

## **Findings**

### **1.0 CEQA FINDINGS**

A Revised Initial Study has been conducted to determine if the proposed project would have a significant effect on the environment. Supporting technical studies, including Air Quality Analysis/Greenhouse Gas Analysis, Traffic Impact Analysis, Biological Resources Assessment, Geotechnical Engineering Study, Cultural Resources Inventory and Evaluation, and Environmental Noise Assessment, are referenced in this Initial Study. Based on the Initial Study, a Mitigated Negative Declaration has been prepared as specific impacts to Air Quality, Biological and Traffic Resources have been identified requiring mitigation measures to minimize the effects to a less than significant level. In accordance with CEQA Guideline Section 15074(d), a Mitigation Monitoring Reporting Program (MMRP) detailing all identified mitigation measures shall be adopted and implemented for the project ensuring and verifying compliance with the measures.

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Community Development Agency-Planning Services Division at 2850 Fairlane Court, Placerville, CA, 95667.

### **2.0 GENERAL PLAN FINDINGS**

#### **2.1 Land Use Element- General Plan Policy 2.1.1.7 (Applicable General Plan Policies and Timing of Development within Community Region)**

Piedmont Oak Estates is within the Community Region of Diamond Springs where public infrastructures such as roads and utilities exist. The project would construct, extend and/or upgrade on- and off-site infrastructures necessary to serve the proposed development.

#### **2.2 Land Use Element- General Plan Policies 2.2.1.2, 2.2.1.3 (Land Use Designation and Density)**

The project site is designated as High Density Residential. Piedmont Oak Estates development would result in a residential density of 3.16 du/ac, which is within the HDR density range of 1-5 du/acre.

#### **2.3 Land Use Element- General Plan Policy 2.2.5.3 (Rezone Consistency)**

The project is currently within the El Dorado Irrigation District (EID) service area. Based on the Facility Improvement Letter (FIL) from EID, there is an adequate amount of water capacity necessary to would serve future development. Existing EID facilities near the

project would be required to be improved and/or extended in order to serve the proposed development. Submittal of a Facility Plan Report (FPR) would be subject to review and approval by EID.

The project site is within the Mother Lode Union School District (MLUSD) and El Dorado Union High School District (EDUHSD). Indian Creek Elementary School (K-5) and Herbert Green Middle School (7-8) are under MLUSD and Union Mine High School is under EDHUSD. Based on MLUSD's 0.4 students/lot ratio for K-5 and 0.1 student/lot ratio for 6-8, the proposed subdivision would generate a total of approximately 34 elementary students and 9 middle school students for a total of 43 students, which would be sufficiently accommodated by the District. Based on EDHUSD student generation factor of 0.177 student/lot, a total of 15 students would be generated by the subdivision which would be sufficiently accommodated by the District.

Diamond Springs Fire Department provides fire and emergency service in Diamond Springs. The nearest station is located at 501 Main Street, approximately 0.8 miles west of the project site. The anticipated emergency response time is below the 8 minute standard response time required in the Community Region.

The site soil composition consists of Diamond Springs Very Fine Sandy Loam, Diamond Springs Very Rocky Very Fine Sandy Loam, and Placer Diggings, which are characterized to have moderate to hazard erosion rating and medium to rapid potential for storm runoff. As part of project implementation, storm runoff and erosion would be controlled through Best Management Practices with adherence to the DISM standards, Grading and Drainage Ordinance.

The site contains potential habitat for raptor species with the existence of oak woodland canopy. Mitigation measure has been applied which would minimize impact to these species prior to construction.

**2.4 Land Use Element- General Plan Policy 2.2.3.1 (Application of Planned Development)**

The proposed project is consistent with the policy by preserving 35 percent of the site as open space and utilizes residential clustering design for a portion of the development.

**2.5 Land Use Element- General Plan Policy 2.2.5.21 (Project Compatibility)**

Piedmont Oak Estates is within an area compatible with existing and planned residential and commercial uses in the Diamond Springs area.

**2.6 Circulation and Transportation Element-General Plan Policies TC-Xa.1 through TC-Xa.3 (Measure Y), TC-Xf (Development of Five Parcels or More), TC-Xg (Traffic Analysis), TC-4i (Pedestrian Connectivity in Community Region), TC 5a and b (Sidewalks Development)**

Piedmont Oak Estates composes a total of 75 residential lots in the Community Region of Diamond Springs. The subdivision would be served by a proposed roadway connecting to State Highway 49. The minimum 36-foot wide roadway would be contained in a 50-foot wide Right-of-Way and constructed with curb and gutter, and a 6- and 4-foot sidewalk providing pedestrian circulation throughout the subdivision and connectivity to planned sidewalks in the area of the project. The roadway would be extended into a secondary road access that connects to Black Rice Road.

