

Findings

1.0 CEQA FINDINGS

- 1.1 According to CEQA Guidelines Section 15090, Prior to approving a project the lead agency shall certify that: (1) The final EIR has been completed in compliance with CEQA; (2) The final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and (3) The final EIR reflects the lead agency's independent judgment and analysis.

Rationale: Staff recommends that the Board of Supervisors find that the Final EIR constitutes a complete, accurate, adequate, and good faith effort at full disclosure under CEQA, and to certify the Final EIR as completed in compliance with CEQA. The Final EIR will be presented to the El Dorado County Board of Supervisors for review and recommendation of the Final EIR, including its attachments and exhibits. In addition, the Board of Supervisors will review and consider all testimony and additional information presented at or prior to the public hearing on March 26, 2016.

- 1.2 According to CEQA Guidelines Section 15091(a), no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR;

Rationale: The Final EIR for the Saratoga Estates Rezone, Planned Development, and Tentative Subdivision Map (Saratoga Estates) identifies two environmental impacts related to noise that cannot be mitigated to a less than significant level. Because the EIR for the proposed project has identified a significant and unavoidable effect and additional potentially significant impacts, for which measures have been identified to mitigate those impacts, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program are required and have been prepared for the proposed project.

2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency;

Rationale: The County of El Dorado is the lead agency for this project and will be the primary agency, but not the only agency, responsible for implementing project mitigation measures. In some cases, other public agencies will implement measures. In other cases, the project applicant will be responsible for implementation of measures and the County's role is exclusively to monitor and/or measure implementation. The County will continue to monitor mitigation measures that are required to be implemented during the operation of the project. The Mitigation Monitoring and Reporting Program describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures.

3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Rationale: The Final EIR evaluated a no project alternative and three alternatives, which were all found to be feasible alternatives.

1.3 According to CEQA Guidelines Section 15091(b), the findings required by 15091(a) (above) shall be supported by substantial evidence in the record.

Rationale: The documents and other materials, which constitute the record of proceedings, are in the custody of the El Dorado County Community Development Agency, Development Services Division, located at 2850 Fairlane Court, Building C, Placerville, CA 95667.

1.4 According to CEQA Guidelines Section 15091(c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

Rationale: Staff requests the Board of Supervisors to adopt the project description for Saratoga Estates and Conditions of Approval, with the corresponding permit monitoring requirements, as the Mitigation Monitoring and Reporting Program for the project. Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with the corresponding permit monitoring requirement, is hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation, and mitigation or avoidance of significant effects on the environment.

- 1.5 The EIR is consistent with CEQA Guidelines Section 15091(d). This section says that when making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

Rationale: The Final EIR identified twenty impacts within eight subject areas for which the project is considered to cause or contribute to significant, but mitigable environmental impacts. The Mitigation Monitoring and Reporting Plan provides a detailed description of the environmental impacts, required mitigation, responsible lead agency, and monitoring timeline. Issue areas with prescribed mitigation measures include Hydrology and Water Quality, Biological Resources, Transportation and Circulation, Air Quality, Geology and Soils, Hazards and Hazardous Materials, Public Services, Cultural Resources. Each of these impacts are summarized in the EIR (Chapter 2, Summary, pp. 2-6 through 2-32), along with the mitigation measures intended to reduce these impacts to a less than significant level for consistency with CEQA Guideline 15091(1)(a).

- 1.6 The EIR is consistent with CEQA Guidelines Section 15091(e). According to subsection (e), the public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.

Rationale: The documents and other materials, which constitute the record of proceedings, are in the custody of the El Dorado County Community Development Agency, Development Services Division, located at 2850 Fairlane Court, Building C, Placerville, CA 95667.

- 1.7 The EIR is consistent with CEQA Guidelines Section 15092. EIR approval is required as follows: a) After considering the final EIR and in conjunction with making findings under Section 15091, the Lead Agency may decide whether or how to approve or carry out the project. b) A public agency shall not decide to approve or carry out a project for which an EIR was prepared unless either: (1) The project as approved will not have a significant effect on the environment, or (2) The agency has: (A) Eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under Section 15091, and (B) Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093. (c) With respect to a project which includes housing development, the public agency shall not reduce the proposed number of housing units as a mitigation measure if it determines that there is another feasible specific mitigation measure available that will provide a comparable level of mitigation.

Rationale: The Final EIR for Saratoga Estates identifies one environmental impact that cannot be mitigated to a less than significant level. A statement of

overriding concerns has been prepared in accordance with Section 15093.

- 1.8 An environmental impact report was prepared with respect to the project and a finding was made pursuant to paragraph (3) of subdivision (a) of Section 21081 of the Public Resources Code that specific economic, social, or other considerations make infeasible project alternatives identified in the environmental impact report. (Government Code Section 66474.01).

The Final EIR identified significant environmental impacts that will result from implementation of the project. The EIR identified twenty significant impacts for which feasible mitigation measures are available to reduce the impacts to less-than-significant levels. Impacts to Hydrology and Water Quality, Biological Resources, Transportation and Circulation, Air Quality, Geology and Soils, Hazards and Hazardous Materials, Public Services, and Cultural Resources would be significant without the implementation of mitigation measures, but would be reduced to a less-than-significant level with mitigation measures implemented. The construction phase of the project would result in a significant impact related to construction noise. The extension of Saratoga Way and Wilson Boulevard would result in additional traffic noise and substantial long-term increase in noise. While mitigation measures are identified to substantially lessen construction-related and traffic noise, even with implementation of noise mitigation measures, the project would result in two significant and unavoidable impacts.

For these significant and unavoidable effects, the County finds that specific economic, legal, social, recreational, and environmental benefits override and outweigh the project's significant unavoidable impacts. The CEQA Findings document contains a Statement of Overriding Considerations for the significant and unavoidable impact pursuant to paragraph (3) of subdivision (a) of Section 21081 of the Public Resources Code.

- 1.9 The County has adopted a Mitigation Monitoring Program for the Project in accordance with Section 15097 of the CEQA Guidelines. In order to ensure that the mitigation measures identified are implemented, a Mitigation Monitoring Program is attached as Exhibit X.
- 1.10 The documents and other materials that constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Division at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

2.1 The project is consistent with General Plan Policy 2.1.1.7

This policy requires that development within Community Regions, as with development elsewhere in the County, proceed only in accordance with all applicable General Plan Policies, including those regarding infrastructure availability as set forth in the Transportation and Circulation and the Public Services and Utilities Elements. Accordingly, development in Community Regions and elsewhere will be limited in some

cases until such time as adequate roadways, utilities, and other public service infrastructure become available and wildfire hazards are mitigated as required by an approved Fire Safe Plan.

Rationale: The proposed development has been assessed in consideration of General Plan policies, as described in this section. The project is located entirely within the General Plan Community Region of El Dorado Hills. The objective of establishing the community region boundaries was to create an urban limit line where growth will be directed and facilitated (2004 General Plan, Plan Concepts).

2.2 **The project is consistent with General Plan Policy 2.2.3.1**

General Plan Policy 2.2.3.1 describes the requirements for the Planned Development (-PD) Combining Zone District. Primary emphasis is to be placed on furthering uses and/or design that (1) provide a public or common benefit on- or off-site, (2) cluster intensive land uses or lots to conform to the natural topography, (3) minimize impacts on various natural and agricultural resources, (4) avoid cultural resources where feasible, (5) minimize public health concerns, (6) minimize aesthetic concerns, and (7) promote the public health, safety, and welfare. A goal statement shall accompany each application specifically stating how the proposed project meets these criteria.

Residential Planned Developments must include open space lands comprising at least 30 percent of the total site. The common open space requirement may be reduced to 15% in High Density Residential (HDR) Planned Developments where the open space is improved for recreational purposes, or as landscaped buffers or green belts, and an additional 15% of the total site is devoted to open space areas reserved for the exclusive use of individual residents such as private yards. The commonly owned open space can be improved for recreational purposes such as parks, recreational facilities, ball fields, golf courses, or picnic areas, or may be retained in a natural condition. Both improved and natural open space may be incorporated into a single Residential Planned Development. Commonly owned open space shall not include space occupied by infrastructure (e.g., roads, sewer and water treatment plants) except when multi-use trails are included within such space.

Rationale: The project proposes to amend the existing zones and add the Planned Development combining zone to each, resulting in proposed zones R1-PD, and OS-PD. Forty-two acres of open space, approximately 34% of the site, would be provided within the Planned Development, which meets the 30 percent requirement of the policy. Eight acres have been designated as parks. The proposed development pattern would conform to topography by clustering the smallest lots where topography is relative flat and siting the larger lots where topography is steeper. The existing perennial drainage would be preserved onsite within the proposed open space, minimizing the impacts on natural resources. The open space lot at the

north side of the project site would contain a trail connecting to the proposed Promontory Open Space trail to the west and William Brooks Elementary School to the east. These trails would also connect to sidewalks within the development, providing a benefit to the future residents and the surrounding community.

2.3 The project is consistent with General Plan Policy 2.2.3.2

The calculation of development density for purposes of Planned Developments is based on the maximum density permitted by the underlying zone district(s). No density is attributed to bodies of water, excluding wetlands.

Rationale: The development density conforms to the density permitted by the underlying zone districts. The overall density of the project would average 2.16 dwelling units per acre.

