

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: January 14, 2016

Staff: Mel Pabalinas

**GENERAL PLAN AMENDMENT/REZONE/PLANNED
DEVELOPMENT/TENTATIVE SUBDIVISION MAP**

FILE NUMBERS: A15-0001/Z12-0010/PD12-0002/TM12-1510/Piedmont Oak Estates
Phase 1

APPLICANT: Jim Davies and Terri Chang

REQUEST: The project consists of the following requests:

1) General Plan Amendment of the land use map amending the land use designations within APN 051-550-47 as follows:

- A) Approximately 0.67 acre of High Density Residential (HDR) to Commercial (C); and
- B) Approximately 0.05 acre of Commercial (C) to High Density Residential (HDR);

2) Rezone portions of zoning designations within the following subject properties:

APN 051-550-47:

- A) Approximately 0.10 acre of Public Facilities (PF) to Commercial-Planned Development (C-PD);
- B) Approximately 2.05 acres of Professional Office Commercial-Planned Development (CPO-PD) to Commercial-Planned Development (C-PD);
- C) Approximately 0.74 acre of One-Family Residential-Planned Development (R1-PD) to Commercial-Planned Development (C-PD);
- D) Approximately 1.04 acres of Public Facilities (PF) to Open Space-Planned Development (OS-PD); and
- E) Approximately 4.53 acres of One-Family Residential-Planned Development (R1-PD) to Open Space-Planned Development (OS-PD).

APN 051-550-40: Approximately 1.94 acres of One-Family Residential-Planned Development (R1-PD) to Open Space-Planned Development (OS-PD).

APN 051-550-48: Approximately 0.75 acre of One-Family Residential-Planned Development (R1-PD) to Open Space-Planned Development (OS-PD).

APN 051-550-51: Approximately 0.75 acre of One-Family Residential-Planned Development (R1-PD) to Open Space-Planned Development (OS-PD).

- 3) Tentative Subdivision Map of 25.89 acre property creating a Class I subdivision for Phase 1 of Piedmont Oak Estates consisting of 62 clustered residential lots, 20 detached single residential lots, and one commercial lot;
- 4) Development Plan for Phase 1 of Piedmont Oak Estates Tentative Subdivision Map to include 8.01 acres of open space land and modifications to One-Family (R1) Residential Zone District standards including minimum lot size, lot widths, yard setbacks, and maximum building coverage; and
- 5) Design waivers of the following Design and Improvement Standards Manual (DISM) standards:
 - A) Construction of reduced sidewalk from 6 feet to 4 feet in width; and
 - B) Construction of a sidewalk on one side only, "A" Street from Tentative Map point A-3 to point A-4.

LOCATION: The project site is located at the northeast corner area of State Highway 49 (Diamond Road) and Black Rice Road, approximately 0.75 mile along State Highway 49 (Diamond Road) from its northerly intersection with Pleasant Valley Road, in the Diamond Springs area, Supervisorial District 3. (Exhibit A)

APNs: 051-550-40, 051-550-47, 051-550-48 and 051-550-51 (Exhibit B)

ACREAGE: 25.89 acres

GENERAL PLAN: High Density Residential (HDR)/Commercial (C) (Exhibit C)

ZONING: Professional Office-Commercial-Planned Development (CPO-PD)/One-Family Residential-Planned Development (R1-PD) District/Public Facilities (PF) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

RECOMMENDATION: Staff recommends the Planning Commission make the following recommendation to the Board of Supervisors:

- 1) Adopt the Mitigated Negative Declaration based on the Initial Study;
- 2) Adopt the Mitigation Monitoring Reporting Program in accordance with CEQA Guidelines Section 15074(d), incorporated as Conditions of Approval;
- 3) Approve General Plan Amendment A15-0001 based on the Findings as presented;
- 4) Approve Rezone Z12-0010 based on the Findings as presented;
- 5) Approve Development Plan for Phase 1 of Piedmont Oak Estates Tentative Subdivision Map under Planned Development PD12-0002 as the official Development Plan based on the Findings and subject to the Conditions of Approval as presented;
- 6) Approve Phase 1 of Piedmont Oak Estates Tentative Subdivision Map under Tentative Map TM12-1510 based on the Findings and subject to the Conditions of Approval as presented; and
- 7) Approve the following Design Waivers based on the El Dorado County Design and Improvement Standards Manual (DISM):
 - A) Construction of reduced sidewalk from 6 feet to 4 feet in width; and
 - B) Construction of a sidewalk on one side only, "A" Street from Tentative Map point A-3 to point A-4.

