridor or rare plant preserve. The project is not within or adjacent to wetlands or riparian features. A minor loss of oak woodland is anticipated, which provides habitat for some wildlife species, would be mitigated in accordance with Mitigation Measure BIO-1. Mitigation measures, which are required as conditions of approval, will be implemented ensuring that the proposed subdivision would not cause substantial environmental damage and would not substantially and unavoidably injure wildlife or their habitat.

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

Rationale: The design of the subdivision and the type of improvements would not create serious public health and safety problems or unacceptable fire risks to occupants or adjoining properties. The project site is not located within a mapped Alquist-Priolo Earthquake Fault Zone, and all new structures to be built in accordance with the California Building Code (CBC) to ensure public safety from the possibility of ground shaking hazards. The project will be conditioned to comply with the geotechnical report's recommendations for seismic and soils hazards. The project, as mitigated and conditioned, will be required to control diesel particulate matter emissions during construction. With implementation of the Transportation Department conditions, the project would neither introduce dangerous road design features, nor generate traffic that is incompatible with existing traffic patterns. The project site is located in an area of moderate wildfire hazard risk. As conditioned, the proposed project is required to comply with all Cameron Park Fire Department fire standards, including, but not limited to: location of and specifications for fire hydrants; emergency vehicle access including roadway widths and turning radii; fire flow and

sprinkler requirements; and their weed and rubbish abatement ordinance that must be followed as appropriate.

G. That the design of the division or the improvements are not suitable to allow for compliance of the requirements of public resources code § 4291;

Rationale: The required road improvements will be consistent with the County Design Manual. Construction activities on the project site would incorporate standard Best Management Practices to reduce the potential for project construction to result in fire that could spread to the adjacent existing residences. The Cameron Park Fire Department has established a set of conditions, which would reduce the potential for project construction resulting in fire that could spread to the adjacent existing residences.

H. 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.

Rationale: The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. There are no easements, acquired by the public at large, for access through or use of, property within the subdivision.

5.0 DESIGN WAIVER FINDINGS

5.1 Chapter 120.08.020 of the El Dorado County Subdivisions Ordinance requires that the following four findings are met for each design waiver in order to justify their approval:

Design Waiver Request 1: The first design waiver applies to D Drive. It is a reduction in Right of Way width from County Standard of 50 feet to a proposed width of 39 feet; Cross slope entire roadway in lieu of crown; Use Type 3 barrier curb along left (north) side of D Drive; Elimination of sidewalk on left (north) side; Reduction in Sidewalk width from County Standard of six (6) feet to a proposed width of four (4) feet, and proposed road pavement width of 39 feet.

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

The proposed right of way (39 feet) is wide enough to include all of the necessary utilities and since this road (39 feet) will not be widened, and will ensure safe travel, a right of way larger than the proposed improvements is not necessary.

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

Strict application of the Design Standard would result in additional constraints to the developer who is attempting to provide needed moderate-income housing to the area. The reduction of the right of way adds extra open space as well.

3. *An adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.*

The project is proposing residential lots with private driveways and streets. The proposed roadway widths will meet the intent of the standards by providing enough road width to ensure safe travel and adequate room for access by the Fire Department since parking will only be allowed on one side. The reduced sidewalk width will still be wide enough to handle the pedestrian travel in this project and will increase the area for landscaping. A ten-foot PUE will be provided on both sides of the road to supply adequate room for the dry utilities.

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.*

Properties within the project would be provided with safe, adequate access and circulation with or without implementation of the requested Design Waiver. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws. However, both the Cameron Park Fire Department and the County Department of Transportation have agreed to this design waiver.

Design Waiver Request 2: A, B, and C Drives: Reduction in road width from County Standard of 28 feet to a proposed width of 25 feet; Reduction in Right of Way width from County Standard of 50 feet to a proposed width of 26 feet; Elimination of Sidewalks; Inverted crown and use of Type 3 barrier curbs on both sides.

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

The road has a reverse crown with a concrete valley gutter in the center, which eliminates the need for a curb and gutter. Instead, there are barrier curbs flush with the pavements on both sides of the road. The proposed right of way is wide enough to include all of the necessary utilities and since this road will never be widened, a right of way larger than the proposed improvements is not necessary.

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

Strict application of the Design Standard would result in additional expense and creation of additional hardscape. The right of way is wide enough to include all of the necessary utilities and because this road will never be widened, a right of way larger than the proposed improvements is not necessary.