2.4 The project is consistent with General Plan Policy 2.2.3.3

Where an application to apply the -PD combining zone district also includes the request to rezone the base zone district(s), said rezone shall not occur where the land cannot support a higher density or intensity of land use due to infrastructure availability, physical and topographic constraints, or otherwise conform to Policy 2.2.5.3.

Rationale: As the request to amend the base zones also includes the addition of a -PD combining zone, General Plan Policy 2.2.3.3 requires an analysis on whether the project site could support the proposed density and intensity of use based on available infrastructure and the lack of physical constraints or, if present, the ability to surmount them. The proposed zoning amendments serve to better align the natural features on site with Open Space zones. No other changes to zoning are proposed. Infrastructure is available and can be feasibly provided to serve the project without adverse impact to existing or approved development, and the project has been designed to account for physical and topographic conditions. The PD zone request is consistent with the General Plan. The proposed R1-PD and OS-PD zoning is consistent with the HDR land use designation.

2.5 The project is consistent with General Plan Policy 2.2.5.2

All applications for discretionary projects or permits including, but not limited to, General Plan amendments, zoning boundary amendments, tentative maps for major and minor land divisions, and special use permits shall be reviewed to determine consistency with the policies of the General Plan. No approvals shall be granted unless a finding is made that the project or permit is consistent with the General Plan. In the case of General Plan amendments, such amendments can be rendered consistent with the General Plan by

modifying or deleting the General Plan provisions, including both the land use map and any relevant textual policies, with which the proposed amendments would be inconsistent.

Rationale: The project has been reviewed in accordance with General Plan Policy 2.2.5.2 and has been found to be consistent with all applicable policies of the General Plan. As conditioned and mitigated, the proposal is consistent with the intent of the General Plan, as determined within the General Plan Findings.

2.6 **The project is consistent with General Plan Policy 2.2.5.3**

Policy 2.2.5.3 requires that the County 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 specific criteria to be considered include, but are not limited to, the following nineteen criteria:

1. Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;

Rationale: The project proposes to connect to an existing and adjacent EID water supply. There is adequate water availability to support the project density; the project is within a Community Region (see 2.33 through 2.37).

2. Availability and capacity of public treated water system;

Rationale: There is adequate water availability to support the project density; the project is within a Community Region (see 2.33 through 2.37).

3. Availability and capacity of public waste water treatment system;

Rationale: The project proposes to connect to an existing and adjacent EID sewer connection. There is adequate public waste water treatment system capacity to support the project density; the project is within a Community Region (see 2.38 through 2.39).

4. Distance to and capacity of the serving elementary and high school;

Rationale: The project could generate approximately 200 students, which may affect school capacity. Mitigation Measure 4.13-3, requiring the payment of school fees, would mitigate this impact to capacity. There are two school sites within 0.25 miles of the Saratoga Estates Project site: Russell Ranch Elementary School (375 Dry Creek Road, Folsom) and William Brooks Elementary School (3610 Park Drive, El Dorado Hills). A pedestrian trail is proposed through the residential neighborhood connecting to William

Brooks Elementary School. Oak Ridge High School is located approximately 2.3 miles from the project site (see Finding 2.49).

5. Response time from nearest fire station handling structure fires;

Rationale: The nearest fire station is located approximately 1 mile from the site. According to EDHFD, there is adequate equipment and staff to maintain acceptable fire service ratios, response times, and other performance objectives with implementation of the project (see Findings 2.47, 2.48, and 2.52).

6. Distance to nearest Community Region or Rural Center;

Rationale: The project is within a Community Region.

7. Erosion hazard;

Rationale: Erosion will be controlled through adherence to County grading requirements (see Findings 2.40, 2.41, 2.55, 2.73-2.76, and 2.81).

8. Septic and leach field capability;

Rationale: No septic systems are proposed.

9. Groundwater capability to support wells;

Rationale: No wells are proposed, and the development would not impact groundwater supply.

10. Critical flora and fauna habitat areas;

Rationale: The project would not adversely affect biological resources and will be protected through EIR mitigation measures (see Findings 2.78, 2.81 through 2.83, and 4.1).

11. Important timber production areas;

Rationale: The project is not located near and would not adversely affect timber resource areas.

12. Important agricultural areas;

Rationale: The project is not located near and would not adversely affect agricultural areas.

13. Important mineral resource areas;

Rationale: The project is not located near and would not adversely affect mineral resource areas.

14. Capacity of the transportation system serving the area;

Rationale: The project would be required to improve affected roadways and would not affect transportation system capacity (see Findings 2.12-2.25).

15. Existing land use pattern;

Rationale: The project would be consistent with the adjacent existing high-density land use pattern to the north, east, south, and west and would provide adequate buffers and transitions for other locations (see Findings 2.2, 2.4, 2.8, and 4.1).

16. Proximity to perennial water course;

Rationale: Perennial water courses would be protected through compliance with required programs (see Findings 2.41, 2.79, and 2.86).

17. Important historical/archeological sites; and

Rationale: There are no known historic/archaeological sites that would be affected by the project (see Finding 2.87).

18. Seismic hazards and present of active faults.

Rationale: There are no active faults or extraordinary seismic hazards in the vicinity of the project.

19. Consistency with existing Conditions, Covenants, and Restrictions.

Rationale: There are no CC&Rs currently at the site.

2.7 The project is consistent with General Plan Policy 2.2.5.4

General Plan Policy 2.2.5.4 requires the Planned Development combining zone to be applied to applications creating 50 or more lots.

Rationale: The project complies with this requirement as well as the zone amendment requirements under Chapter 130.04 of the Zoning Ordinance with submittal of PD11-0006. The specific details of the proposed development plan are discussed in Finding 3.2.

2.8 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.

Rationale: The project site located on the western border of El Dorado County and the City of Folsom. The land to the north, west, east, and south across Highway 50 is developed as residential development. The development density would be visually and physically compatible with the high density residential development. Larger lots would generally be along the perimeter thereby providing adequate buffering and transitions to smaller lots toward the center of the proposed development, and providing protection of the ridgeline and the views of the adjacent homes. The proposed design allows for the perimeter to be maintained as open space, preserving a natural buffer between existing residential areas of similar and lower residential densities.

2.9 **The project is consistent with General Plan Policy 2.3.2.1**

Disturbance of slopes thirty (30) percent or greater shall be discouraged to minimize the visual impacts of grading and vegetation removal.

Rationale: The topography of the project site ranges from 630 feet Above Mean Sea Level (amsl) in the southeast portion of the site to 790 feet amsl in the northwest portion of the site. Most of the site has slopes of less than 20 percent, although steeper slopes occur in the northwest corner, southeast corner, and center of the southern half of the site (CTA Engineering & Surveying 2014). The existing topography on the site would be retained, where feasible, to minimize development on slopes greater than 30 percent. Small areas with greater than 30 percent slopes are scattered throughout the project site, but are concentrated in the northwest corner of the project site adjacent to the Promontory Open Space. The sloped area adjacent to the Promontory Open Space would not be developed, but is proposed to be graded to 2:1 slopes. Overall, 3.45 acres, or 2.8 percent of the site is at a 30 percent to 40 percent slope, while 0.46 acre, or 0.4 percent of the site, is at 40 percent natural slope or greater. As much as 3.91 acres of sloped terrain could be altered. Most onsite rock outcroppings would be removed from the site but were not found to be significant geologic, cultural, or visual features. Existing trees located within proposed open space areas, along the stream corridor, northwest corner of the site, and eastern project boundary would be retained to maintain some of the existing natural character of the site and new trees would be planted throughout the site, consistent with surrounding neighborhood and park landscaping.

2.10 **The project is consistent with General Plan Policy 2.5.1.1**

Low intensity land uses including parks and natural open space areas, special setbacks, parkways, landscaped roadway buffers, natural landscape features, and transitional

development densities shall be incorporated into new development projects to provide for the physical and visual separation of communities.

Rationale: The project provides 42 acres of open space, including parks, landscaping, open spaces and trails. Larger lots would be located along the eastern boundary of the project site, with smaller, higher density lots concentrated within the interior and western portion of the project site. With the exception of the eastern project boundary and a portion of the northern boundary, much of the site's perimeter would be maintained as open space or parks, preserving a natural buffer between existing residences and Highway 50. The natural drainages and landscape features have been incorporated into project design. Parks would be located south of Saratoga Way, between Saratoga Way and Highway 50, and at the northwest corner of Saratoga Way and Wilson Boulevard. A large swath of open space would be preserved around the perennial stream that crosses north to south through the center of the project site. Internal roadways would also be landscaped.

2.11 The project is consistent with General Plan Policy 2.8.1.1.

Development shall limit excess nighttime light and glare from parking area lighting, signage, and buildings. Consideration will be given to design features, namely directional shielding for street lighting, parking lot lighting, sport field lighting, and other significant light sources, that could reduce effects from nighttime lighting. In addition, consideration will be given to the use of automatic shutoffs or motion sensors for lighting features in rural areas to further reduce excess nighttime light.

Rationale: The proposed residential development would include indoor lighting and outdoor lighting. These new sources of light would be visible from a distance at night. Because the project site is located in an area with substantial, existing suburban development, the new light sources would be consistent with, and blend in with that of surrounding suburban development. The project will be designed such that exterior sources of nighttime lighting is retained on-site, is directed downward, and that lighting illuminates only the intended areas and does not penetrate into residential communities in accordance with Section 130.14.170 of the County Code. Street lights are not required for internal subdivision streets and are proposed to be installed where needed on Wilson and Saratoga only. Use of non-reflective building materials is proposed as part of the project in order to reduce daytime glare as a result of windows or other building materials.

