

Findings

1.0 CEQA

- 1.1 The proposed map revision to amend Condition of Approval No. 39 to allow a reduced setback from 250 feet to 50 feet on Lot 66 of Serrano Village J3B is consistent with the residential development requirements of the EDHSP. The proposed revision does not make any significant changes to the original tentative map approval, does not involve new significant environmental effects, and does not increase the severity of previously identified significant effects. No new information that was not known and could not have been known at the time the EIR was certified has since become available. Therefore, this tentative map revision application is consistent with and is hereby exempt in accordance with Section 15182 of the CEQA Guidelines (Residential Projects Pursuant to a Specific Plan). No further environmental analysis is needed, as no changes have occurred in accordance with Sections 15162 and 15164 that would require any supplemental or subsequent environmental documentation. No further environmental analysis is necessary.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Building Department at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN

- 2.1 The 2004 El Dorado County General Plan designates the project site as Adopted Plan (AP), a description in reference to areas where Specific Plans, in this case, the EDHSP, have been designated and adopted within and by the County. The proposed tentative map amendment and development plan revision to reduce the setback from 250 feet to 50 feet would remain consistent with the policies, land use designations, and maximum allowable density identified in the EDHSP; therefore, the project is consistent with the General Plan.
- 2.2 Policy 2.1.1.2. Establish Community Regions to define those areas which are appropriate for the highest intensity of self-sustaining compact urban-type development within the County, based on the municipal spheres of influence, availability of infrastructure, public services, major transportation corridors and travel patterns, the location of major topographic patterns and features, and the ability to provide and maintain appropriate transitions at Community Region boundaries. These boundaries shall be shown on the General Plan Land Use Map.

The proposed project for a pool/spa with a plant/landscape screening has been designed to account for physical and topographic conditions. Erosion would be controlled through adherence to County grading requirements; the project would not adversely affect agricultural, timber, mineral resource areas, or biological resources. The project would not be

required to improve affected roadways. The project would be consistent with the adjacent existing residential land use patterns to the south and west (Serrano, Village J3B) and would provide adequate buffers and transitions for existing land use patterns to the north and east (Green Springs Ranch).

- 2.3 Policy 2.2.1.2. This land use category recognizes areas for which specific land use plans have been prepared and adopted. These plans (e.g., specific plans or community plan) are accepted and incorporated by this reference, and the respective land use map associated with each such plan is hereby adopted as the General Plan map for each such area. The plans recognized by the AP category does not include the now-superseded Area Plans that comprised the County's General Plan prior to the adoption of this General Plan.

The proposed project is located within the EDHSP Adopted Plan. The EDHSP was adopted under the El Dorado Hills/Salmon Falls Area Plan in December of 1989. All subsequent development within the plan area must conform to the policies contained therein along with the corresponding Development Agreement. The proposed tentative map amendment and development plan revision to COA No. 39 to reduce the setback from 250 feet to 50 feet on Lot 66 maintains overall consistency with the EDHSP, as presented throughout this report.

3.0 EDHSP

- 3.1 The EDHSP was adopted under the El Dorado Hills/Salmon Falls Area Plan in December of 1989. All subsequent development within the plan area must conform to the policies contained therein along with the corresponding development agreement. As proposed, the tentative map amendment and development plan revision to COA No. 39 maintains consistency with the EDHSP as presented in the Findings. The applicant's request to revise Condition of Approval No. 39 does not directly affect the approved Tentative Subdivision Map, and will not significantly affect the physical characteristics of the approved map. The project maintains consistency with the EDHSP, as discussed throughout the Findings.

4.0 ZONING

- 4.1 The project site is located in the R1-PD zone. The request for a revision to COA No. 39 would allow a reduced setback from 250 feet to 50 feet, which would meet or exceed the minimum, typical zoning setback requirements for a pool/spa; therefore, the project is consistent with the applicable policies of the Zoning Ordinance and the EDHSP.
- 4.2 The project is within the EDHSP, which provides a broad range of residential product types, open space, and a range of passive and active recreational amenities for its residents. The proposed project for a reduced setback from 250 feet to 50 feet for a pool/spa and plant/landscape screening would allow for a typical use of the property that is allowed for residential properties in El Dorado Hills; therefore, the project is consistent with the applicable policies of the Zoning Ordinance and the EDHSP.

- 4.3 The site is physically suitable for the proposed uses. The proposed location and design of the pool/spa would be in an ideal location in the backyard near the residence, and would still allow for the perimeter to be predominantly maintained as open space, preserving a natural buffer between existing residential subdivisions of similar and lower residential densities. The proposed project maximizes the use of parcel areas not constrained by oak trees and retains trees, particularly on the perimeter areas where there are contiguous portions of oak canopy that connect to neighboring oak woodland corridor community. The proposed residential backyard development would not create a physical barrier to travel around or within the project site or remove existing means of access to and through existing nearby neighborhoods, which provide access to the site (§ 66474).
- 4.4 Adequate wet and dry utilities are available or can be feasibly provided to serve the project. The project's primary access would be from Nattier Court connecting directly to Greenview Drive. Emergency vehicle access roads are not required to be constructed to provide fire and emergency services to the project.
- 4.5 The project would not significantly detract from the natural land and scenic values of the site. The EDHSP does not identify the site as a scenic resource. However, existing topographical and landscape features would be maintained and preservation of the natural features on site have been incorporated into the project design, and enhanced with plant/landscape screening.