A Traffic Impact Analysis was conducted for the project evaluating potential effects to specific roads segments and intersections in the project area. The project is anticipated to generate 1,192 new daily trips with 115 new trips occurring in the a.m. peak hour and 182 in the p.m. peak hour. These trips are anticipated is to contribute to the existing Level of Service (LOS) F condition at the southbound approach into the intersection of Pleasant Valley Road/Racquet Way. As determined by Transportation Division, application of Mitigation Measure Trans-1 would improve the condition to LOS C with the installation and operation of a traffic signal. The mitigation measure, which is applied as Condition of Approval No. 15, requires a submittal and review of a Supplemental Traffic Impact Analysis with each Final Map phase of the project in order to verify the extent of LOS condition of the intersection at the time of the application submittal and the proper timing of the traffic signal construction. If the analysis concludes that the County's LOS policies would be exceeded by the existing traffic plus traffic generated by that final map, the project shall construct the improvements prior to issuance of the first certificate of occupancy for any lot within that final map. However, if these improvements are constructed by the County or others prior to triggering of mitigation by the Project, payment of TIM fees is considered to be the Project's proportionate fair share towards mitigation of this impact. Construction cost improvements borne by the project may be reimbursed if the improvements are included in the County's Capital Improvement Project (CIP) and Traffic Impact Mitigation (TIM) Fee program.

The project also contributes to the worsening of LOS operation at the intersection of Missouri Flat Road/China Garden Road. This area of Missouri Flat Road is subject to approved County road improvement projects that includes the Diamond Springs Parkway Phase 1A (SR49 Realignment Project) (CIP #72375) and Diamond Springs Parkway Phase 1B Project (CIP #72334). Completion of these improvements, which are expected to be initiated between 2017 and 2021, would improve the LOS operation along this portion of Missouri Flat Road, thereby eliminating the impact of the project at the intersection. The project shall be subject to payment of proportionate fair share TIM fees, which contributes to the funding of the County CIP and TIM program.

The project has been identified to have cumulative impacts at the US 50 Ramps/Missouri Flat Road. In accordance with General Plan Policy TC-Xb, the County will annually monitor the Traffic and LOS at these intersections and update the County's CIP and TIM Fee programs as necessary. The cumulative analysis includes planned roadway improvements, growth consistent with the 2004 General Plan, and with approved and

reasonably foreseeable projects within the study area. This is found to be an impact in the cumulative scenario without the project for the Missouri Flat Road/WB US 50 Ramps, which includes other foreseeable but unapproved projects. Therefore, the project is responsible for its proportional share of the proposed mitigation under cumulative conditions. Since the impact is identified under the cumulative scenario, the timing of the improvement is a function of the rate of population and employment growth. The County's traffic impact mitigation fee program provides a mechanism for collecting fair share contributions for improvements in the 2015 CIP. Additionally, the County's Missouri Flat Area Master Circulation and Funding Plan (MC&FP) Phase 2 is currently planned to evaluate the ultimate configuration of the US 50 Interchange at Missouri Flat Road. The ultimate configuration project will be incorporated into the County's CIP and TIM Fee programs as necessary. Payment of Traffic Impact Mitigation fee based on the project's fair share of the improvement remitted prior to issuance of a building permit has been identified as sufficient mitigation of the impact.

The project does not have any impacted road segments that would be added to the County's list of roads under General Plan Policy TC-2 Table.

**2.7 Public Services and Utility Element- General Plan Policies 5.1.2.1, 5.1.2.2, 5.1.2.3, 5.2.1.3 (Adequacy of Public Utility for Water and Sewer Services)**

The proposed development is within the El Dorado Irrigation District (EID) service area where public water and sewer utilities currently exist. The development would be required to improve, upgrade and connect to existing infrastructures in the area in order to obtain the service. A Facility Plan Report (FPR), which details the necessary facility improvements for the project, would be required subject to review and approval by EID. An EID meter award letter would be required as proof of rights to these services prior to the recordation of the Final Map.

**2.8 Public Services and Utility Element- General Plan Policies 5.4.1.1, 5.4.1.2 (Drainage and Erosion)**

The subdivision is designed to address storm drainage using underground pipe network and a detention pond, subject to DISM construction standards. Best Management Practices and standard erosion measures shall be enforced through project conditions of approval in order to minimize erosion effects and ensure water quality during site construction.