2.12 The project is consistent with General Plan Policy TC-1n.

The County shall generally base expenditure of discretionary road funds for road uses on the following sequence of priorities:

- A. Maintenance, rehabilitation, reconstruction, and operation of the existing County-maintained road system;
- B. Safety improvements where physical modifications or capital improvements would reduce the number and/or severity of crashes; and
- C. Capital improvements to expand capacity or reduce congestion on roadways at or below County level of service standards, and to expand the roadway network, consistent with other policies of this General Plan.

Rationale: The traffic analysis identified effects upon and improvements for the local roadway system of arterials, streets, and intersections. The project would include conditions to ensure that a project's impacts are fully mitigated, and that the improvements are constructed concurrently with the impact of the development.

2.13 The project is consistent with General Plan Policy TC-1p.

The County shall encourage street designs for interior streets within new subdivisions that minimize the intrusion of through traffic on pedestrians and residential uses while providing efficient connections between neighborhoods and communities.

Rationale: The design of the interior streets for the Saratoga Estates project connects to and extends Wilson Boulevard and Saratoga Way, while the majority of the access to residential lots would be from internal streets.

2.14 The project is consistent with General Plan Policy TC-1s.

Notwithstanding classified roads (Policy TC-1r), the County shall only add new local roads into the existing County-maintained road system if maintenance for these local roads will be provided for through a County Service Area Zone of Benefit or other similar means acceptable to the Board of Supervisors.

Rationale: The General Plan Circulation Map (General Plan Figure TC-1) uses a set of roadway width classifications developed to guide the County's long-range transportation planning and programming. The General Plan Circulation Map identifies the extension of Saratoga Way to Iron Point Road and the widening of Saratoga Way to four lanes as a planned roadway improvement. Wilson Boulevard is also included in this Map. Both Saratoga Way and Wilson Boulevard are in, and will remain in, the County's Maintained Road System. As conditioned, the project will be required to provide for road maintenance through the Saratoga Estates HOA for the remaining roads within the subdivision.

2.15 Measure E.

According to the Subdivision Map Act (GC 66474.2.), the local agency shall apply only those ordinances, policies, and standards in effect at the date the local agency has determined that the application is complete, unless the agency has initiated a change to a standard “by way of ordinance, resolution, or motion”.

Rationale: The application for the project was received on September 12, 2014 and deemed complete on October 2, 2014. This complete date precedes the passage and effective date of Measure E, which was approved by voters June 7, 2016 and became effective on July 29, 2016. Therefore, Measure E does not apply to this project.

While the provisions of Measure E do not apply to the project, the project, as conditioned, is compliant with Measure E, including General Plan Policies TC-Xa, TC-Xf, and TC-Xg.

2.16 The project is consistent with General Plan Policy TC-Xa.

According to Policy TC-Xa, the following policies shall remain in effect until December 31, 2018:

1. Traffic from residential development projects of five or more units or parcels of land shall not result in, or worsen, Level of Service F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.
2. The County shall not add any additional segments of U.S. Highway 50, or any other highways and roads, to the County’s list of roads from the original Table TC-2 of the 2004 General Plan that are allowed to operate at Level of Service F without first getting the voters’ approval.
3. All necessary road capacity improvements shall be fully completed to prevent cumulative traffic impacts from new development from reaching level of Service F during peak hours upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county before any form of discretionary approval can be given to a project.
4. County tax revenues shall not be used in any way to pay for building road capacity improvements to offset traffic impacts from new development projects. Non-county tax sources of revenue, such as federal and state grants, may be used to fund road projects. Exceptions are allowed if county voters first give their approval.
5. The County shall not create an Infrastructure Financing District unless allowed by a 2/3rds majority vote of the people within that district.

6. Mitigation fees and assessments collected for infrastructure shall be applied to the geographic zone from which they were originated and may be applied to existing roads for maintenance and improvement projects.

7. Before giving approval of any kind to a residential development project of five or more units or parcels of land, the County shall make a finding that the project complies with the policies above. If this finding cannot be made, then the County shall not approve the project in order to protect the public's health and safety as provided by state law to assure that safe and adequate roads and highways are in place as such development occurs.

Rationale: The traffic analysis for the Saratoga Estates EIR concluded that under the existing plus project conditions, operation of the study intersections range from LOS C to LOS F during the a.m. and p.m. peak hours. The freeway facilities are shown to operate from LOS A to LOS E during peak hours. Roadway segments would operate at LOS D and E. With the proposed project, operations of El Dorado Hills Boulevard at Saratoga Way/Park Drive and Latrobe Road at Town Center Boulevard intersections would operate at LOS F and result in more than 10 additional vehicle trips per peak hour. In order to ensure proper timing of the construction of the improvements the subdivider shall perform a supplemental traffic analysis in conjunction with each final map application to determine LOS to include existing traffic at the time of final map, plus traffic generated by each final map. If the supplemental traffic analysis indicates that the County's LOS policies would be exceeded by the existing traffic plus traffic generated by that final map, the applicant shall construct the improvements prior to issuance of a Building Permit for any lot within that final map. All necessary traffic improvements shall be constructed prior to issuance of building permits, with the exception of those for model homes.

2.17 The project is consistent with General Plan Policy TC-Xd.

Level of Service (LOS) for County-maintained roads and state highways within the unincorporated areas of the county shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions except as specified in Table TC-2. The volume to capacity ratio of the roadway segments listed in Table TC-2 shall not exceed the ratio specified in that table. Level of Service will be as defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council) and calculated using the methodologies contained in that manual. Analysis periods shall be based on the professional judgment of the Department of Transportation which shall consider periods including, but not limited to, Weekday Average Daily Traffic (ADT), AM Peak Hour, and PM Peak hour traffic volumes.

Rationale: The project is located entirely within the Community Region of El Dorado Hills. The traffic analysis for the Saratoga Estates EIR considered Weekday Average Daily Traffic (ADT), AM Peak Hour, and PM Peak

hour traffic volumes. Under existing plus project conditions, freeway facilities are shown to operate from LOS A to LOS E during peak hours. Roadway segments would operate at LOS D and E. With the proposed project, operations of El Dorado Hills Boulevard at Saratoga Way/Park Drive and Latrobe Road at Town Center Boulevard intersections would operate at LOS F. Condition of Approval number 50 requires the applicant submit a supplemental traffic analysis at the time of final map submittal to determine existing traffic at the time of final map, plus traffic generated by each final map. If the supplemental traffic analysis indicates that the County's LOS policies would be exceeded by the existing traffic plus traffic generated by that final map, the applicant shall construct the improvements prior to issuance of a Building Permit for any lot within that final map. If the County's LOS policies would not be exceeded by the existing traffic plus traffic generated by that final map, then the payment on TIM fees would be considered the project's fair share of the improvements. The construction of the improvement or the payment of TIM fee, whichever is appropriate, and optimization of signal timing along the El Dorado Hills Boulevard/Latrobe Road corridor, both of which are included as Mitigation Measures, would bring the project into compliance with this policy.

2.18 The project is consistent with General Plan Policy TC-Xe.

Policy TC-Xe For the purposes of this Transportation and Circulation Element, "worsen" is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

- A. A two percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily, or
- B. The addition of 100 or more daily trips, or
- C. The addition of 10 or more trips during the a.m. peak hour or the p.m. peak hour.

Rationale: The traffic analysis for the Saratoga Estates EIR concluded that the proposed project, operations of El Dorado Hills Boulevard at Saratoga Way/Park Drive and Latrobe Road at Town Center Boulevard intersections would operate at LOS F and result in more than 10 additional vehicle trips per peak hour. Condition of Approval number 50 requires the applicant submit a supplemental traffic analysis at the time of final map submittal to determine existing traffic at the time of final map, plus traffic generated by each final map. If the supplemental traffic analysis indicates that the County's LOS policies would be exceeded by the existing traffic plus traffic generated by that final map, the applicant shall construct the improvements prior to issuance of a Building Permit for any lot within that final map. If the County's LOS policies would not be exceeded by the

existing traffic plus traffic generated by that final map, then the payment on TIM fees would be considered the project's fair share of the improvements. The construction of the improvement or the payment of TIM fee, whichever is appropriate, and optimization of signal timing along the El Dorado Hills Boulevard/Latrobe Road corridor, both of which are included as Mitigation Measures, would bring the project into compliance with this policy.

2.19 The project is consistent with General Plan Policy TC-Xf.

At the time of approval of a tentative map for a single family residential subdivision of five or more parcels that worsens (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element based on existing traffic plus traffic generated from the development plus forecasted traffic growth at 10-years from project submittal.

Rationale: An extensive traffic analysis was conducted for the Saratoga Estates EIR that identified effects upon and improvements for the local roadway system of arterials, streets, and controlling intersections serving El Dorado Hills. The project is proposed to be developed in phases, and may take several years to complete and become fully-occupied. Additionally, the actual background traffic growth rates for the 2024 scenario and the 2035 scenario may differ significantly from those projections analyzed in the Traffic Impact Analysis. These two variables could result in pre-mature construction of off-site improvements or use of transportation funds. The project would include conditions to ensure that a project's impacts are fully mitigated, and that the improvements are constructed concurrently with the impact of the development.