BACKGROUND

An earlier version of Piedmont Oak Estates Tentative Subdivision Map was filed in May 2009. That version encompassed a larger project area of 43 acres to be subdivided into 245 residential lots. Due to inactivity, that original application was withdrawn in August 2011. The current application, which was filed in September 2012, depicts a revised version of the previous map with reduced residential lot quantity within a smaller project area.

ANALYSIS

Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the proposal and issues for Planning Commission's consideration are provided in the following sections.

Site Description

The vacant project site is located in the community of Diamond Springs. Elevation of the site ranges from 1,735 to 1,835 feet above sea level. Topography of the site consists of gentle to moderately steep slopes of varying aspect with approximately 24.27 acres (94 percent) of the site situated below 30% slope gradient (Exhibit E). Natural drainage generally flows from the south through the property to the north into Weber Creek. The site does not contain wetlands but has a total of 0.016 acre of ephemeral drainage channels. A total of 8.21 acres of oak canopy, which equates to 30 percent, encompass the site.

The project would improve an existing disturbed dirt path as a secondary access through an adjacent property (APN 051-461-54) to the south.

Exhibit F shows the project site, the surrounding, adjacent existing and planned residential and non-residential development, and the current land use/zoning designations and improvements.

Project Description Summary

1. **General Plan Amendment**: The application includes a minor amendment to the land use designations of APNs 051-550-47. As illustrated in Exhibit G, approximately 0.67 acre of High Density Residential (HDR) designation would be changed to Commercial (C) designation. Also, approximately 0.05 acre portion of Commercial (C) land use designation would be changed to High Density Residential (HDR).

2. **Rezone**: As illustrated in Exhibit H, the proposed rezone would change portions of the existing zones of the subject properties. Within APN 051-550-47, approximately 0.10 acre of Public Facilities (PF) district would be changed to Commercial-Planned Development (C-PD) and 1.04 acres to Open Space (OS); 2.05 acres of Professional Office Commercial-Planned Development (CPO-PD) District would be changed to Commercial-Planned Development (C-PD) District; 0.74 acre of One-Family Residential-Planned Development District (R1-PD) would be changed to Commercial-Planned Development District (C-PD); and 4.53 acres of One-Family Residential-Planned Development (R1-PD) to Open Space (OS).

Within APN 051-550-40, approximately 1.94 acres of One-Family Residential-Planned Development (R1-PD) would be changed to Open Space-Planned Development (OS). Within APN 051-550-48, approximately 0.75 acre of One-Family Residential-Planned Development (R1-PD) would be changed to Open Space (OS). Within APN 051-550-51 approximately 0.75 acre of One-Family Residential-Planned Development (R1-PD) would be changed to Open Space (OS).

The rezone would also add a –Planned Development (-PD) combining zone over the entire project map area establishing the official Development Plan and a requirement a Planned Development Permit.

3. **Tentative Subdivision Map**: Exhibit I illustrates the Phase 1 Tentative Subdivision Map for Piedmont Oak Estates. The proposed map would subdivide the 25.89 acres of property creating Phase 1 of the subdivision of the Class I subdivision. Phase 1, which encompass 21.21 acres of the total project area, consist of 102 total lots consisting of 62 clustered residential lots, 20 detached single residential lots, six open space lots, 12 driveway access lots, one road lot (Road A-C) and 1 commercial lot (Lot 2). The lots would be zoned as One-Family Residential-Development Plan (R1-PD), the commercial lot as Commercial-Planned Development (C-PD) and the six open space lots as Open Space-Planned Development (OS-PD).

Exhibit I.1 illustrates the Phasing Plan for the development of Piedmont Oak Estates Subdivision, which is proposed to occur in two phases. However, as discussed below, only Phase 1 is proposed to be entitled under this tentative map in order to maintain consistency the oak canopy retention and replacement standards.

4. **Development Plan:** In accordance with General Plan Policy 2.2.3.1 (Planned Development) and Sections 130.02 (General Provisions-Planned Development) and 130.04 (Procedures-Planned Development) of the Zoning Ordinance, Exhibit I illustrates the Development Plan for Phase 1 of Piedmont Oak Estates Tentative Subdivision Map. Thirty-seven percent of the Phase 1 area is designated as open space, which exceeds the minimum required 30 percent for planned residential development. To accommodate the design of the clustered residential area, the Development Plan includes modifications to the One-Family Residential (R1) District development standards including lot size, lot width, yard setbacks, and maximum building coverage.

