

FINDINGS

Serrano Village K6 Subdivision Map Amendment/Serrano Village K6, Unit 2 Planned Development Revision TM-C22-0003/PD-R22-0003 (TM10-1496/PD10-0002)/Board of Supervisors/August 15, 2023

1.0 CEQA FINDINGS

- 1.1 Staff reviewed the project and found it exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305, Minor Alterations in Land Use Limitations. Class Five exemptions consist of minor alterations in land use limitations in areas with an average slope of less than 20-percent, which do not result in any changes in land use or density, and do not create any new parcel.
- 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 FINDINGS

2.1 The project is consistent with General Plan Policy 2.2.1.2.

General Plan Policy 2.2.1.2 identifies that the purpose of the Area Plan (AP) land use category recognizes areas for which specific land use plans have been prepared and adopted. These plans 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.

Rationale: Removal of the vehicular access restriction is consistent with this policy. The site is located in the El Dorado Hills Community Region. The proposed project is compatible with the land use designation.

2.2 The project is consistent with General Plan Policy 2.2.5.2.

This policy requires that all applications for discretionary projects or permits shall be reviewed to determine consistency with the policies of the General Plan.

Rationale: Staff has prepared this section on General Plan findings to document the project's consistency with the policies of the General Plan.

2.3 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 undeveloped. The adjoining properties to the south, east, and west are similarly zoned as part of the same residential planned development. The adjoining properties to the north consist of lower density

residential parcels. Therefore, the project would not conflict with adjoining land uses.

2.4 General Plan Policy TC-Xa does not apply to the project.

(1) Traffic from residential development projects of five or more units or parcels of land shall not result in, or worsen, Level of Service (LOS) F (gridlock, stop-and-go) traffic congestions during weekday, peak-hour periods on any highway, road, interchange, or intersection in the unincorporated areas of the county.

Rationale: The project will not create residential units; therefore, this policy does not apply.

(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 LOS F without first getting the voter's approval.

Rationale: This is not applicable as the Project is not requesting any modifications to Table TC-2.

(3) and (4). Intentionally blank as noted in the General Plan.

(5) The County shall not create an Infrastructure Financing District unless allowed by a 2/3rds majority vote of the people within that district.

Rationale: This is not applicable as the Project is not requesting the County create an Infrastructure Financing District.

(6) Intentionally blank as noted in the General Plan.

(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: This project will not result in five or more units or parcels of land for residential development.

2.5 General Plan Policy TC-Xb does not apply to the project.

Policy TC-Xb ensures that potential development in the County does not exceed available roadway capacity.

Rationale: This policy is not applicable as this policy refers to the county preparing a Capital Improvement Program (CIP), preparing a Traffic Impact Mitigation (TIM) Fee Program, and monitoring traffic volumes.

2.6 General Plan Policy TC-Xc does not apply to the project.

Policy TC-Xc directs that developer paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development.

Rationale: This policy is not applicable as this policy directs how the County will pay for building the necessary road capacity.

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

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 ration specified in that table. LOS 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 judgement of the County’s Department of Transportation (DOT) which shall consider periods including, but not limited to, Weekday Average Daily Traffic (ADT), AM Peak Hour, and PM Peak hour traffic volumes.”

Rationale: This project will not worsen LOS for any county-maintained road or state highway.

2.8 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:

- (1) A two-percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily, or
- (2) The addition of 100 or more daily trips, or
- (3) The addition of ten or more trips during the a.m. peak hour or the p.m. peak hour.

Rationale: This project would not generate more traffic as the project does not create new uses or increase the intensity of allowed uses. Therefore, this project would not worsen the LOS from the current baseline and is not subject to a traffic study.

2.9 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 LOS standards detailed in this Transportation and Circulation Element based on existing traffic plus traffic generated from the development plus forecasted traffic growth at ten-years from project submittal; or (2) ensure the commencement of construction of the necessary road improvements are included in the County's ten-year CIP.

For all other discretionary projects that worsen (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; or (2) ensure the construction of the necessary road improvements are included in the County's 20-year CIP.

Rationale: The project will not create residential units and will not worsen traffic on the County road system. Therefore, this policy does not apply.

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

Each development project shall dedicate right-of-way, design and construct or fund any improvements necessary to mitigate the effects of traffic from the project. The County shall require an analysis of impacts of traffic from the development project, including impacts from truck traffic, and require dedication of needed right-of-way and construction of road facilities as a condition of the development. This policy shall remain in effect indefinitely unless amended by voters.

Rationale: The project will not worsen traffic. A traffic study was not required. Therefore, this policy does not apply.

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

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: This project does not propose a subdivision. Any Traffic Impact Fees would be paid at the time a building permit is issued.

2.12 General Plan Policy TC-Xi does not apply to the project.

General Plan TC-Xi directs the County to coordinate and work with other agencies to plan for the widening of U.S. Highway 50.

Rationale: This policy is not applicable to the project as it is directed to the County to coordinate with other agencies.

2.13 The project is consistent with General Plan Policy 5.1.2.1

General Plan Policy 5.1.2.1 requires a determination of the adequacy of the public services and utilities to be impacted by that development.