2.20 The project is consistent with General Plan Policy TC-Xg.

TC-Xg directs that each development project shall dedicate right-of-way, design and construct or fund any improvements necessary to mitigate the effects of traffic from the project. The County shall require an analysis of impacts of traffic from the development project, including impacts from truck traffic, and require dedication of needed right-of-way and construction of road facilities as a condition of the development.

Rationale: Daily, AM, and PM peak hour trip generation was documented in the DEIR for the project. Impacts of the project were evaluated and verified by the CDA Transportation Division, and the project, as mitigated and conditioned, is required by the County to submit a supplemental traffic analysis with each final map and either construct the identified improvements (in which case the applicant may seek reimbursement) or, if

the County's LOS policies would not be exceeded by the existing traffic plus traffic generated by that final map, then the payment on TIM fees would be considered the project's fair share of the improvements. The construction of the improvement, dedication of right-of-way, or the payment of TIM fee, whichever is appropriate, would bring the project into compliance with this policy.

2.21 The project is consistent with General Plan Policy TC-Xh.

Policy TC-Xh says 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: This condition is included in the proposed Conditions of Approval for the project.

2.22 The project is consistent with General Plan Policy TC-3c.

Policy TC-3c requires that the County encourage new development within Community Regions and Rural Centers to provide appropriate on-site facilities that encourage employees to use alternative transportation modes. The type of facilities may include bicycle parking, shower and locker facilities, and convenient access to transit, depending on the development size and location.

Rationale: The project includes the construction of onsite roadway and pedestrian facilities in accordance with County design guidelines. These onsite pedestrian and bicycle facilities would connect the project with the future adjacent Class II bike lanes along Saratoga Way. Through this connection to the proposed bike lane network, the project would provide continuity with adjacent projects, schools, parks, and other public facilities. The project does not include any further plans for transit facilities, however, park-and-ride facilities and connections to local transit services are located less than one mile from the site.

2.23 The project is consistent with General Plan Policy TC-3d.

Signalized intersections shall be synchronized where possible as a means to reduce congestion, conserve energy, and improve air quality.

Rationale: According to the traffic study, project operation would result in the worsening of four signalized intersections in the project vicinity to LOS of E or F during the peak-hour when compared to the existing condition. The project is conditioned to include a signal timing plan along the El Dorado Hills Boulevard/Latrobe Road corridor. Modeling of the project, in combination with operation of the Highway 50/Silva Valley Parkway and optimized signal cycle length and reallocation of the green time at

intersections in the area, would result in acceptable LOS E or better operations and will be completed prior to development.

2.24 The project is consistent with General Plan Policy TC-4g.

The County shall support development of facilities that help link bicycling with other modes of transportation.

Rationale: The project will be conditioned to construct on-site bicycle facilities to ensure connectivity within the project and adjacent developments, and the on-site pedestrian and bicycle facilities would connect the project with the future adjacent Class II bike lanes along Saratoga Way. Through this connection to the proposed bike lane network, the project would provide continuity with adjacent projects, schools, parks, and other public facilities. The project does not include any further plans for transit facilities, however, park-and-ride facilities and connections to local transit services are located less than one mile from the site.

2.25 The project is consistent with General Plan Policy TC-4i.

This policy requires that within Community Regions and Rural Centers, all development shall include pedestrian/bike paths connecting to adjacent development and to schools, parks, commercial areas and other facilities where feasible.

Rationale: As shown on the site plan, a path connecting the development to parks, schools, and other neighborhoods is included in the project. These onsite pedestrian and bicycle facilities would connect the project with the future adjacent Class II bike lanes along Saratoga Way. Through this connection to the proposed bike lane network, the project would be consistent with this policy.

2.26 The project is consistent with General Plan Policy TC-5a

This policy requires sidewalks and curbs throughout residential subdivisions, including land divisions created through the parcel map process, where any residential lot or parcel size is 10,000 square feet or less.

Rationale: As shown in the site plan, sidewalks would be included along all internal residential streets, including for those lots 10,000 square feet or less, and along the west side of proposed Wilson Boulevard and the north side of proposed Saratoga Way.

2.27 The project is consistent with General Plan Policy HO-1.2

To ensure that projected housing needs can be accommodated, the County shall maintain an adequate supply of suitable sites that are properly located based on environmental

constraints, community facilities, and adequate public services

Rationale: This project would provide 317 new units in the El Dorado Hills Community Region. The general plan identifies the site as a location appropriate for the development of residential uses and the project would contribute a relatively small percentage of the quantity of housing units anticipated to be built within the planning horizon of the general plan. The project would be developed in a location where convenient access to commercial/retail, community facilities, and public services already exist, and the project has been designed to accommodate the environmental conditions of the site.

2.28 The project is consistent with General Plan Policy HO-1.5

The County shall direct higher density residential development to Community Regions and Rural Centers.

Rationale: The proposed project is within the El Dorado Hills Community Region and is consistent with the land use designation and zoning density for the site. The size and magnitude of the proposed project is consistent with the amount of development contemplated in the County General Plan.

2.29 The project is consistent with General Plan Policy HO-5.1

The County shall require all new dwelling units to meet current state requirements for energy efficiency and shall encourage the retrofitting of existing units.

Rationale: The project would result in 317 new residential units, which would be subject to the standards of Title 24, California's Energy Efficiency Standards for Residential and Nonresidential Buildings. Mitigation Measure 4.9-2 to reduce operational GHG emissions would contribute to energy efficiency.

2.30 The project is consistent with General Plan Policy 5.1.2.1

Prior to the approval of any discretionary development, the approving authority shall make a determination of the adequacy of the public services and utilities to be impacted by that development. Where, according to the purveyor responsible for the service or utility as provided in Table 5-1, demand is determined to exceed capacity, the approval of the development shall be conditioned to require expansion of the impacted facility or service to be available concurrent with the demand, mitigated, or a finding made that a CIP project is funded and authorized which will increase service capacity.

Rationale: The project would include development that would increase demand for public services and utilities, however, conditions of approval and

mitigation measures have been included to ensure adequate capacity is maintained (See Findings 2.31 through 2.40).

2.31 The project is consistent with General Plan Policy 5.1.2.2

Provision of public services to new discretionary development shall not result in a reduction of service below minimum established standards to current users, pursuant to Table 5-1.

Rationale: The project application was reviewed by EID, the Transportation Division, Environmental Management, the school district, EDHCSD, EDHFPD, and the Sherriff's Office. These offices determined that minimum levels of service would be retained with the implementation of the proposed project. A condition of approval has been included to comply with the Quimby dedication program for parks, or to pay the Quimby fee. The project would be required to pay the appropriate school district fees at the time of building permit issuance. EDHFPD and the Sherriff determined that emergency response rates would not fall below the required 8-minute response to 80% of the population. Response time to the proposed project area, not including gate access and traffic, would be three to four minutes.

2.32 The project is consistent with General Plan Policy 5.1.2.3

New development shall be required to pay its proportionate share of the costs of infrastructure improvements required to serve the project to the extent permitted by State law. Lack of available public or private services or adequate infrastructure to serve the project which cannot be satisfactorily mitigated shall be grounds for denial of any project or cause for the reduction of size, density, and/or intensity otherwise indicated on the General Plan land use map to the extent allowed by State law.

Rationale: The project would include development that would increase demand for public services and utilities, however, conditions of approval and mitigation measures, including payment of fees, have been included to ensure adequate capacity is maintained.

2.33 The project is consistent with General Plan Policy 5.1.3.1

This policy requires that growth and development and public facility expenditures shall be primarily directed to Community Regions and Rural Centers.

Rationale: The project is located within a Community Region where public services are available. The public services and utilities demands of the project have been determined, and applicable service/utility purveyors were consulted with regard to project demand. The project, as mitigated and conditioned, will not result in a reduction of service below minimum standards to current users. Fair-share funding for water and sewer infrastructure

improvements, school fees, and park fees are collected at later project phases, either at the time of final map or building permit.

2.34 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.

Rationale: The project was reviewed by the County Transportation Division, El Dorado Hills Fire Department, and the El Dorado Irrigation District for adequate public services capacity. The applicants propose to connect to existing water and sewer service from EID. An FIL extension was issued January 14, 2016. Water supply and conveyance facilities are available to serve the project. EID has caused to be prepared a Water Resources and Service Reliability Report (July 2015) which concluded they can serve the project in both normal and dry water years using not only these water sources, but those sources obtained from planned water rights, entitlements, and supplies. Prior to approval of any final map for the proposed project, the applicant is required to secure a Facility Plan Report (FPR) and the necessary water meters for the final map lots to ensure no lots are created without a source of water. The El Dorado Hills Fire Department has determined that the minimum fire flow for this project is 1,000 gallons per minute for a two-hour period while maintaining a 20-pound-per-square-inch residual pressure. The project, as mitigated and conditioned, will construct water line extensions to connect to EID facilities.

2.35 The project is consistent with General Plan Policy 5.2.1.3

All medium-density residential, high-density residential, multifamily residential, commercial, industrial and research and development projects may be required to connect to public water systems if reasonably available when located within Community Regions and to either a public water system or to an approved private water systems in Rural Centers.

Rationale: This project is within a high-density residential land use designation, and proposes to build 317 single-family residences. EID serves this area and provided a Facility Improvement Letter (FIL) to the applicant on January 20, 2015 in response to a request for water, sewer, and fire hydrant services for the project.

