

FINDINGS

Rezone Z04-0015/Conditional Use Permit S01-0011/Parcel Map P08-0036/

Springs Equestrian Center

Planning Commission/April 27, 2017

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 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, Air Quality, Cultural Resources, Noise, and Tribal Cultural Resources 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 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 Development Services Division - Planning Services at 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 approved 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 Low Density Residential (LDR) land use designation in Community Regions shall be applied to those areas where higher density serving infrastructure such as public water and public sewer are not yet available. As proposed, the project is consistent with the Low Density Residential (LDR) land use because the proposed zoning and density are consistent with Tables 2-2 and 2-4 of the General Plan.

2.2 The project is consistent with General Plan Policy 2.2.5.3.

General Plan Policy 2.2.5.3 requires that County shall evaluate future rezoning: (1) To be based on the General Plan's general direction as to minimum parcel size or maximum allowable density; and (2) To assess whether changes in conditions that would support a higher density or intensity zoning district.

The proposal was reviewed against the 19 specific criteria under policy 2.2.5.3 and found to be consistent with all applicable criteria.

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.

Several mitigation measures and standard conditions of approval concerning exterior lighting, dust and fly control, odor, noise, traffic and hours of operation are recommended. Compliance with these mitigation measures and conditions of approval would address any potential land use incompatibility issues with adjoining existing and future land uses.

2.4 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.

The project was reviewed by the County Transportation Division, El Dorado Hills Fire District (on behalf of the Rescue Fire Department), El Dorado Irrigation District, and PG&E for adequate public services capacity. The new construction will utilize existing public roadways, electrical facilities, and public services. The proposed equestrian center will necessitate additional septic system capacity and a septic capability study has been reviewed by the Environmental Health Division. In order to access public water infrastructure currently adjacent to the site, the project parcel will be required to annex into the El Dorado Irrigation District.

2.5 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.

The proposed project is within a moderate fire hazard area. Standards for construction and vegetation maintenance will apply during the construction and operation phases of the project. In order to access public water infrastructure currently adjacent to the site, the project parcel will be required to annex into the El Dorado Irrigation District. The project will then connect to a public water system which will provide adequate fire flow for the proposed equestrian center. A naturally occurring spring may be used for agricultural and landscaping uses. The County has determined that it has no jurisdiction over non-potable uses of a spring that the property owner has water rights to.

2.6 The project is consistent with General Plan Policies 5.2.1.4.

General Plan Policy 5.2.1.4 states that rezoning and subdivision approvals in Community Regions or other areas dependent on public water supply shall be subject to the availability of a permanent and reliable water supply.

The project will connect to a public water system. A facilities improvement letter from the El Dorado Irrigation District states that there is adequate supply to serve the equestrian center. In order to access public water infrastructure currently adjacent to the site, the project parcel will be required to annex into the El Dorado Irrigation District.

2.7 The project is consistent with General Plan Policies 5.3.1.7.

Policy 5.3.1.7 states that In Community Regions, all new development shall connect to public wastewater treatment facilities. In Community Regions where public wastewater collection facilities do not exist project applicants must demonstrate that the proposed wastewater disposal system can accommodate the highest possible demand of the project.

The Facilities Improvement Letter from the El Dorado Irrigation District states that there is a lift station serving the project area that is located at the southeastern edge of the subject property. Connection to this system would require a full sewage lift station and onsite sewer main to be constructed. The project engineer supplied an opinion of cost for these improvements at a total of \$555,185. In addition to the cost, the connection would potentially impact identified wetlands and listed species. As this is a private recreational facility it can be seen that the highest possible demand of the project site is not being proposed. At such time as a more intensive use of the project site is proposed, such as residential development, public sewer would then be required in the project design. The County has reviewed a septic feasibility study that states that a septic system can adequately handle waste water generated by the equestrian center. Due to the required annexation, opinion of cost, and potential environmental impacts, findings have been made that it is not feasible to connect to public wastewater collection facilities.

2.8 The project is consistent with General Plan Policy 6.2.3.2.

Policy 6.2.3.2, Adequate Access for Emergencies, requires that 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.

The Transportation Division and El Dorado Hills Fire District (on behalf of the Rescue Fire Department) reviewed the application materials and do not require significant site access or improvement to the existing roads. A new encroachment onto Green Valley Road will give the site two points of access. Development plans for emergency ingress and egress capabilities will be reviewed by the El Dorado Hills Fire District for compliance with County and fire codes and will be constructed consistent with conditions of approval.