Rationale: The project does not seek changes to utility services as approved per prior Subdivision Map and Planned Development Permit approvals.

2.14 The project is consistent with General Plan Policy 5.2.1.2.

General Plan Policy 5.2.1.2 requires that adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development.

Rationale: The project does not propose changes to water provision as approved per prior approved Subdivision Map and Planned Development approvals.

2.15 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: The El Dorado Hills Fire Protection District currently provides fire protection service to the project site. The Fire Authority sent comments stating that there are no concerns with the project as proposed. Fire protection service and requirements would remain unchanged.

2.16 The project is consistent with General Plan Policy 6.2.3.2.

Policy 6.2.3.2 (Adequate Access for Emergencies) requires the applicant 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 Fire Authority reviewed the application materials and found that the project as proposed would not result in conflicts with fire protection services. Therefore, the project is consistent with this policy.

3.0 ZONING FINDINGS

3.1 The project is consistent with Section 130.24.030.

Section 130.24.030 (Residential Zone Development Standards) prescribes site-specific development standards for new lots, allowed uses and associated structures within the R1-PD Zone District.

Rationale: The proposed removal of a vehicular access restriction would not involve the addition of new site uses or result in an increase in the density of planned development. An approval of this request would not result in new conflicts with the zoning ordinance. Therefore, the request is consistent with the R1-PD zoning.

4.0 PLANNED DEVELOPMENT FINDINGS

4.1 The proposed development plan is consistent with the General Plan, any applicable specific plan, and Chapter 130.28 (Planned Development (-PD) Combining Zone) in Article 2 (Zones, Allowed Uses, and Zoning Standards) of this title.

Rationale: As discussed in Section 2.0 above, the project is consistent with the General Plan.

4.2 The site is adequate in shape and size to accommodate proposed uses and other required features.

Rationale: The project as proposed is consistent with all base zoning development standards. There are no design waiver requests or exceptions applied.

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

Rationale: The project as proposed does not request any exceptions to the zoning

development standards.

- 4.4 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.

Rationale: As discussed throughout the General Plan findings above, the project site has been determined to include adequate public services and facilities for water supply, sewage disposal, roads, and other utilities per prior Subdivision Map and Planned Development Permit approvals.

- 4.5 If mixed-use development is being proposed, the development conforms to the standards in Section 130.40.180 (Mixed Use Development) in Article 4 (Specific Use Regulations) of this Title.

Rationale: The project does not propose mixed-use development.

- 4.6 The proposed development complies with the provisions of the -PD Combining Zone Section 130.28.010 (Planned Development (-PD) Combining Zone Established) in Article 2 (Zones, Allowed Uses, and Zoning Standards) of this Title.

Rationale: As discussed within this Planned Development findings section, the project is consistent with planned development provisions of the -PD Combining Zone Section 130.28.010 of the El Dorado County Zoning Ordinance.

5.0 MAP AMENDMENT FINDINGS

- 5.1 **That there are changes in circumstances which make any and all of the conditions of such a map no longer appropriate or necessary.**

The original Tentative Map was approved by the Planning Commission on July 26, 2001. The Board of Supervisors approved the subdivision final map on August 9, 2011. In the intervening time, community preferences in size, shape and style of single-family residences has changed significantly. The reconfigurations as proposed, allow the property owner to better satisfy these market forces and increase housing supply consistent with market and community preferences.

- 5.2 **That the modifications proposed do not impose any additional burden on the present fee owner of the property.**

The amendment's reconfiguration would benefit, and not burden, the current owners of the property. The amendment's reconfiguration will allow the owners to develop more favorable driveway access to the project parcel, thereby increasing the use and value of the project parcel. Accordingly, the amendments proposed would not negatively impact the

adjacent lands, uses or roadways in the vicinity.

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

The amendment's proposed reconfiguration is a minor change resulting in the partial removal of a vehicular access restriction recorded per previously approved maps. The amendment would provide the project parcel with a private driveway access point. As such, the amendment will not alter any right, title, or interest in the real property reflected on the map.

6.0 SUBDIVISION MAP ACT FINDINGS

6.1 *The amending map or certificate of correction certified by the county surveyor shall be filed or recorded in the office of the county recorder in which the original map was filed.*

The tentative subdivision map (TM01-1378) was approved by the Planning Commission on July 26, 2001. The Serrano Village K5 & K6 subdivision final map J-113C was approved by the Board of Supervisors on August 9, 2011. Approval of this subdivision map amendment will require a revised map to be filed and recorded with the El Dorado County Surveyor's Office and El Dorado County Recorder's Office, consistent with their requirements.

6.2 *That the map as modified conforms to the provisions of Section 66474 of the Government Code.*

The provisions of Section 66474 of the Government Code (Subdivision Map Act) list the findings for approval or denial of a parcel map. The findings include consistency with the General Plan, suitability of the site for the type and density of development, significant environmental effects or public health problems, and conflicts with public access easements. The proposed amendments do not affect any of the provisions of findings for approval of the Final Map. The amended Final Map remains suitable for the type and density of development, no physical change to the environment will occur that are inconsistent with discretionary and/or ministerial entitlements for development currently in existence, and the Final Map remains consistent with the General Plan.