2.36 The project is consistent with General Plan Policy 5.2.1.4

This policy requires 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.

Rationale: The public services and utilities demands of the project have been determined, and applicable service/utility purveyors were consulted with regard to project demand. On January 20, 2015, EID provided an FIL to the applicant in response to a request for water, sewer, and fire hydrant services for the project. The FIL does not represent a commitment to serve, but does address the location and approximate capacity of existing facilities that may be available to serve the project. As of August 10, 2015, there were approximately 4,088 Equivalent Dwelling Units (EDUs) available in the El Dorado Hills water supply area. The project would require approximately 325 EDUs of water supply.

2.37 The project is consistent with General Plan Policy 5.2.1.9

Policy 5.2.1.9 requires that in areas served by a public water purveyor or an approved private water system, the applicant for a tentative map or for a building permit on a parcel that has not previously complied with this requirement must provide a Water Supply Assessment that contains the information that would be required if a water supply assessment were prepared pursuant to Water Code section 10910.

Rationale: The project is in a Community Region, where El Dorado Irrigation District (EID) water supply and conveyance facilities are available to serve the project. Senate Bill (SB) 610 requires the preparation of water supply assessments (WSA) for large developments of more than 500 dwelling units. Anticipated water consumption is below the threshold for which a WSA is required. However, the EIR prepared for the project provides similar information typically used in a WSA to evaluate whether the proposed project would have impacts related to water supply. The project, as mitigated and conditioned, will construct water line extensions to connect to existing EID facilities. A Facility Plan Report (FPR) will be required prior to development.

2.38 The project is consistent with General Plan Policy 5.2.1.11

This policy requires that the County direct new development to areas where public water service already exists. In Community Regions, all new development shall connect to a public water system. In Rural Centers, all new development shall connect either to a public water system or to an approved private water system.

Rationale: The project would require approximately 325 EDUs of water supply, which have been requested from EID. As stated in the FIL, sufficient water supply exists to serve buildout of the project. Connections to the water supply system are currently available for the project, including a 10-inch water line stub out near the northwest border of the project site, an 8-inch water line in Montridge Way, an 8-inch water line stub out near the

northeast edge of the project site, extending from Platt Circle; and/or a 10-inch water line near the intersection of Finders Way and Saratoga Way.

2.39 The project is consistent with General Plan Policy 5.2.1.12

Policy 5.2.1.12 requires that the County work with the El Dorado Irrigation District (EID) to support the continued and expanded use of recycled water, including wet season use and storage, in new subdivisions served by the Deer Creek and El Dorado Hills Wastewater Treatment Plants. To avoid the construction impacts of installing recycled water facilities, the County shall encourage the construction of distribution lines at the same time as other utilities are installed. Facilities to consider are recycled water lines for residential landscaping, parks, schools, and other irrigation needs, and if feasible, wet-irrigation-season storage facilities.

Rationale: The project is located in a Community Region, where EID water supply and conveyance facilities are available to serve the project. In addition to a potable water system, EID operates a recycled water system that provides tertiary treated recycled water from the Deer Creek and El Dorado Hills wastewater treatment plants to serve portions of the service area to the west bordering Sacramento County. EID does not anticipate that the project would demand recycled water supplies. Water for dust suppression to be used during project construction will be required to use recycled water when feasible.

2.40 The project is consistent with General Plan Policy 5.3.1.7

According to Policy 5.3.1.7, 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.

Rationale: The project is located in a Community Region, where EID wastewater facilities are available to serve the project. The project will connect to EID wastewater facilities, and will be conditioned to construct one of three design options that have been identified and evaluated for purposes of accommodating highest possible demand. According to the FIL, the project would require approximately 317 EDUs of sewer service. Existing gravity sewer lines are located at the northeast edge of the project site and approximately 1,500 feet east of the project site within Saratoga Way. These sewer lines discharge into the 18-inch El Dorado Hills Boulevard trunk gravity sewer line in the vicinity of White Rock Road and Post Street. Several sections of the offsite 18-inch gravity sewer appear to be near capacity and are programmed for upsizing by EID consistent with the 2013 EID Integrated Water Resources Master Plan (EID 2013a:117). An FPR will be required prior to development and a commitment to serve

from EID will be required prior to final map approval for each phase of the project.

2.41 The project is consistent with General Plan Policy 5.4.1.1

Policy 5.4.1.1 requires storm drainage systems for discretionary development that protect public health and safety, preserve natural resources, prevent erosion of adjacent and downstream lands, prevent the increase in potential for flood hazard or damage on either adjacent, upstream or downstream properties, minimize impacts to existing facilities, meet the National Pollution Discharge Elimination System (NPDES) requirements, and preserve natural resources such as wetlands and riparian areas.

Rationale: The proposed development would add additional impervious surfaces at the project site, which would increase surface runoff on an ongoing basis. This increase could result in an increase in both the total volume and the peak discharge rate of stormwater runoff, and could result in exceeding the capacity of onsite stormwater systems and greater potential for on- and offsite flooding. To accommodate the increase, the project would include a drainage conveyance system including buried pipelines and open ditches that would convey drainage to the existing onsite perennial drainage, which then flows into Carson Creek. The project would also include two water quality retention ponds: a 2.9 acre-foot detention pond near the center of the site, and a 0.5 acre-foot pond adjacent to the perennial drainage. The primary drainage would not be disturbed and other existing onsite drainages would be preserved to the extent practicable. Bio swales would be constructed at the toe of fill slopes throughout the project site to capture and direct stormwater runoff to these basins and to the perennial drainage. The applicant shall prepare and implement a SWPPP that complies with the SWRCB Statewide Construction General Permit. The SWPPP must identify BMPs that will protect water quality from polluted stormwater runoff. In addition, the final design of the storm drainage system must comply with the County's Design and Improvement Standards Manual, which will ensure the project would not increase off-site flood potential.

2.42 The project is consistent with General Plan Policy 5.4.1.2

Policy 5.4.1.2 requires that discretionary development protect natural drainage patterns, minimize erosion, and ensure existing facilities are not adversely impacted while retaining the aesthetic qualities of the drainage way

Rationale: The project incorporates natural features in open space areas, which maintains the aesthetic qualities of drainages. Further, as mitigated and conditioned, the project will be required to implement low impact development (LID) measures, which will help protect wetlands and riparian areas. Best management practices and LID measures are required

in accordance with the County's Storm Water Management Plan and the NPDES Small MS4 Permit. The project must also implement best management practices as required under the State NPDES Construction General Permit and County Grading, Erosion, and Sediment Control Ordinance to minimize erosion on-site and off-site. The plan would be designed to prevent increased discharge of sediment at all stages of construction, from initial ground disturbance to project completion.

2.43 The project is consistent with General Plan Policy 5.5.2.1

Policy 5.5.2.1 requires that, concurrent with the approval of new development, evidence will be required that capacity exists within the solid waste system for the processing, recycling, transformation, and disposal of solid waste.

Rationale: The project would generate solid waste that would be similar in character to that associated with domestic use and construction-related waste. The project site will be served by El Dorado Disposal Service for solid waste collection, disposal, and recycling services. El Dorado Disposal Service transports waste to the Transfer Station and Material Recovery Facility in Placerville and the Potrero Hills Landfill (CalRecycle 2015a). The Potrero Hills Landfill has a remaining estimated capacity of approximately 13.9 million cubic yards (in 2006) and is estimated to remain in operation until February of 2048. The project would generate 3,170 pounds of waste per day (1.59 tons per day). This represents approximately 0.4 percent of the permitted capacity at Western El Dorado Recover Systems Transfer Station and Materials Recovery Facility; and, 0.04 percent of the permitted daily waste at the Potrero Hills Landfill facility. This relatively small increase in solid waste would not consume a substantial proportion of the permitted capacity at either facility and would not result in the need to expand or construct new landfill facilities. In addition, this project would adhere to all required State or County waste management ordinances and requirements, such as diversion of construction and demolition debris and hazardous waste handling requirements that ensure that use of landfill space is limited and potential for accidental spills is minimized.

2.44 The project is consistent with General Plan Policy 5.6.2.1

Policy 5.6.2.1 requires energy conserving landscaping plans for all projects requiring design review or other discretionary approval.

Rationale: The project, as mitigated and conditioned, will be required to use water-efficient landscaping and irrigation systems. In accordance with Central Valley RWQCB requirements, LID methods to maintain pre-project runoff levels, including design considerations when planning roads, parking lots, buildings, and landscaping will be incorporated to the maximum extent practicable. Mitigation Measure 4.4-3b would require

that CC&Rs for the development discourage residents from using species considered invasive by the California Invasive Plant Council (CAL-IPC) in landscaping throughout the development. This restriction should be enforced by the HOA for the development.

2.45 The project is consistent with General Plan Policy 5.6.2.1

Policy 5.6.2.2 requires all new subdivisions to include design components that take advantage of passive or natural summer cooling and/or winter solar access, or both, when possible.

Rationale: The project, including the proposed tentative map and improvements, are subject to the current version of Title 24 of the California Building Code that requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. As mitigated and conditioned, all houses shall be designed to exceed the 2013 Title 24 standards by a minimum of 25 percent. Title 24 regulates energy uses including space heating and cooling, hot water heating, and ventilation. Potential options to meet the 25 percent improvement goal could include, but not be limited to, high-efficiency HVAC systems, efficient hot water heaters (e.g., tankless or solar), and insulation requirements that exceed Title 24 standards.