5.0 SUBDIVISION ORDINANCE

5.1 The proposed tentative map, including design and improvements, is consistent with the General Plan and Specific Plan policies.

The proposed tentative map amendment remains consistent with the AP-EDHSP land use designation and with General Plan policies relating to public utilities, traffic, noise, air quality, riparian impacts, and oak woodland habitat, as discussed in Section 2.0 above. The tentative subdivision map for Serrano Village J3B is located within the El Dorado Hills Community Region and 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 and the EDHSP. The Conditions of Approval included as part of the project would further minimize any environmental impacts associated with the project.

5.2 The site is physically suitable for the proposed type and density of development.

The site is physically suitable for the proposed type and density of development. The proposed development is consistent with the EDHSP. The proposed location and design of the pool/spa allows for the perimeter to be predominantly maintained as open space, preserving a natural buffer between existing residential subdivisions of similar and lower residential densities. The proposed tentative map amendment maximizes the use of parcel areas not constrained by oak trees and retains trees, particularly on the perimeter areas where there are contiguous portions of oak canopy that connects to a neighboring oak woodland

corridor community. The proposed residential development would not create a physical barrier to travel around or within the project site or remove existing means of access to and through existing nearby neighborhoods, which provide access to the site.

5.3 The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitats.

The proposed tentative map amendment and development plan revision is not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitats. The project is a request to amend COA No. 39 for a reduced setback from 250 feet to 50 feet on Lot 66 in Serrano Village J3B for a pool/spa and plant/landscape screening. The location of the pool/spa was designed to minimize impacts to the natural resources on the project site. The project parcel is not within or adjacent to the Important Biological Corridor or rare plant preserve. The project parcel contains suitable foraging and nesting habitat for wildlife, and would not cause substantial environmental damage, nor substantially and unavoidably injure fish or wildlife or their habitat.

5.4 That the design of the subdivision or the type of improvements is not likely to cause serious public health hazards;

The proposed tentative map amendment and development plan revision to reduce the setback from 250 feet to 50 feet is not likely to cause serious public health hazards. The project site is not located within a mapped Alquist-Priolo Earthquake Fault Zone, and all new structures are to be built in accordance with the California Building Code to ensure public safety. As conditioned, the proposed project would comply with all applicable development standards, which will be reviewed at time of building permit submittal.

5.5 The design of the subdivision or the improvements is suitable to allow for compliance with the requirements of Section 4291 of the Public Resource Code (Section 4291 establishing criteria for fire and fuel breaks around buildings).

The design of the tentative subdivision map conforms to the requirements of Section 4291 of the Public Resources Code. The project parcel is within a public water system which serves the project site and would provide adequate fire flow if necessary. Further, as conditioned the project is required to comply with applicable El Dorado Hills 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 defensible space and wildland fire-safe plans.

5.6 The design of the subdivision or the type of improvements would not conflict with easements, acquired by the public at large, for access through or use of property within the proposed division.

The proposed map amendment shall be further verified by the County Surveyor's Office. All existing easements across the property for utilities and infrastructure would remain or be relocated in a manner acceptable to the affected agency. Therefore, no conflicts with easements acquired by the public at large are anticipated.

5.7 Section 120.72.040 Findings Required: In addition to those amendments authorized by Government Code § 66469, a final map or a parcel map which has been recorded in the office of the County Recorder may be modified by a certificate of correction or amending map upon the approving authority's (of the original tentative map) determination that the following findings can be made concerning the modification:

A. That there are changes in circumstances which make any or all of the conditions of such a map no longer appropriate or necessary;

Rationale: There are changes in circumstances which make revising COA No. 39 necessary. The 250 foot setback was applied in 2001, however the property has since changed ownership and the current property owner has received letters of support from the neighbors in Green Springs Ranch who support the reduced setback to 50 feet so that the property owners of Lot 66 in Serrano Village J3B can build a pool/spa with a plant/landscape screening in the most ideal location which would be in the backyard near the residence. The project is consistent with this policy.

B. That the modifications proposed did not impose any additional burden on the present fee owner of the property;

Rationale: The approval of the modification to reduce the setback would not impose an additional burden on the present fee owner of the property, nor on the neighbors as they have submitted letters of support for approving the reduced setback. The project is consistent with this policy.

C. That the modifications proposed do not alter any right, title, or interest in the real property reflected in the recorded map;

Rationale: The modifications would not alter any right, title, or interest in the real property reflected on the recorded map. The modification is to reduce the setback from 250 feet to 50 feet which will allow the

development of a pool/spa in a more ideal location in the backyard near the residence. The project is consistent with this policy.

D. That the map as modified conforms to the provisions of Government Code § 66474.

Rationale: The map as modified would conform to the provisions of Government Code § 66474 as discussed in Findings Section 4.0.