

# FINDINGS

**Specific Plan Amendment SP13-0002/Rezone Z13-0002/  
Planned Development PD13-0001/Tentative Map TM13-1511/Serrano Villages J5 & J6  
Planning Commission/February 27, 2014**

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made pursuant to *Section 66472.1* of the *California Government Code*:

## **Findings for Approval**

### **1.0 CEQA FINDINGS**

- 1.1 The project is a residential project and a part of the adopted El Dorado Hills Specific Plan. 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. Additional residential units proposed with the project do not exceed the total number of dwelling units approved under the Specific Plan. 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 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 Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

### **2.0 GENERAL PLAN FINDINGS**

#### **2.1 General Plan**

The El Dorado County General Plan designates the subject site as Adopted Plan (AP), a designation applicable to areas where specific plans have been adopted. The El Dorado Hills Specific Plan and the respective land use maps were accepted and incorporated by reference and adopted as the General Plan Land Use map for the project. Since the 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 El Dorado Hills Specific Plan identifies 45 acres of commercial development within Village J. The project contains a portion of the last remaining acreage to be developed commercially in Village J5. Approval of the current project will reduce total Village J commercial acreage further from the 17 acres that remain and are currently entitled to commercial development. The applicant has applied for a Specific Plan Amendment to

reduce the commercial acreage requirement to approximately 12 acres citing adverse market conditions, lack of enough surrounding residential development to support commercial use, and the project's remote location from significant pass-by traffic.

The proposed residential development is located within the Village J portion of the El Dorado Hills Specific Plan. The development will be served by existing public services and have access to amenities provided by Serrano Associates. The design of the development conforms to the Specific Plan standards applicable to its lot size and housing type. Therefore, the proposed tentative map and planned development design standards are found to be consistent with the El Dorado Hills Specific Plan.

### **3.0 ZONE CHANGE FINDINGS**

#### **3.1 *The zone change is consistent with the Specific Plan subject to approval of the proposed Specific Plan Amendment.***

The proposed zone change to One-Family Residential-Planned Development (R1-PD) is consistent with the previous decisions by the Planning Commission and Director based on the Development Agreement allowing such administrative modifications. As such, there currently is no possibility of developing 45 acres due to previous decisions rendered under the now expired Development Agreement. By changing the zoning to residential, the overall dwelling unit allotment for the Specific Plan will not be exceeded and will still remain significantly under the total that was originally approved. The project represents a portion of the last remaining acreage to be developed commercially in this area. However, the applicant has indicated that due to market conditions and high commercial vacancy rates, low supporting residential density in the surrounding area, and the out-of-the-way location of the site, additional housing units would be the better development option at this time.

### **4.0 SUBDIVISION FINDINGS**

#### **4.1 *The proposed map is consistent with applicable general and specific plans;***

The proposed development would create a total of 119 residential lots, increasing the dwelling unit total in Village J from 342 to 454 dwellings units over 167 acres. While the project density will result in 3.26 dwelling units per acre, the overall density for the North Uplands Development Neighborhood containing Village J will decrease from 2.38 to 1.61 dwelling units per acre, in conformance with the standard and design provisions of the adopted El Dorado Hills Specific Plan.

#### **4.2 *The design or improvement of the proposed division is consistent with applicable general and specific plans;***

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 Design and Improvements Standards Manual and shall be constructed in accordance with construction plans and permit requirements.

4.3 *The site is physically suitable for the type of development;*

While the site is relatively flat, the greatest slope area as well as an amount of oak canopy will be preserved within the passive park area, thereby reducing the impact on these topographic and biological features from development.

4.4 *The site is physically suitable for the proposed density of development;*

The project site is physically suitable to accommodate the proposed development. The site is relatively flat in the development areas 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.

4.5 *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;*

Over 31 percent of the site will be left as open space and landscaped areas. The open space area is contiguous and contains the majority of the natural resources of rock outcroppings and dense oak canopy that will serve to provide wildlife habitat. No riparian habitat exists on the site.

4.6 *The design of the division or the type of improvements would not cause serious public health hazards;*

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 pad design and layout minimizing impacts to natural resources, adherence to air quality measures, and reduction of noise impacts. Prior to issuance of the development permit, construction and improvement plans shall be reviewed for conformance with applicable County standards and Serrano Architectural Control Committee requirements. Therefore, the project is not likely to cause substantial environmental damage.

4.7 *The design of the subdivision or the improvements is suitable to allow for compliance of the requirements of section 4291 of the Public Resources Code;*

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, construction of non-combustible fencing material, and adherence to Wildfire Fire Safe Plan provisions. Therefore the proposed subdivision conforms to the requirements of Section 4291 of the Public Resource Code;

- 4.8 *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.*

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.

## **5.0 PLANNED DEVELOPMENT FINDINGS**

- 5.1 *The PD zone request is consistent with the general plan;*

The development plan is consistent with the El Dorado Hills Specific Plan which requires a PD application as part of any residential development.

- 5.2 *The proposed development is so designed to provide a desirable environment within its own boundaries;*

The proposed residential project includes design amenities such as landscaping lots and a passive park site that combined total 31 percent of the project site.