2.46 The project is consistent with General Plan Policy 5.7.1.1

Prior to approval of new development, the applicant will be required to demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or will be provided concurrent with development.

Rationale: The El Dorado Hills Fire Department (EDHFD) provided a letter to the County outlining requirements to provide fire and emergency medical services to the project site, and all of the provisions identified by the EDHFD requiring compliance with their fire standards. This includes the location of and specifications for fire hydrants, emergency vehicle access including roadway widths and turning radii, fire flow and sprinkler requirements, defensible space, and compliance with the approved wildland fire safe plant.

2.47 The project is consistent with General Plan Policy 5.7.3.1

Policy 5.7.3.1 requires that the Sheriff's Department shall be requested to review all applications to determine the ability of the department to provide protection services prior to discretionary approval. The ability to provide protection to existing development shall not be reduced below acceptable levels as a consequence of new development. Recommendations such as the need for additional equipment, facilities, and adequate access may be incorporated as conditions of approval.

Rationale: The proposed project would increase demand for law enforcement services due to the increased population and development at the project site. Adding additional residences to the area could further affect response times by demanding additional law enforcement protection. However, according to the Sheriff's Office, funding considerations to supply increased police protection services would be addressed by the County Board of Supervisors. Also, consistent with General Plan Policy 10.2.1.5, a fiscal impact study was prepared to analyze the fair share contribution necessary to prevent the proposed project from diminishing existing levels of public services, including law enforcement. According to the study, a public facilities and services financing plan was not necessary for the project, as the proposed project would result in a fiscal surplus to all taxing entities.

2.48 The project is consistent with General Plan Policy 5.7.4.1

Policy 5.7.4.1 requires that prior to approval of new development, the applicant shall demonstrate that adequate medical emergency services are available and that adequate emergency vehicle access will be provided concurrent with development.

Rationale: The development would increase the need for fire protection and emergency medical services. The site is approximately 1 mile from the nearest fire station and according to EDHFD, there is adequate equipment and staff to maintain acceptable fire service ratios, response times, and other performance objectives with implementation of the project. No additional facilities would be needed to serve the project site.

2.49 The project is consistent with General Plan Policy 5.7.4.2.

Prior to approval of new development, the Emergency Medical Services Agency shall be requested to review all applications to determine the ability of the department to provide protection services. The ability to provide protection to existing development shall not be reduced below acceptable levels as a consequence of new development. Recommendations such as the need for additional equipment, facilities, and adequate access may be incorporated as conditions of approval.

Rationale: El Dorado Hills Fire Department (EDHFD) provided a letter to the County outlining requirements to provide fire and emergency medical services to the project site, and all of the provisions identified by the EDHFD requiring compliance with their fire standards. The site is approximately 1 mile from the nearest fire station and EDHFD has adequate equipment and staff to maintain acceptable fire service ratios, response times, and other performance objectives with implementation of the project. No additional facilities would be needed to serve the project site.

2.50 The project is consistent with General Plan Policy 5.8.1.1

School districts affected by a proposed development shall be relied on to evaluate the development's adverse impacts on school facilities or the demand therefor. No development that will result in such impacts shall be approved unless:

1. To the extent allowed by State law, the applicant and the appropriate school district(s) have entered into a written agreement regarding the mitigation of impacts to school facilities; or
2. The impacts to school facilities resulting from the development are mitigated, through conditions of approval, to the greatest extent allowed by State law.

Rationale: El Dorado Union High School District was consulted and indicated new school facilities would likely not be needed to accommodate anticipated increases in student enrollment resulting from the proposed project. The proposed project could result in the addition of approximately 143 new elementary school students and 56 new high school students. According to the 2012-2013 Statement of School Availability from Buckeye Union School District, Camerado Springs had a capacity of 958 and an enrollment of 614 with 344 seats available as of 2013. Therefore, capacity exists for the additional middle-school students generated by the proposed project (BUSD 2013). New development is required to provide necessary funding and/or capital facilities for the school system, as determined by applicable State-mandated development impact fees. The proposed project would be subject to Level 1 development impact fees (EDCOE 2014). Currently EDUHSD charges Level 1 fees in the amount of \$2.97 per square foot for residential construction. The conditions of approval require the payment of school facility mitigation fees in accordance with State law.

2.51 The project is consistent with General Plan Policy 6.2.2.1

Policy 6.2.2.1 Fire Hazard Severity Zone Maps shall be consulted in the review of all projects so that standards and mitigation measures appropriate to each hazard classification can be applied. Land use densities and intensities shall be determined by mitigation measures in areas designated as high or very high fire hazard.

Rationale: Project implementation would result in the construction of residences in an area of moderate fire potential, adjacent to the Promontory Open Space. A fire in the Promontory Open Space would meet the National Wildfire Coordinating Group's definition of a wildland fire. Currently, there is no formal access to this property, although a trail is planned through the open space in conjunction with the Promontory Specific Plan. Before construction, the portions of the site planned for residences and public infrastructure would be grubbed and vegetation would be removed.

Construction activities on the project site would incorporate standard Best Management Practices (such as designated smoking areas and vehicles with spark arrestors) to reduce the potential for project construction to result in fire that could spread to the adjacent wildland and effect existing residences. Implementation of a Wildland Fire Safe Plan prepared for the project and implementation is required as a condition of approval.

2.52 The project is consistent with General Plan Policy 6.2.2.2

Policy 6.2.2.2 The County shall preclude development in areas of high and very high wildland fire hazard or in areas identified as “urban wildland interface communities within the vicinity of Federal lands that are a high risk for wildfire,” as listed in the Federal Register of August 17, 2001, unless such development can be adequately protected from wildland fire hazard, as demonstrated in a Fire Safe Plan prepared by a Registered Professional Forester (RPF) and approved by the local Fire Protection District and/or California Department of Forestry and Fire Protection.

Rationale: The project is in an area designated as a moderate fire hazard zone and not in high or very high fire hazard area. A fire in the Promontory Open Space would meet the National Wildfire Coordinating Group’s definition of a wildland fire. Before construction, the portions of the site planned for residences and public infrastructure would be grubbed and vegetation would be removed. Implementation of the Wildland Fire Safe Plan is required as a condition of approval to reduce the potential for project construction resulting in fire that could spread to the adjacent wildland and effect existing residences.

2.53 The project is consistent with General Plan Policy 6.2.3.1

As a requirement for approving new development, the County must find, based on information provided by the applicant and the responsible fire protection district that, concurrent with development, adequate emergency water flow, fire access, and firefighting personnel and equipment will be available in accordance with applicable State and local fire district standards.

Rationale: El Dorado Hills Fire Department (EDHFD) provided a letter to the County outlining requirements to provide fire and emergency medical services to the project site, and all of the provisions identified by the EDHFD requiring compliance with their fire standards. The project must also adhere to the approved Wildland Fire Safe Plan. The site is approximately 1 mile from the nearest fire station and EDHFD has adequate equipment and staff to maintain acceptable fire service ratios, response times, and other performance objectives with implementation of the project.

2.54 The project is consistent with General Plan Policy 6.2.3.2

Policy 6.2.3.2 requires that new development 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.

Rationale: The project must prepare and adhere to the approved Wildland Fire Safe Plan as well as the conditions added as recommended by the El Dorado Hills Fire Department for emergency vehicle access including roadway widths and turning radii, fire flow and sprinkler requirements, and vehicle ingress/egress. Compliance with these requirements will assure adequate emergency access and evacuation routes.

2.55 The project is consistent with General Plan Policy 6.3.1.1

Policy 6.3.1.1 requires that all discretionary projects and all projects requiring a grading permit, or a building permit that would result in earth disturbance, that are located in areas likely to contain naturally occurring asbestos (based on mapping developed by the California Department of Conservation [DOC]) have a California-registered geologist knowledgeable about asbestos-containing formations inspect the project area for the presence of asbestos using appropriate test methods.

Rationale: The project site may have areas with naturally occurring asbestos (NOA), based on soil samples collected from 13 test pits on the site in 2006. The tests indicate that there are trace levels of NOA (less than or equal to 0.25 percent of particles) on the project site. An Asbestos Dust Mitigation Plan would be required for the project, the implementation of which is required under EIR Mitigation Measure 4.8-4a.

2.56 The project is consistent with General Plan Policy 6.3.2.5

Policy 6.3.2.5 says that applications for development of habitable structures shall be reviewed for potential hazards associated with steep or unstable slopes, areas susceptible to high erosion, and avalanche risk. Geotechnical studies shall be required when development may be subject to geological hazards. If hazards are identified, applicants shall be required to mitigate or avoid identified hazards as a condition of approval. If no mitigation is feasible, the project will not be approved.

Rationale: Due to the shallow depth to bedrock and the relatively low seismicity of the area, the potential for damage because of site liquefaction, slope instability, and surface rupture on the project site are considered negligible. A preliminary geotechnical investigation was prepared for the project site (Youngdahl 2006) which identified recommendations for addressing potential soils conditions requiring mitigation, the implementation of which is required as a condition of approval. Potential impacts could be associated with loss of topsoil and construction on

expansive soils. Incorporation of Mitigation Measures 4.3-1 and 4.11-3 will prevent erosion and ensure the clay materials on site are sufficiently compacted.

