

## **Findings**

### **1.0 CEQA FINDINGS**

- 1.1 The project is a residential project and a part of an adopted El Dorado Hills Specific Plan EIR. This project is statutorily exempt from the requirements of CEQA pursuant to Section 15182 stating that a residential project is exempt where a public agency has prepared an EIR on a specific plan after January 1, 1980. No impacts have been identified which were not discussed and mitigated in the EIR. Implementation of the project is subject to conformance with applicable mitigation measures detailed in the Mitigation Monitoring Reporting Plan in the EIR. No further environmental analysis is necessary
- 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 ADMINISTRATIVE FINDINGS**

#### **2.1 General Plan**

The El Dorado County General Plan designates the subject site as Adopted Plan, a designation in reference to areas where specific plans have been adopted. These plans and the respective land use maps are accepted and incorporated by reference and is hereby adopted as the General Plan Land Use map for such area. Since the El Dorado Hills Specific Plan has been incorporated by reference under General Plan Land Use Element Policy 2.2.1.2, the proposed residential tentative subdivision map and planned development is found to be consistent with the General Plan.

#### **2.2 Specific Plan**

The proposed residential development is located within the Village J portion of the El Dorado Hills Specific Plan area. The design of the development conforms to the applicable standards under specific policies of the plan. The development would be served by existing public services and have access to amenities provided by Serrano Associates. Therefore, the proposed tentative map/planned development is found to be consistent with the El Dorado Hills Specific Plan.

##### **2.2.1 1.4.1.a (Complimentary to El Dorado Hills Community)**

Rational: The residential project is within the Village J area of the EDHSP. Though geographically isolated from the majority of the EDHSP villages, Village J7 would receive existing public utility services and benefit from the amenities provided by

Serrano Owner's Association, including parks and recreation and private homeowner's association services.

**2.2.2 1.4.1.e (Design Review)**

Rational: The residential development substantially meets the design guideline components including site layout, amenities, and circulation.

**2.2.3 1.4.1.1.a, b, d, h, and i (Design and Development)**

Rational: The project has been designed to accommodate a single family residential development. Site development would include establishing of residential pads, driveways and internal roads utilizing minimal and balanced grading. No oak trees would be impacted as part of development. The development would have on-site landscaping utilizing plants identified within the EDHSP.

**2.2.4 1.4.1.3 (Air Quality)**

Rational: The project would be conditioned to implement and enforce dust-reducing construction practices, which would be verified during review on construction plans.

**2.2.5 1.4.1.4 (Noise)**

Rational: In order to minimize significant noise impacts, the project has been designed to include adequate residential setbacks and a masonry soundwall along Bass Lake Road. Construction of these residences would utilize standard building materials that would maintain interior noise levels of 45 db or below.

**2.2.6 2.3.1.1.c (Dwelling Unit Types)**

Rational: Though the EDHSP identifies appropriate dwelling unit types corresponding to a village, allocation of these dwelling units is determined by the specific site factors including lotting pattern, topography, tree coverage and orientation. Given its flat topography and orientation, the project site would adequately accommodate the proposed single family residential development.

**2.2.7 6.2.2 (Residential Open Space)**

Rational: The proposed development would include on-site landscape common open space areas that would be privately owned and maintained by the Homeowner's Association.

2.2.8 **7.6.2.1 (Parks and Recreation)**

Rational: A 2.58-acre private neighborhood park was approved within the J5/J6 tentative map to serve the anticipated 213 total residential lots in Village J5/J6 and J7. Additionally as discussed above, residents within Village J would have access to a future community park located at the northeast corner of Serrano Parkway and Bass Lake Road.

2.3 **Zoning/Planned Development**

The development conforms to the Single Unit Residential (R1) Zone District standards, as modified under Section 130.52.040.D.1 of the El Dorado Zoning Ordinance (Planned Development). Specifically, the modified standards correspond to the nature of the design and use of the clustered development. Existing public utility services would be adequately provided by local purveyors. The development is designed to conform to the existing residential neighborhood consistent with the policies and standards of EDHSP.

The planning commission shall not approve or conditionally approve a development plan nor recommend the establishment of a PD zone unless it makes the following findings:

2.3.1 **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;**

Rational: The project is a residential development contemplated by the El Dorado Hills Specific Plan which is consistent with the El Dorado County General Plan and Chapter 130.28 of the Zoning Ordinance.

2.3.2 **The site is adequate in shape and size to accommodate proposed uses and other required features;**

Rationale: The residential development has been designed to meet the applicable standards of the EDHSP and the Zoning Ordinance. Specifically, implementation of the residential subdivision would benefit from the amenities provided by the master developer that create a desirable environment for its future residents. These amenities include use of recreational parks, natural open space, and trails.