5. **Design Waivers:** In accordance with the Subdivision Ordinance, Design Waivers are requested for modified sidewalk standards of the El Dorado County Design and Improvement Standards Manual (DISM). The requested modification consists of a reduction of the standard sidewalk width from 6 feet to 4 feet to be constructed on one side of a portion of the on-site roads. As further discussed in the *Findings*, these modifications would provide flexibility from the typical design and construction standards in order reduce earthwork associated with the improvements and minimize anticipated impacts to resources. Exhibit I depicts the road sections subject to the modifications.

Project Characteristics

The following details the proposed development of Phase 1 of Piedmont Oak Estates.

Subdivision Design: Exhibit I illustrates the site design of the proposed development of Phase 1. Phase 1 consists of 20 detached single residential lots, which range from 4,700 square feet to 12,625 square feet in gross lot size, and 62 clustered lots (total of 12 groups identified as Lot R-1 through R-12) ranging in size from 2,112 to 2,888 square feet in gross lot size. The detached residential lots are anticipated to be built as standard production residential lots retaining the standard R1 standards while the clustered lots would have a typical pad to accommodate a fixed clustered configuration. Construction of the clustered units would require modified R1 development standards including minimum lot size (2,112 square feet), maximum building coverage (61%), and yard setbacks (Exhibit I.2). Phase 1 has a residential density of 3.86 dwelling units/acre, which is within the identified range of one to five dwelling units/acre under the High Density Residential Land Use Designation.

The subdivision also includes six open space lots (designated as Lots A and F) totaling 8.01 acres, which equates to 37 percent of the Phase 1 residential subdivision area (excluding the commercial lot acreage), which exceeds the required 30% required open space for residential planned development. The open space lots would provide a natural buffer for the subdivision from the surrounding uses, preserve ephemeral drainage channels, contain areas for oak tree replanting, and reserve an area for a detention pond. Open space lots within the clustered subdivision would provide areas for landscape and playground.

Commercial Lot 2, which measures 0.90 acre, would be created as part of Phase 1 but would have no specific development as a part of this project. Future development of this lot would be evaluated under a separate Planned Development Permit.

Access and Circulation: Exhibits I and J illustrate the circulation plan for the proposed development with Roads A-C serving as the primary roads through the Phase 1 subdivision. Road A, which matches the future Diamond Springs Parkway across Highway 49, originates at Highway 49 from its westerly connection. Road A proceeds easterly through the subdivision diverting into Roads B and C. A portion of Road A along the commercial lots would be publicly owned and maintained, while the balance of the interior roads would be privately owned and maintained by the future Homeowner's Association of the development.

All lots have been designed to either have direct or indirect access off these interior roads, which will be constructed according to County road standards. The commercial lots and single family detached lots would have direct driveway connection off the Road A while most of the clustered lots would be indirectly accessed via a private driveway into the cluster. Four-foot wide sidewalks would be constructed along one side of the road.

The project would improve an existing dirt path located at the end of the cul-de-sac at the terminus of Road A serving Lots 29-33. This off-site road, which would be improved to a 20-foot wide pavement with 1-foot wide shoulders, is within APN 051-461-54 and would provide the required secondary road access for the subdivision. The secondary road access would intersect with Black Rice Road to the south and connect to Highway 49 to the west.

Utilities: Exhibit K illustrates the preliminary Water and Sewer Plan for the development. According to the Facility Improvement Letter (FIL) issued by El Dorado Irrigation District (EID), the subdivision would require connection to existing public water and sewer service provided, maintained, and operated by the district.

The subdivision proposes to connect to an existing 6-inch water line located in Highway 49 from which an 8-inch water line would be constructed along Road A. The new waterline would extend throughout the subdivision and connect to the existing 8-inch waterline in Black Rice Road. The new waterline would provide for both potable water and fire hydrant services. The FIL identified a minimum total 110 equivalent dwelling units (EDU) of water service would be required for the project. Based on the FIL, a total of 2,000 EDUs of water supply is available in EID's Western/Region Water Supply Region.