2.57 The project is consistent with General Plan Policy 6.5.1.1

Policy 6.5.1.1 requires that where noise-sensitive land uses are proposed in areas exposed to existing or projected exterior noise levels exceeding the levels specified in Table 6-1 or the performance standards of Table 6-2, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design.

Rationale: A noise assessment was prepared for the project and identified where permanent noise mitigation would be required to meet County standards, the locations of which are indicated in the project design and are required as a condition of approval. The project will also be required to adhere to County standards for construction noise control.

2.58 The project is consistent with General Plan Policy 6.5.1.3

Policy 6.5.1.3 indicates that where noise mitigation measures are required to achieve the standards of Tables 6-1 and 6-2, the emphasis of such measures shall be placed upon site planning and project design. The use of noise barriers shall be considered a means of achieving the noise standards only after all other practical design-related noise mitigation measures have been integrated into the project and the noise barriers are not incompatible with the surroundings.

Rationale: A noise assessment was prepared for the project and identified where permanent noise mitigation would be required to meet County standards. As shown in Exhibit 3-3 of the Draft EIR, the project was designed with a 350-450-foot buffer between Highway 50 and the nearest residences. The proposed sound walls were identified to supplement the noise attenuation provided by siting the proposed residences over 350 feet from Highway 50. The sound walls are necessary to mitigate traffic noise, and are to be located outside of the foreground viewshed of Highway 50.

2.59 The project is consistent with General Plan Policy 6.5.1.5

Policy 6.5.1.5 says that setbacks shall be the preferred method of noise abatement for residential projects located along U.S. Highway 50. Noise walls shall be discouraged within the foreground viewshed of U.S. Highway 50 and shall be discouraged in favor of less intrusive noise mitigation (e.g., landscaped berms, setbacks) along other high volume roadways.

Rationale: A noise assessment was prepared for the project and identified where permanent noise mitigation would be required to meet County standards,

the locations of which are indicated in the project design. As shown in Exhibit 3-3 of the Draft EIR, although the sound walls will be visible from Highway 50, the proposed sound barriers are not located in the foreground of the viewshed. The view of the sound walls is best shown in Draft EIR Exhibit 4.6-2, which illustrates the distance between Highway 50 and those sound walls closest nearest to Highway 50. The project will also be conditioned to adhere to County standards for noise control.

2.60 The project is consistent with General Plan Policy 6.5.1.6

Policy 6.5.1.6 requires that new noise-sensitive uses shall not be allowed where the noise level, due to non-transportation noise sources, will exceed the noise level standards of Table 6-2 unless effective noise mitigation measures have been incorporated into the development design to achieve those standards.

Rationale: A noise assessment was prepared for the project and identified where permanent noise mitigation would be required to meet County standards. The site is not located near any industrial operations, noise-generating recreation facilities, or other non-transportation noise sources. The project will also be required to adhere to County standards for noise control.

2.61 The project is consistent with General Plan Policy 6.5.1.1

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

Rationale: The proposed use for the site is single-family residential, with associated parks, open space, and landscaping. No new non-transportation noise sources are proposed.

2.62 The project is consistent with General Plan Policy 6.5.1.8

Policy 6.5.1.8 indicates that new development of noise sensitive land uses will not be permitted in areas exposed to existing or projected levels of noise from transportation noise sources which exceed the levels specified in Table 6-1, unless the project design includes effective mitigation measures to reduce exterior noise and noise levels in interior spaces to the levels specified in Table 6-1.

Rationale: A noise assessment was prepared for the project and identified where permanent noise mitigation would be required to meet County standards. Project-generated noise levels on Wilson Boulevard would be below the El Dorado County maximum allowable noise levels at new receptors located along Wilson Boulevard. Noise levels from Highway 50 would result in levels that exceed the El Dorado County maximum allowable noise level of 60 dB Ldn for outdoor activity areas of the residences

directly to the north of Highway 50. However, a sound wall would be included in the design of the project, shielding the residences closest to Saratoga Way and Highway 50, and a mitigation measure (4.10-4) would require the use of building design measures to reduce interior noise levels at affected new development. It is noted that one of the park sites is within the area impacted by the noise associated with Highway 50. Table 6-1 of the General Plan indicates that Neighborhood Parks shall be designated as sensitive receptors for the purpose of noise impacts. The El Dorado Hills CSD has indicated that the site is nonetheless amenable for recreational uses other than a Neighborhood Park, such as a dog park. Accordingly, the CSD will accept the park site subject to a dedication agreement. Noise levels resulting from existing and projected noise sources would comply with County noise standards, with the proposed project design and mitigation measures.

2.63 The project is consistent with General Plan Policy 6.5.1.9

Policy 6.5.1.9 requires that noise created by new transportation noise sources, excluding airport expansion but including roadway improvement projects, shall be mitigated so as not to exceed the levels specified in Table 6-1 at existing noise sensitive land uses.

Rationale: Implementation of the project would result in the extension of Saratoga Way and Wilson Boulevard, thus resulting in new noise sources at these new roadways. A noise assessment was prepared for the project and identified where permanent noise mitigation would be needed. A sound wall is currently in place that would continue to provide noise reduction, however, the proposed extension of Saratoga Way would result in the exposure of existing residences located adjacent to Saratoga Way to an increase (11.9 dB) in noise levels. Building design measures would result in an exterior-to-interior noise reduction of at least 30 dB. Setbacks and the proposed sound wall included in the design of the project would shield the residences closest to Saratoga Way and Highway 50, and would mitigate the noise levels. Noise resulting from new transportation noise sources would comply with County noise standards.

2.64 The project is NOT consistent with General Plan Policy 6.5.1.11

The standards outlined in Tables 6-3, 6-4, and 6-5 shall apply to those activities associated with actual construction of a project as long as such construction occurs between the hours of 7 a.m. and 7 p.m., Monday through Friday, and 8 a.m. and 5 p.m. on weekends, and on federally-recognized holidays. Exceptions are allowed if it can be shown that construction beyond these times is necessary to alleviate traffic congestion and safety hazards.

Rationale: Construction would occur between 7:00 a.m. and 7:00 p.m., Monday through Friday. Worst-case construction-related activities could result in

noise levels of up to 86 dBA Leq and 91 dBA Lmax, which could exceed El Dorado County daytime (i.e., 7:00 a.m. to 7:00 p.m.) noise standards (i.e., 55 dBA Leq / 75 dBA Lmax) at or within 855 feet of proposed construction activity. Some existing residences on the northern edge of the project site could potentially be exposed to noise levels above applicable El Dorado County standards. The Targeted General Plan Update, effective January 15, 2016, revised this policy to exempt construction noise from the noise standards if the construction would occur during designated hours. However, since the proposed project was deemed complete under the previous General Plan, the language above applies. Mitigation Measure 4.10-1 would reduce noise exposure at existing residences to the extent feasible; however, the noise levels at these sensitive receptors could still be in excess of the County's noise standards.

2.65 The project is NOT consistent with General Plan Policy 6.5.1.12.

Policy 6.5.1.12 says that when determining the significance of impacts and appropriate mitigation for new development projects, the following criteria shall be taken into consideration:

A. Where existing or projected future traffic noise levels are less than 60 dBA Ldn at the outdoor activity areas of residential uses, an increase of more than 5 dBA Ldn caused by a new transportation noise source will be considered significant;

B. Where existing or projected future traffic noise levels range between 60 and 65 dBA Ldn at the outdoor activity areas of residential uses, an increase of more than 3 dBA Ldn caused by a new transportation noise source will be considered significant; and

C. Where existing or projected future traffic noise levels are greater than 65 dBA Ldn at the outdoor activity areas of residential uses, an increase of more than 1.5 dBA Ldn caused by a new transportation noise will be considered significant.

Rationale: Criteria A, B, and C were considered when analyzing the effects of the project on noise. Implementation of the project would result in the extension of Saratoga Way and Wilson Boulevard, thus resulting in new noise sources at these new roadways. A noise assessment was prepared for the project and identified where permanent noise mitigation would be needed. A sound wall is currently in place that would continue to provide noise reduction, however, the proposed extension of Saratoga Way would result in the exposure of existing residences, located adjacent to Saratoga Way between El Dorado Hills Boulevard and Arrowhead Drive, to an increase (11.9 dB) in noise levels, which exceed the applicable El Dorado County standard (5 dB) for noise increases. In accordance with this policy, the increase in noise resulting from new transportation sources is considered a significant impact. While the increase in noise would exceed

the standard in Policy 6.5.1.12, the resulting noise level would still be within El Dorado County's 60 dB exterior noise standard.

2.66 The project is consistent with General Plan Policy 6.5.1.13

Policy 6.5.1.13 requires that when determining the significance of impacts and appropriate mitigation to reduce those impacts for new development projects, including ministerial development, the following criteria shall be taken into consideration:

- A. In areas in which ambient noise levels are in accordance with the standards in Table 6-2, increases in ambient noise levels caused by new nontransportation noise sources that exceed 5 dBA shall be considered significant; and
- B. In areas in which ambient noise levels are not in accordance with the standards in Table 6-2, increases in ambient noise levels caused by new nontransportation noise sources that exceed 3 dBA shall be considered significant.