2.3.3 **That any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography;**

Rationale: Creation of single family residential lots would be subject to applicable modified standards of the Single Unit Residential (R1) Zone District. The modifications are justified based on the site constraints limiting the property and the design of the residential subdivision.

**2.3.4 That adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities;**

Rationale: As designed, the proposed residential development can be physically accommodated on the project site. The vacant site is relatively flat with sparse vegetation, is accessible off County Road (Bass Lake Road), and would have utility service readily available from existing development in the area.

**2.3.5 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: Mixed use is not proposed as a part of this residential subdivision.

**2.3.6 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.**

Rational: The project is a residential development contemplated by the El Dorado Hill Specific Plan which is consistent with the El Dorado County General Plan and Chapter 130.28 of the Zoning Ordinance.

**2.4 Subdivision Ordinance**

The project is consistent with Section 120.44.030.

**2.4.1 That the proposed map is consistent with applicable general and specific plans;**

Rationale: The proposed development would create a total 65 residential lots in conformance with the standard and design provisions of the El Dorado Hills Specific Plan, as adopted by the El Dorado County General Plan.

**2.4.2 That the design or improvement of the proposed division is consistent with applicable general and specific plans;**

Rationale: The improvement of the subdivision has been designed in conformance with the identified residential land use requirements in the Specific Plan. The subdivision shall adhere to applicable improvements of the DISM and shall be constructed in accordance to construction plans and permit requirements.

**2.4.3 That the site is physically suitable for the type of development; and**

**2.4.4 That the site is physically suitable for the proposed density of development;**

Rationale: The project site is physically suitable to accommodate the proposed development. The site predominantly flat, does not contain sensitive vegetation, and shall

conform to the established surrounding residential development in the area. With its proximity to the Bass Lake overflow, appropriate construction measures shall be adhered to avoid impacts to the resource subject to verification by affected agencies. The infill site shall have direct access and connection to public utilities available in the area. Modified standards and improvement requirements would sufficiently accommodate the development.

- 2.4.5 **That the design of the division or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat; and**
- 2.4.6 **That the design of the division or the type of improvements would not cause serious public health hazards;**

Rational: Development of the residential subdivision is subject to the applicable provisions of El Dorado Hills Specific Plan and mitigation measures under the Environmental Impact Report (EIR) including regulation of proper lot design and layout minimizing impacts to natural resources, adherence to air quality measures, and reduction of noise impacts. Prior to issuance development permit, construction and improvement plans shall be reviewed for conformance to applicable County standards and Serrano Architectural Review Committee requirements. Therefore, the project is not likely to cause substantial environmental damage.

- 2.4.7 **That the design of the division or the improvements is suitable to allow for compliance of the requirements of section 4291 of the Public Resources Code;**

Rationale: The development is subject to the applicable Specific Plan policies involving site design and maintenance of open areas susceptible to brush fires. Further, the subdivision is subject to specific project conditions from the El Dorado Hills Fire Department regarding location of hydrant and construction of non-combustible fencing material. Therefore, the proposed subdivision conforms to the requirements of Section 4291 of the Public Resource Code;

- 2.4.8 **That 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 subdivision. In this connection the approving authority may approve a map if it finds that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.**

Rationale: Utility easements necessary to serve the subdivision have been adequately depicted on the Tentative Subdivision Map and shall be further verified for any conflicts by the County Surveyor's Office at the time of filing of the final map.

## 2.5 Design Waivers

The following design waiver requests are subject to specific findings in accordance with Section 120.08.020.A.2a-d of the El Dorado County Subdivision Ordinance. Each request is followed by a response justifying the waiver.

### 2.5.1 **Design Waiver 1: Modification of subdivision road improvement Standard Plan 101 B allowing a reduction from 31 feet (as shown on the Tentative Map) to 20 feet in width, for that portion of "A" Street, from the westerly property boundary (connection to Village J6) for approximately 65 feet to the east, with "No Parking" restrictions in this segment;**

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

Given the irregular configuration of the property and close proximity to Bass Lake, the proposed "A" Street improvements would adequately accommodate the anticipated residential vehicular and pedestrian traffic and on-site utilities necessary to serve the development. The proposed reduction in internal roadway requirements would be consistent with the 2016 Fire Safe Regulations. The streets are privately owned and maintained by the master Homeowner's Association.

- B. Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.

Application of the standard road and right-of-way width would preclude construction of this portion of the roadway, resulting in reduced circulation efficiency, and reduced fire apparatus access.

- C. The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.

Construction of the road to the minimum fire safe width of 20 feet would provide a greater degree of internal circulation and provide Serrano Villages J6 and J7, as well as Bridlewood Canyon with secondary emergency access.