The subdivision would be served by a sewer system that would connect to and be supported by an existing off-site lift station currently serving a residential development (Courtside Manor) located south of the project site along Black Rice Road. A 4-inch forced main sewer line would originate from the lift station along the secondary access, northerly into the subdivision. Given the varying topography of the site, the on-site sewer system would be supported by two new on-site lift stations for conveyance of sewage flow: one station would be sited on a portion of Open Space Lot A serving the western area of the subdivision; and the second on Open Space Lot B serving the eastern area of the subdivision.

The existing Courtside Manor lift station was originally constructed as a temporary facility and may have limited operational capacity to serve the proposed development. EID has future plans to replace this lift station with a new regional lift station when the proposed development is

implemented. Detailed design of the sewer system would be further analyzed in the Project's Facility Plan Report (FPR), which would determine if upgrades need to be made to Courtside Manor lift station, or if a new regional lift station would be required to serve the project and the surrounding development. One potential location of this off-site lift station is a property to the east identified as APN 051-550-53. As part of development phasing and prior to approval of Improvement Plans for the development, the applicant shall be required to obtain approval of the FPR from EID. If EID determines that an off-site lift station is needed, the potential environmental impacts associated the construction and operation of this facility shall be analyzed in a separate environmental analysis through EID.

Verification of acquisition of a meter award letter for these services would be required prior to Final Map recordation.

Site Improvements: Exhibit J illustrates the Preliminary Grading and Drainage Plan for the design and construction of the subdivision. Prior to recordation of the Phase 1 subdivision, all Class I improvements and utilities shall be installed. The construction would include cut and fill to establish necessary residential pads, construction of encroachment and road network, and installation of underground wet and dry utility lines (e.g., power, phone/cable, water, sewer, storm drains and fire hydrant system). Earthwork activity, which is estimated to encompass around 48,000 cubic yards of groundwork, is anticipated to be balanced for both development phases.

Though no wetlands exist on the project site, the project may fill up to 0.016 acre (472 linear feet) of ephemeral channels. The fill could be avoided with the use of bottomless culverts. Fill of the channels, which is anticipated entirely to occur within Phase 1, would require permitting under Sections 404 and 401 of the federal Clean Water Act if the channels meet criteria for Waters of the U.S. Fill of the channels would require permitting under section 1600 of state Fish and Game Code and the state Porter-Cologne Water Quality Control Act regardless of federal jurisdiction.

Oak canopy impacts within Phase 1 have been designed consistent with the oak tree canopy retention and replacement standards under General Plan Policy 7.4.4.4 Option A (Oak Canopy Retention and Replacement). As detailed in Exhibit L-Attachment 13, development of Phase 1 would result in the removal of 1.20 acres of the existing 8.21-acre oak canopy consistent with the policy. The canopy removed would be commensurately replaced through on-site replanting within designated areas of the Open Space and along the secondary road access, in accordance with the policy replacement standards.

No park land would be dedicated as part of the project; however, in accordance with the Subdivision Ordinance Section 120.12.090, the project shall be conditioned to pay the required park in lieu fee based on the required park land area estimated at 0.87 acres. Payment of the fees shall be remitted prior to filing of the Final Map.

Prior to commencement of any construction, the project proponent shall be required to obtain various construction approvals including environmental permits, Grading Permit, Improvement

Plan, Encroachment Permit, Facility Plan Report and Building Permit, subject to applicable conditions of approval and mitigation measures.

Phase 2 Development: Exhibits I, I.1, and J details the Phase 2 of the Piedmont Oak Estates development. Development of Phase 2 would include the balance of 22 detached single family residential lots and Commercial Lot 1.

As discussed in the *Piedmont Oak Estates Oak Canopy Analysis, Preservation and Replacement Plan* in Exhibit L-Attachment 13, the combined oak canopy impacts in both Phases 1 and 2 would exceed and be inconsistent with the required retention standards under the General Plan Policy 7.4.4.4 Option A. As such, only Phase 1, which meets the retention policy retention and replacement standards, would be the only phase entitled with this tentative map and planned development permit applications.

If Phase 2 development is proposed, a submittal of a Preliminary Planned Development Permit and revised Tentative Map would be required in accordance with Section 130.04.010 of the Zoning Code. The preliminary Planned Development Permit would be evaluated for substantial consistency with the overall design and improvements in Phase 1 and verified for conformance with the Oak Canopy Retention and Replacement Standards under General Plan Policy Option A and, if available, the future in-lieu fee mechanism under Option B, which is currently under County review as part of the Oak Resources Management Plan.