2.9 The project is consistent with General Plan Policy 6.5.1.7.

Policy 6.5.1.7, Noise Standards, require that noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 6-2 for noise-sensitive uses.

A noise analysis was conducted for the proposed project to review potential impacts from special events and amplified speech and music (Environmental Noise Assessment Springs Ranch Equestrian Center El Dorado County, California. Bollard Acoustical Consultants, February 2014). The assessment concluded that noise generated during equestrian events and outdoor receptions, including amplified speech and music, and sound generated by unamplified voices, will be compliant with El Dorado County noise standards at the property lines of the nearest existing residences and the school to the southeast.

The project has been revised to include an event building that will house any events that propose amplified music and speech. Any outdoor weddings or events will not have outdoor amplification and would have receptions within this new proposed event building. The recommended monitoring program will ensure full compliance with County noise standards.

While the data for the covered arena indicate that the County's evening noise level standards were exceeded during the event simulation, it should be noted that the measurement results were defined primarily by traffic on Green Valley Road. In the absence of traffic, observed noise levels due to the event simulation were noted as being less than 50 dB Leq. Given the setback to the nearest residential property lines to the northeast, the shielding of event noise in the direction of those residences by intervening topography, and the masking of event noise in that direction by Green Valley Road traffic, no noise impacts are anticipated at those nearest residences to the northeast. Because the speakers would be pointed away from the nearest residences to the south and west (over 500 feet from the center of the arena area), amplified speech and music noise levels at those locations are predicted to be well below thresholds of the County noise standards.

The project was also analyzed for potential noise impacts from persons engaged in conversation with raised voices and RV and horse trailer parking noise. Both uses would be below the thresholds of the County noise standards, as well.

2.10 The project is consistent with General Plan Policy 7.3.3.5.

Policy 7.3.3.5 Rivers, streams, lakes and ponds, and wetlands shall be integrated into new development in such a way that they enhance the aesthetic and natural character of the site while disturbance to the resource is avoided or minimized and fragmentation is limited.

All riparian areas and wetlands have been avoided and have been integrated into the development.

2.11 The project is consistent with General Plan Policy 7.4.4.4.

According to policy 7.4.4.4 of the General Plan, all new development projects that would result in soil disturbance on parcels that are over an acre and have at least one percent total canopy cover shall adhere to the tree canopy retention and replacement standards.

Existing oak tree canopy coverage is estimated at 19.05 percent or 27.9 acres of the site (*Proposed Oak Tree Mitigation Plan for the Springs Ranch Equestrian Center*, Kurt Stegen, March 7, 2012). As proposed, 5.48 percent or 1.53 acres of the existing oak canopy is to be removed consistent with the Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.4.4.4 that allows the removal of up to 10 percent of the existing oak canopy. A replanting plan has been submitted that is consistent with Option A of the Interim Interpretive Guidelines, as well.

2.12 The project is consistent with General Plan Policy 9.2.3.5 and Objective 9.3.1.

Policy 9.2.3.5 states that the County will encourage private sector development, operation, and maintenance of recreation facilities. Objective 9.3.1 encourages the development of additional recreation/tourism businesses and industries.

Approval of this project would implement these objectives and policies by encouraging development of a recreational facility.

2.13 The project is consistent with General Plan Objective 10.1.6 and Policy 10.1.6.1.

Objective 10.1.6 states “Capture a greater share of retail and tourist dollars within the County by providing opportunities to establish new tourist-related commercial operations while promoting and maintaining existing tourist commercial operations”. Policy 10.1.6.1 states “The County shall encourage expansion of the types of local industries that promote tourism including but not limited to ..., outdoor sports facilities,...”.

Approval of this project would implement these objectives and policies by promoting tourism.

2.14 This project is consistent with June 7, 2016 voter-approved ballot Measure E.

On June 7, 2016, voter-approved ballot Measure E modified General Plan Policies TC-Xa, TC-Xf, and TC-Xg, and identified implementation measures for said policies.