3. *An adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.*

Due to the volume and proximity of driveways, a reduced road width is necessary to limit vehicle speeds and to provide adequate safety to those cars exiting the driveways. Due to safety concerns, a reduction in vehicle speeds is recommended along these roads. Rather than 25 mph, the design speed of County standard plan 101B, we suggest vehicle speeds closer to 15 mph, which should be accomplished by the reduced road width. Sidewalks have been eliminated since these streets function very similar to cul-de-sacs and the standards do not require sidewalk along cul-de-sacs.

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.*

Even with these deviations, the applicant believes that the section meets the intent of the standards by providing enough road width to ensure safe travel and adequate room for access by the Fire Department. Both the Transportation Department and Fire Department take no exceptions to this design waiver.

Design Waiver Request 3: E Drive: Reduction in Right of Way width County Standard of 50 feet to a proposed width of 45 feet. Sidewalks on E Drive are proposed at only four feet wide. The cul-de-sac bulb has been reduced to a 42.5 foot radius to the top back of curb.

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

The lot configurations, volume, and proximity of driveways requires a reduction in road width to limit vehicle speeds and to provide adequate safety to those cars exiting the driveways.

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

Application of this waiver would provide for a more unique overall subdivision appearance while reducing project impervious area. Strict application of the Design

Standard would result in additional expense and creation of additional hardscape. The right of way is wide enough to include all of the necessary utilities and because this road will never be widened, a right of way larger than the proposed improvements is not necessary.

3. *An adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.*

The right of way is wide enough to include all of the necessary utilities. The reduction in the width of the right of way will create more open space as well. The radius of the cul-de-sac bulb has been reduced to allow adequate lot depth as well as enough room for the required retention/detention basin. Also, by adjusting the speed limit from 25 mph to 15 mph will provide adequate safety to those cars exiting the driveways of the subdivision.

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.*

Properties within the project would be provided with safe, adequate access and parking with or without implementation of the requested Design Waiver. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

Design Waiver Request 4: Reduction in driveway setback from curb returns from County Standard of 25 feet to 4.5 feet.

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

The driveway locations for the corner lots will deviate from the County of El Dorado's standard plan 103A. The six corner lots on A, B, & C Drives have driveways located 14.5 feet from the 10-foot radius returns and the two corner lots on E Drive have driveways located 4.5 feet from the 20-foot radius returns. In order to maintain adequate separation from adjacent property lines and allow a continuous driveway width of 20 feet, it is necessary to deviate from the standard plan and locate the driveways closer than 25 feet from radius returns. The creation of a standard road would result in unnecessary infrastructure for these corner lots.

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

Strict application of the Design Standard would result in additional constraints to the proposed corner lots and creation of additional hardscape.

3. *An adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.*

The project's requested deviation to the driveway proximity to radius returns would not be detrimental to health, safety, convenience, and welfare of the public. Even with these deviations, due to the low traffic volumes and reduced vehicle speeds, the applicants believe these lots still meet the intent of the standards by providing adequate safety to those cars exiting the driveways. Both the Transportation Department and the Fire Department take no exceptions to this design waiver.

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.*

Properties within the project would be provided with safe, adequate access and circulation with or without implementation of the requested Design Waiver. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

6.0 FINDING OF FACT

6.1 Recirculation of a Negative Declaration Prior to Adoption. CEQA Section 15073.5.

(c) Recirculation is not required under the following circumstances:

(2) New project revisions are added in response to written or verbal comments on the project's effects identified in the proposed negative declaration which are not new avoidable significant effects.

Rationale: Written and verbal public comments were received about the project's 2007 cultural resource report two weeks prior to the Board of Supervisors meeting on June 26, 2018 from members of the County of El Dorado Cemetery Advisory Committee. The comments took issue with the project's cultural resource report; specifically that it does not mention St. Michael's Cemetery located across the street from the project on Hastings Drive. A new cultural resource report was generated as a direct response to the comments, and included the identification of a cultural resource feature on the project site. The cultural resource feature identified and explained in the report prepared by Historic Resources Associates, dated June 21, 2018 was discussed at the Board of Supervisors public hearing on June 26, 2018. Potential impacts to the cultural resource feature will be addressed through the implementation of a new condition of approval designed to protect in place and avoid the disturbance of the feature.

Although, the public comments did create the need for a revision to the project's cultural resource report, the new information did not result in a change to the analysis in the Cultural Resources Category of the Mitigated Negative Declaration from less than significant impact to less than

significant with mitigation. The new information did not trigger a change to the analysis; therefore, the recirculation of the Initial Study Mitigated Negative Declaration was not deemed necessary.