- 5.3 *Any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography;*

The proposed modifications to the Development Standards of the R1 Zone District would facilitate this design concept. The proposed modifications would allow for the proposed density but would maintain the design integrity of the overall project.

- 5.4 *The site is physically suited for the proposed uses;*

The site is relatively flat. The considerable amount of the oak canopy would be preserved within the park area. No significant topographic or biological features exist on the site that would be negatively impacted by the project.

- 5.5 *Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities;*

The project would be served by EID which has indicated that all necessary water and sewer services are available to serve the project. The proposed circulation plan would allow for multiple vehicular ingress/ egress points and sufficient emergency access. Sufficient parking and guest parking will be provided by individual driveways and street parking.

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

The primary natural features of the site are the slope area and oak woodlands which would largely be preserved within the park site.

## **6.0 DESIGN WAIVER FINDINGS**

The following design waiver requests are approved subject to the following findings for approval:

- 6.1 **Design Waiver 1: Modifications to Standard Plan 101B for reduction of the following roadway right-of-way and improvement widths including reduction of sidewalks from six foot widths to four foot widths:**

- (a) **35 feet = E Street, sta. 8+43.60 to 10+43.00.**
- (b) **36 feet = A Street, sta. 1+49.00 to 4+15.82;  
E Street, sta. 5+79.28 to 8+43.60; and  
C Street, F, G, and H Courts.**
- (c) **37 feet = J Street**
- (d) **38 feet = I Street**
- (e) **42 feet = A Street, sta. 4+15.82 to 10+50.69;  
E Street, sta. 1+00 to 5+79.28; and  
B, D, and G Streets.**

- 6.1.1 *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 overflow, the proposed street improvements would adequately accommodate the anticipated 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 the El Dorado Hills Specific Plan area. The streets shall be privately owned and maintained by the master Homeowner's Association.

- 6.1.2 *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 street right-of-way would require wider pavement and related improvements and additional disturbance to the site, thereby posing an encumbrance to the design and functionality of the development.

- 6.1.3 *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 right-of-way would not affect the private streets from sufficiently serving the private residential development. The associated improvements shall be constructed in accordance to standards of the Design and Improvements Standards Manual (DISM), subject to improvement and other construction plans. The roadway widths would meet the Fire Safe Regulations for minimum roadway width and would allow for parking on one side of the street for those right-of-ways between 29 and 36 feet in width. The proposed design waiver for roadway design would not impair vehicular circulation or impede emergency access throughout the project. Therefore, the proposed deviation has been determined to not be detrimental to health, safety, and welfare of the public.

- 6.1.4 *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.

- 6.2 **Design Waiver 2: Elimination of sidewalks on one side of A, C, D, E, G, and I Streets, and F, G, and H Courts.**

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

The proposed elimination of sidewalks on one side of an internal road would be consistent with the pedestrian design commonly found throughout the El Dorado Hills Specific Plan area.

- 6.2.2 *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 crosswalk widths on both sides of the roads specified would require wider right-of-way and related hardscape with additional disturbance to the site, thereby posing an encumbrance to the design and functionality of the development.

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

Stop signs will be placed at crosswalk intersections for pedestrian safety by providing a link from one sidewalk to the next. The applicant will also comply with the design standard in providing sidewalks on both sides of B and J Streets that are the most heavily traveled main entranceways to the subdivision. Both improvements will further ensure pedestrian safety.

- 6.2.4 *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 pedestrian circulation serving the residential development.

- 6.3 **Design Waiver 3: Reductions of cul-de-sac right-of-way radius from 60 feet to 45.5 feet and road width radius from 50 feet to 40 feet at the end of F, G, and H Courts and reduction from 100 feet centerline curve radius to 50 feet for “elbow” curves on A, C, and I Streets and G Court.**

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

The requested Design Waiver would match the roadway design commonly found within the El Dorado Hills Specific Plan. The proposed reduction in the cul-de-sac design standards would be consistent with the modified roadway standards.

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

The proposed modified cul-de-sac standard would be consistent with the existing cul-de-sacs already constructed within the Specific Plan Area. The reduced standards would be necessary to match the roadway designs that are found throughout the Specific Plan area.

- 6.3.3 *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 cul-de-sac 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.

- 6.3.4 *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 development standards. The modified design of the cul-de-sac and roadway curve “elbow” that have been previously used in other Serrano villages, would sufficiently serve the subdivision.

**6.4 Design Waiver 4: Modification of standard road encroachment under Standard Plan 110 to allow for an entry gate and landscaping median.**

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

The project site is located within the El Dorado Hills Specific Plan which adheres to different architectural design features than throughout the County. The modified encroachment would be necessary to maintain a common design throughout the Specific Plan area.

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

The proposed encroachment design would be consistent with existing encroachments throughout the Specific Plan area. Adherence to the Standard Plan 110 encroachment would result in an atypical design in the Specific Plan Area and would disrupt the harmonious designs utilized throughout the Specific Plan area.

*6.4.3 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 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.

*6.4.4 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 the objectives of the Subdivision Ordinance or other applicable subdivision development standards. 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.