

Z05-0016/PD05-0014/P05-0016 – As recommended by the Planning Commission January 11, 2007 modified by the Board of Supervisor on February 27, 2007.

Findings

1.0 CEQA FINDING

- 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 CEQA and is adequate for this proposal. A de minimis finding on the project's effect on fish and wildlife resources can be found.
- 1.2 The County finds that through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 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 Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.
- 1.4 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with 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 ADMINISTRATIVE FINDINGS

2.1 Zone Change Z05-0016 and Planned Development Permit PD05-0014 Findings

Zone Change Z05-0016 is a request to change the subject site zoning from Estate Residential Ten-acre (RE-10) to Estate Residential Ten-acre with a Planned Development Combining Zone (PD). Tentative Parcel Map P05-0016 consists of an application to create 4 residential lots ranging in size from 4.03 to 11.47 acres, with a 12.59-acre lot for commonly held open space. Planned Development PD05-0014 is a request to create a Planned Development on the site, with clustered lots designed to reflect topography and allow for dedication and preservation of open space. ~~A design waiver request was submitted to allow the following: (1) Construct a 20-foot roadway in lieu of the 24-foot wide roadway required under Standard Plan 101B.~~

The zone change, planned development, and tentative parcel map shall only be approved or conditionally approved if all of the following findings are made:

ATTACHMENT 1

2.1.1 The PD zone request is consistent with the General Plan.

In accordance with State law and pursuant to General Plan Policy 2.2.5.3, the County has evaluated the subject rezoning request based on the General Plan's general direction as to minimum parcel size or maximum allowable density and to assess whether changes in conditions are present that would support a higher density or intensity zoning district. Based on this analysis and the conclusions reached in the staff report, the site is found to be suitable to support the proposed density.

2.1.2 The proposed development is so designed to provide a desirable environment within its own boundaries.

The project is for residential purposes. The subject site is surrounded by residential development and will fit within the context of the existing residential uses. The project includes 30 percent open space as required by General Plan Policy 2.2.3.1.

~~**2.1.3 Any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography.**~~

~~The project does require a design waiver to reduce the road width improvement from 24 feet per Standard Plan 101B to 20 feet. Strict application of the County Road Improvement Standards would result in an increased amount of project grading on steep slopes; therefore, with the constraints of the existing topography and vegetation, the Design Waiver can be supported.~~

2.1.4 The site is physically suited for the proposed uses.

The project site is developed with a single family home. The planned development and subdivision will allow for the development of three additional single family homes to be developed within the planned development. The project includes 30 Percent open space, which includes a horse barn and related facilities.

2.1.5 Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities.

The Georgetown Divide Public Utility District will provide water to the subject site, and on-site septic systems will be provided for each residential unit. The El Dorado County Department of Transportation has recommended approval of the Project with road improvements made as a requirement of project approval.

2.1.6 The proposed uses do not significantly detract from the natural land and scenic values of the site.

The project is not within a scenic corridor and is surrounded by residential development.

2.2 Tentative Parcel Map P05-0016 Findings

Tentative Parcel Map P05-0016 consists of an application to create 4 residential lots ranging in size from 4.03 to 11.47 acres, with a 12.59-acre lot for commonly held open space.

2.2.1 The proposed tentative parcel map, including design and improvements, is consistent with the General Plan policies and land use map.

As proposed, the tentative parcel map conforms to the Rural Residential General Plan land use designation and applicable General Plan policies including access, tree canopy retention, water service, wetland setbacks, grading, transportation, fire protection, and wastewater disposal.

2.2.2 The proposed tentative parcel map conforms to the applicable standards and requirements of the County's zoning regulations and the Major Land Division Ordinance.

As proposed and with the approval of ~~the requested design waivers~~, the tentative parcel map conforms with the development standards within the Estate Residential Ten-acre (RE-10) and Planned Development Combining Zone District and the Major Land Division Ordinance.

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

As shown on the tentative parcel map, adequate building areas for each lot are available considering the required septic replacement area, slope constraints, tree canopy retention, zoning setbacks, and fire safe standards. As such, the site is physically suitable for the proposed type and density of development.

2.2.4 The proposed subdivision is not likely to cause substantial environmental damage.

The proposed subdivision is not likely to cause substantial environmental damage with the implementation of the mitigation measures identified in Attachment 1.

3.0 Design Waiver Findings

~~A Design Waiver has been requested to allow for the construction of a 20 foot roadway in lieu of the 24 wide roadway required under Standard Plan 101B.~~

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

~~The requested reduction in roadway width will reduce potential project grading impacts and still provide adequate pedestrian circulation within the subdivision.~~

3.2 ~~Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.~~

~~Strict application of the design and improvement requirements would require a wider roadway resulting in an increased amount of project grading and potential slopes on roadways above fire district standards. The Department of Transportation and El Dorado County Fire Protection District have reviewed the design waiver request and have no objections.~~

3.3 ~~The adjustment or waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.~~

~~The waiver will not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public as the requested waivers will reduce project impacts to visual resources, such as tree canopy, and earth disturbances. As proposed, the reduced roadway width will allow the subdivision to better fit within the context of the surrounding rural residential uses.~~

3.4 ~~The waivers would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.~~

~~The waiver would not result the nullification of the objectives of Article II of Chapter 16 of the County Code, nor any other ordinance applicable to this division.~~