**2.9 Health and Safety Element-General Plan Policies 6.2.3.1 and 6.2.3.2 (Fire Protection Services)**

The project is located within the Diamond Springs Community Region, where fire protection service is provided by Diamond Springs Fire Department. This site is designated as moderate in terms of fire hazard. Specific project conditions of approval, including minimum access points and road standards, shall be applied, subject to

verification by the department prior to any construction. Site development shall be required to implement and adhere to specific provisions identified in the approved Wildfire Safe Plan.

**2.10 Conservation and Open Space Element – General Plan Policy 7.4.4.4 (Option A-Oak Tree Canopy Retention and Replacement)**

An estimated 1.15 acres of the existing 8.21 acre oak canopy is anticipated to be removed in order to maintain consistency with the provisions of General Plan Policy 7.4.4.4 Option A. This amount of canopy removed would be replaced via on-site replanting within designated areas of the Open Space and along the secondary road access.

**3.0 ZONING ORDINANCE FINDINGS**

The proposed rezone would maintain consistency with the General Plan. The density and design of the planned development conform to the proposed zones' development standards with justified modifications, uses, and objectives of Planned Development including resource preservation and Open Space reservation.

**4.0 SUBDIVISION ORDINANCE FINDINGS**

**4.1 The proposed tentative map, including design and improvements, is consistent with the General Plan policies and land use map; and**

**4.2 The design or improvements of the proposed division are consistent with the General Plan.**

The proposed subdivision design and required project improvements are consistent with the applicable policies of General Plan as it relates to density, neighborhood compatibility, connectivity to existing infrastructure, and resource preservation.

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

The project site range from flat to gentle slope areas, which would be suitable for the proposed residential and commercial development. Infrastructure including roads and utilities will be constructed to serve the development, which is compatible with the existing neighborhood. Oak canopy proposed to be preserved and replaced is consistent with the General Plan and ephemeral drainage areas will be avoided.

**4.4 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.**

As analyzed, the project anticipates potential impacts to Air Quality and Biological Resources. Specific mitigation measures, which would minimize the impacts to less than significant, have been applied as project conditions of approval.

- 4.5 **The design of the subdivision or the improvements are suitable to allow for compliance with the requirements of Section 4291 of the Public Resource Code (Section 4291 establishes criteria for fire and fuel breaks around buildings).**

The project has been designed to comply with the requirements of the County Design Manual and the Fire Safe Regulations. Standards conditions of approval from Diamond Springs Fire Department and provisions of the approved Wildfire Safe Plan shall be implemented as part of site development and operation.

- 4.6 **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 division.**

All easements necessary to accommodate and construct proposed infrastructure such as road and utilities to serve the development would be secured prior to any construction.

## 5.0 DESIGN WAIVER FINDINGS

The Design Waivers requested are subject to specific findings under Section 16.08.020 of the El Dorado County Subdivision Ordinance described below.

- A. There are special conditions or circumstances peculiar to the property proposed to be subdivided which would justify the waiver.
- B. Strict application of the design or improvement requirements of this chapter would cause extraordinary and unnecessary hardship in developing the property.
- C. The waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.
- D. The waiver would not have the effect of nullifying the objectives of this Article or any other law or ordinance applicable to the subdivision.

The following describes the requested Design Waiver and responses to the required findings criteria.

**Design Waiver:** Construction of sidewalk on both sides of the road with a minimum standard width reduced from 8 feet to 6 feet (along Commercial area) and 6-foot to 4-foot (along residential subdivision) to 4 feet.

Response to A: DISM Plan 101A (Commercial and Industrial Roadways) requires construction of 8-foot sidewalk along commercial area of the subdivision and 101B (Class I Subdivision Roadways) requires a 6-foot wide sidewalks along the private residential subdivision. The sidewalks are proposed to be constructed on both sides of the road with a reduced minimum width of 6-foot wide sidewalk (along commercial area) and 4-foot wide along the private residential subdivision. These modified standards are common sidewalk widths constructed in other existing development that would

sufficiently and safely provide pedestrian access and circulation throughout the subdivision and connectivity to planned sidewalks in the area.

Response to B: Application of the standard 8- and 6-foot wide sidewalk on both sides of the private road would result in unnecessary grading effects that could potentially affect the design and functionality of the planned development.

Response to C: The reduced sidewalk widths would adequately and safely meet the pedestrian circulation needs of the proposed subdivision and therefore, is not anticipated to be detrimental to health and welfare of the general public.

Response to D: As this waiver is limited to this proposed development, the waiver would not nullify the objectives of the Subdivision Ordinance.