This proposed project has been determined to be consistent with Measure E, specifically policies TC-Xa, TC-Xf, and TC-Xg, because: 1) The Transportation Division has reviewed the proposed parcel map and determined it would not trip the traffic impact threshold within the General Plan, and does not “worsen” traffic as defined by General Plan Policy TC-Xe by increasing peak traffic by 2 percent, creating an increase of 10 peak hour trips, or creating an increase of 100 average daily trips; 2) the project will not cause traffic to reach LOS F during peak hours; and 3) Measure E TC-Xa applies only to residential development projects of five or more units or parcels. This parcel map will only create three lots.

2.15 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 issuance.

3.0 ZONING FINDINGS

3.1 The project is consistent with Title 130.

The proposed use is permitted in the RF-L Zone District, in compliance with Section 130.25.020 and specifically permitted by conditional use permit in compliance with Section 130.40.210.C.4, provided that the administrative findings outlined below can be made by the Planning Commission.

3.2 The project is consistent with Chapter 130.35 (Off-Street Parking and Loading).

Section 130.35.030.C of the Zoning Ordinance requires that where combinations of uses are proposed on a single site parking shall be calculated for each separate use. Parking requirements for the proposed use are addressed within Table 130.35.030.1 of the Zoning Ordinance. The Ordinance requires one parking space per four stalls which at the proposed build-out of 300 stalls would require 75 parking spaces, for a total of 175 required spaces. Additionally the project proposes events with up to 250 attendees which would require 100 parking spaces. The project proposes to provide 198 total parking spaces including 40 occupied trailer spaces. The applicant anticipates that attendees of the events would mainly

be those that are boarding horses at the facility. Therefore, the proposed parking areas with a total of 198 developed spaces would provide sufficient parking for the proposed use.

3.3 The project is consistent with Chapter 130.33.

Section 130.33.020 requires all ministerial and discretionary development for industrial, research and development, commercial, multi-unit residential, civic, or utility uses shall provide landscaping for the areas of a lot that do not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or impervious hardscapes, and other non-irrigated areas designated for non-development.

Equestrian centers are considered recreational uses under the Zoning Ordinance. The project is proposing to use natural habitat as landscaping as much as possible. Landscape plans have been submitted that meet County standards and will be further reviewed at the building permit stage.

4.0 SPECIAL USE PERMIT FINDINGS

4.1 The issuance of the permit is consistent with the General Plan.

As discussed above in Section 2.0 General Plan Findings, the special use permit is consistent with the applicable policies and requirements in the El Dorado County General Plan.

4.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.

The proposed use will not be detrimental to the public health, safety and welfare, or injurious to the neighborhood as it will fit within the context of the surrounding rural residential uses, Pleasant Grove Middle school, the approved Silver Springs subdivision, and the Serrano and Bass Lake Hills Specific Plans. Mitigation measures and standard conditions of approval concerning exterior lighting, dust and fly control, water quality, odor, noise, traffic and hours of operation are recommended. Compliance with these mitigation measures and conditions of approval will address any potential land use incompatibility issues with adjoining and future land uses.

4.3 The proposed use is specifically permitted by Special Use Permit.

The proposed use is specifically permitted by conditional use permit in compliance with Section 130.40.210.C.4 of the El Dorado County Zoning Ordinance as the required findings detailed above may be made by the Planning Commission.

5.0 PARCEL MAP FINDINGS

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

The Parcel Map request is consistent with the density allowed in the General Plan.

5.2 The proposed parcel map does conform to the applicable standards and requirements of the County's zoning regulations and the Minor Land Division Ordinance.

The Tentative Parcel Map conforms to the applicable standards and requirements of the County's zoning regulations for each parcel and the Minor Land Division Ordinance, because the project complies with the minimum design standards of the RE-5 and RF-L zone districts.

5.3 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 because the site has adequate access, utilities are available, there is buildable area outside of wetland features, and the site is suited for the recreational and residential development.

5.4 The proposed Parcel Map is not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

The Parcel Map would allow the equestrian facility to be sited so that all wetland features and listed species are being avoided. No significant environmental impacts are anticipated by the Parcel Map alone.

5.5 The design of the Parcel Map is not likely to cause serious public health hazards.

The proposed parcel map would not create an undue negative impact upon the surrounding parcels. The improvements would not be detrimental to the public health, safety and welfare or injurious to immediate project vicinity because the surrounding infrastructure is in place that can support it, the site contains adequate access, the site has access to public water, and the site is suitable for individual septic systems for sewage disposal.