- 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 modified standards would not have the effect of nullifying the objectives of this article or ordinance applicable to the subdivision as this standard would affect

private streets serving the clustered residential development. These streets shall be privately maintained by the HOA. Other applicable improvement standards shall be enforced and verified during review construction plans. Reduction in road width due to site constraints for limited segments has been successfully implemented in other subdivisions at various times in the past, without nullifying the objectives of this article, or any other applicable law or ordinance.

**2.5.2 Design Waiver 2: Reduction of 100-foot centerline curve radii to 61.67 feet on A Street near the Birmingham Way intersection;**

- A. There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver; and
- B. Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.

The property has an irregular shape and configuration affected by its proximity of Bass Lake thereby influencing the design of the private development. Application of the standard would result in a re-design and adjustments of the site layout that could lead in unnecessary disturbance and impacts. As proposed, the modified standards would sufficiently accommodate vehicular traffic and ensure safety with restrictions to parking and vehicular speed along the private streets.

- C. The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.

The proposed deviation would not be detrimental to health, safety, and welfare of the public. The modified centerline curve radius length has been designed to sufficiently accommodate the vehicular traffic and speed anticipated for the private development. The required improvements shall be constructed in accordance to standards of the DISM, subject to improvement and other construction plans. Implementation of project condition of approvals and applicable mitigation measures shall be verified during review and prior to issuance of any construction permits.

- 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 modified standard would not have any nullifying effect on the objectives of this article or ordinance applicable to the subdivision as this standard would affect a street design serving the streets within private clustered residential development. Construction of this improvement would be conducted in accordance with the DISM, subject to approved plans. The design would sufficiently accommodate on-site traffic and circulation conditions, which would be privately enforced by the Homeowner's Association.

**2.5.3. Design Waiver 3: Modification of the standard road encroachment to allow for an entry gate and landscaping median;**

- A. There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver; and
- B. Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.

The proposed modified encroachment would serve as an enhanced entrance feature to Village J7 development that is distinct to many residential villages developed by Serrano within the EDHSP. This design creates a very unique subdivision look and architectural statement that Serrano has become known for. Deviating from the modified entrance at this stage specific plan buildout would disrupt the very distinctive harmonious theme of the community. Strict application of the standard encroachment entrance would cause an unnecessary hardship in marketing the new subdivisions. Without the continued use of the Serrano “typical”, the subdivisions would have a different look in comparison with the balance of the existing community within Serrano and has the potential to create a perception to prospective buyers that the new subdivision was built to a lesser standard than the existing ones.

- C. The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.

The modified design of the encroachment entrance would not be injurious to adjacent properties or detrimental to the welfare of the public as this improvement would be confined entirely within the project site, serving the residents of the subdivision.

- 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.

Granting of the waiver would not have any effect of nullifying effect on the objectives of the Subdivision Ordinance or other applicable subdivision applicable. The modified encroachment entrance, which has been previously used in other Serrano villages, would sufficiently serve the subdivision as well as provide an aesthetically unique amenity for the subdivision.



**2.5.4 Design Waiver 4: Modification to Standard Plan 101B for the reduction of the Right-of-Way, and road improvement widths, and for the construction of reduced sidewalks (six feet to four feet in width) on one side of the street, as modified on the Tentative Map;**

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

Given the irregular configuration of the property and close proximity to the Bass Lake overflow, the proposed street improvements would adequately accommodate the anticipated residential vehicular and pedestrian traffic and on-site utilities necessary to serve the development. The proposed reduction in internal roadway requirements would be consistent with the roadway design commonly found throughout Serrano. The streets shall be privately owned and maintained by the master Homeowner's Association.

- B. Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.

Application of the standard road Right-of-Way would require wider pavement and related improvements would result in additional unnecessary disturbance to the site, thereby posing an encumbrance to the design and functionality of the development.

Application of the standards street right-of-way and related improvements would require wider pavement and additional disturbance to the site, thereby posing an encumbrance to the design and functionality of the residential development. The reduction in sidewalk width from 6 feet to 4 feet would sufficiently accommodate the anticipated minimal pedestrian traffic necessary to serve the development.

- C. The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.

The modified street standards would affect the private streets that would sufficiently serve the private residential development. The associated improvements shall be constructed in accordance to standards of the DISM, subject to improvement and other construction plans. Implementation of project condition of approvals and applicable mitigation measures shall be verified during review and prior to issuance of any construction permits. Therefore, the proposed deviations have been determined not to be detrimental to health, safety, 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 modified standard would not have the effect of nullifying the objectives of this article or ordinance applicable to the subdivision as this modified standard would not negatively affect the private streets serving the residential development. These streets shall be privately maintained by the HOA. Other applicable improvement standards shall be enforced and verified during review construction plans.