Consistency Analysis

The project requires verification for consistency with the applicable policies of the General Plan, provisions of the Zoning Ordinance and Subdivision Ordinance, and compliance with the California Environmental Quality Act (CEQA). Detailed discussion of the consistency verification is found under *Findings*. The following is a summary of the consistency analysis:

General Plan: The project is consistent with the applicable policies of the General Plan. The project is located within Community Region of Diamond Springs where this type of development and density is anticipated to occur. The project's residential density would be consistent with the proposed High Density Residential and Commercial land use designations. The project meets the requirements of a Planned Development highlighted by the preservation of over 30% of the site as open space and preservation of on-site resources. The project shall be compatible with the existing residential development in the area and would have direct access to existing public infrastructures for public utility services. Natural resources, including oak canopy and ephemeral drainage areas, shall be preserved as part of development design. As conditioned, at least 10% of the residential units shall be designated as affordable housing for families of moderate to low income.

Zoning: The project would be consistent with the One-Family (R1) Zone District of the Zoning Ordinance. As a Planned Development, the modified development standards have been verified to be necessary for the implementation of the project and achieve the objectives of the Planned Development.

Subdivision Ordinance: The project conforms to the applicable policies of the General Plan involving density, neighborhood compatibility, resource protection, and suitability. The design of the subdivision is suitable for the site and public infrastructure that would serve the development is already in place. With the exception of the two requested Design Waivers, the project shall be required to implement applicable standards of the Design and Improvement Standards Manual (DISM) and specific conditions of approval to ensure public health, safety, and welfare, and minimize effects to identified resources on site.

As discussed in the Findings of Approval, staff concludes that the required findings can be made to support the proposed subdivision.

Environmental Review: An Initial Study has been conducted to determine if the proposed project would have a significant effect on the environment (Exhibit L). 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 Resources, and Traffic/Circulation have been identified requiring mitigation measures to minimize the effects to a less than significant level.

Note: This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.). In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$2,210.25 after approval, but prior to the County filing the Notice of Determination on the project. This fee plus a \$50.00 administration fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,210.25 is forwarded to the State Department of Fish and Wildlife and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

Agency Review and Conditions of Approval

The project has been reviewed for conformance to applicable regulatory agency standards. These agencies include the Diamond Springs/El Dorado Fire Protection District, Department of El Dorado County Transportation Division, County Surveyor's Office, El Dorado County Health and Human Services Agency, Air Quality Management District, Caltrans and Central Valley Regional Water Quality Board. To ensure orderly implementation of the subdivision, applicable agency requirements are recommended as detailed in the Conditions of Approval.

The project was reviewed by the Diamond Spring-El Dorado Community Advisory Committee (DSEDCAC) on April 18, 2013 (Exhibit M). The review was informational only and no formal action was rendered. No follow-up meeting was conducted for the project.

The County Parks and Recreation Commission heard the project at its November 19, 2015 public hearing. The Commission acknowledged the need for parkland in the Diamond Springs area, but concluded that this project may not be the ideal site and size of a park that would sufficiently accommodate the recreational needs of the residents of Diamond Springs. The Commission

recommended that the Park and Recreation Department continue to work on identifying the potential size and location of parkland area, and appropriately utilize park in-lieu fees from residential development projects to potentially acquire and develop park lands within Diamond Springs.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings

Conditions of Approval

Exhibit A.....	Location Map
Exhibit B.....	Assessor's Parcel Number Map
Exhibit C.....	General Plan Land Use Map
Exhibit D.....	Zoning Map
Exhibit E.....	Slope Map
Exhibit F.....	Aerial Photo
Exhibit G.....	General Plan Amendment to Land Use Map
Exhibit H.....	Rezone Map
Exhibit I.....	Piedmont Oak Estates Tentative Subdivision Map
Exhibit I-1.....	Piedmont Oak Estates Phasing Plan
Exhibit I-2.....	Planned Development Modified Standards for Residential Lots
Exhibit J.....	Piedmont Oak Estates Preliminary Grading and Drainage Plan
Exhibit K.....	Piedmont Oak Estates Preliminary Water and Utility Plan
Exhibit L.....	Proposed Mitigated Negative Declaration and Initial Study
Exhibit M.....	Diamond Spring-El Dorado Community Advisory Committee Meeting Minutes of April 18, 2013