Rationale: Criteria A and B were considered when analyzing the effects of the project on noise. Existing ambient noise levels within the project area vary depending on location of the noise monitoring site relative to Highway 50, as the existing noise environment within the overall project area is defined primarily by traffic noise. New sources of noise will result primarily from new roads and diverted traffic. There are no proposed new nontransportation noise sources.

2.67 The project is consistent with General Plan Policy 6.7.4.2

Policy 6.7.4.2 encourages the development of new residential uses within walking or bicycling distance to the County's larger employment centers.

Rationale: The El Dorado Hills community is the most rapidly developing region of the county, and is considered a major employment center in the County. The project site borders the City of Folsom and affords access to the major employment centers of Folsom and City of Sacramento, as well as El Dorado Hills Business Park and El Dorado Hills Town Center. Although the site is not in walking distance to these employment centers, the proposed onsite pedestrian and bicycle facilities would connect the project with the future adjacent Class II bike lanes along Saratoga Way. Through this connection to the proposed bike lane network, the project would provide connections to adjacent projects, schools, parks, and other public facilities.

2.68 The project is consistent with General Plan Policy 6.7.4.4

Policy 6.7.4.4 requires that all discretionary development applications be reviewed to determine the need for pedestrian/bike paths connecting to adjacent development and to common service facilities (e.g., clustered mail boxes, bus stops, etc.).

Rationale: The County has reviewed the project site plan, and the project will be required to construct on-site bicycle facilities to ensure connectivity with parks, schools, and adjacent developments. Through the Class II bike lanes along Saratoga Way, the site would connect to the proposed bike lane network, the project would provide continuity with adjacent projects, schools, parks, and El Dorado Hills Town Center.

2.69 The project is consistent with General Plan Policy 6.7.4.6

The County shall regulate wood-burning fireplaces and stoves in all new development. Environmental Protection Agency (EPA)-approved stoves and fireplaces burning natural gas or propane are allowed.

Rationale: The project does not propose to include wood-burning stoves or fireplaces in any residence. Fire places in all units would be powered with natural gas.

2.70 The project is consistent with General Plan Policy 6.7.6.2.

New facilities in which sensitive receptors are located (e.g. residential subdivisions, schools, childcare centers, playgrounds, retirement homes, and hospitals) shall be sited away from significant sources of air pollution.

Rationale: The project's residential and park uses would be located near Highway 50, which is considered to be a high-volume roadway with high rates of emissions. The sensitive receptors proposed within 500 feet of Highway 50 could be exposed to elevated health risk. However, with implementation of a mitigation measure requiring upgraded HVAC units and vegetation to screen Toxic Air Contaminants from Highway 50, this impact would be less than significant and compliant with Policy 6.7.6.2.

2.71 The project is consistent with General Plan Policy 6.7.7.1.

The County shall consider air quality when planning the land uses and transportation systems to accommodate expected growth, and shall use the recommendations in the most recent version of the El Dorado County Air Quality Management (AQMD) Guide to Air Quality Assessment: Determining Significance of Air Quality Impacts Under the California Environmental Quality Act, to analyze potential air quality impacts (e.g., short-term construction, long-term operations, toxic and odor-related emissions) and to require feasible mitigation requirements for such impacts. The County shall also consider

any new information or technology that becomes available prior to periodic updates of the Guide. The County shall encourage actions (e.g., use of light-colored roofs and retention of trees) to help mitigate heat island effects on air quality.

Rationale: The project's air quality impacts were evaluated based on the significance criteria and recommendations in the El Dorado County Air Quality Management District's Guide to Air Quality Assessment, as detailed in Section 4.8, "Air Quality" of the EIR, and the project will be conditioned to implement mitigation measures to reduce emissions.

2.72 The project is consistent with General Plan Policy 6.9.1.3

Policy 6.9.1.3 requires that new roads connecting to County roads be designed to provide safe access as required by the County Design and Improvement Standards Manual.

Rationale: The primary access roads into the project from Wilson Boulevard and Saratoga Way will be constructed in accordance with County standards.

2.73 The project is consistent with General Plan Policy 7.1.2.1

General Plan Policy 7.1.2.1 prohibits development or disturbance on slopes exceeding 30 percent unless necessary for access. The County may consider and allow development or disturbance on slopes 30 percent and greater when:

- Reasonable use of the property would otherwise be denied.
- The project is necessary for the repair of existing infrastructure to avoid and mitigate hazards to the public, as determined by a California registered civil engineer or a registered engineering geologist.
- Replacement or repair of existing structures would occur in substantially the same footprint.
- The use is a horticultural or grazing use that utilizes "best management practices (BMPs)" recommended by the County Agricultural Commission and adopted by the Board of Supervisors.

Access corridors on slopes 30 percent and greater shall have a site specific review of soil type, vegetation, drainage contour, and site placement to encourage proper site selection and mitigation. Septic systems may only be located on slopes under 30 percent. Roads needed to complete circulation/access and for emergency access may be constructed on such cross slopes if all other standards are met.

Rationale: Approximately 97 percent of the site's topography contains less than 30 percent slopes. Small areas with greater than 30 percent slopes are scattered throughout the project site, but are concentrated in the northwest

corner of the project site adjacent to the Promontory Open Space. Where feasible, the existing topography on the site would be retained. Cut and fill would be balanced on site and development on slopes greater than 30 percent would be minimized, however, some slopes would be graded to 2:1 slopes and most onsite rock outcroppings would be removed from the site. No development would occur on sites with slopes 30 percent or greater post-grading. Where slopes, if any, are over 30 percent they shall be subject to development restrictions in compliance with the Hillside Design Standards adopted by the Board of Supervisors (Resolution 322-92) and the Interim Interpretive Guidelines.

2.74 The project is consistent with General Plan Policy 7.1.2.2

Discretionary and ministerial projects that require earthwork and grading, including cut and fill for roads, shall be required to minimize erosion and sedimentation, conform to natural contours, maintain natural drainage patterns, minimize impervious surfaces, and maximize the retention of natural vegetation. Specific standards for minimizing erosion and sedimentation shall be incorporated into the Zoning Ordinance.

Rationale: The project, as mitigated and conditioned, will be required to implement best management practices as required under the State NPDES Construction General Permit and County Grading, Erosion, and Sediment Control Ordinance to minimize erosion and sedimentation. The project conforms to natural contours and maintains natural drainages. Approximately 30 percent of the site will be open space, which provides opportunities to preserve the on-site drainage and retain natural vegetation.

2.75 The project is consistent with General Plan Policy 7.1.2.3

This Policy requires enforcement of Grading Ordinance provisions for erosion control on all development projects and adoption of provisions for ongoing, applicant-funded monitoring of project grading.

Rationale: The project will be required to implement best management practices as required under the State NPDES Construction General Permit and County Grading, Erosion, and Sediment Control Ordinance to minimize erosion and sedimentation. Grading for the project is proposed to occur simultaneously for all or most of the proposed lots and roads. With adherence to existing requirements for grading, erosion would be controlled.

2.76 The project is consistent with General Plan Policy 7.3.2.1

Policy 7.3.2.1 requires that stream and lake embankments shall be protected from erosion, and streams and lakes shall be protected from excessive turbidity.

Rationale: Construction activities for the project would create the potential for soil erosion and sedimentation of stormwater drainage systems, both within and downstream of the project site. As mitigation for potential impacts to water quality, the applicant will prepare and implement a SWPPP that complies with the SWRCB Statewide Construction General Permit. The SWPPP must identify BMPs that will protect water quality from polluted stormwater runoff (Mitigation Measure 4.3-1). Adequate surface drainage control would be designed by the project civil engineer to ensure that all slopes have appropriate drainage and vegetation measures to minimize erosion of soils. Contract provisions would require compliance with the El Dorado County Grading Ordinance, Erosion and Sediment Control and Stormwater Quality Ordinances, the West Slope Development and Redevelopment Standards, and Post Construction Storm Water Plan Requirements and implementation of BMPs.

2.77 The project is consistent with General Plan Policy 7.3.2.2

Policy 7.3.2.2 says that projects requiring a grading permit shall have an erosion control program approved, where necessary.

Rationale: Grading and improvement plans are required to reduce or mitigate erosion and sedimentation from the project. The grading plans would incorporate appropriate erosion control measures as provided in the Grading, Erosion and Sediment Control Ordinance and El Dorado County SWMP. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps would be implemented.

2.78 The project is consistent with General Plan Policy 7.3.2.1

Policy 7.3.3.1 requires that projects that would result in the discharge of material to or that may affect the function and value of river, stream, lake, pond, or wetland features, include a delineation of all such features. For wetlands, the delineation shall be conducted using the U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual

Rationale: A wetland delineation (Foothill Associates 2014a) was prepared for the project under a Preliminary Jurisdictional Determination August 6, 2014 in accordance with U.S. Army Corps of Engineers' Wetland Delineation Manual. In accordance with Mitigation Measure 4.4-2a, prior to the period of construction involving ground disturbance, all sensitive areas would be flagged or fenced under the direction of the qualified biologist to ensure that grading, excavation, or other ground-disturbing activities would not occur within these areas.

2.79 The project is consistent with General Plan Policy 7.3.3.4

The County shall encourage the incorporation of protected areas into conservation easements or natural resource protection areas. Exceptions to riparian and wetland buffer and setback requirements shall be provided to permit necessary road and bridge repair and construction, trail construction, and other recreational access structures such as docks and piers, or where such buffers deny reasonable use of the property, but only when appropriate mitigation measures and Best Management Practices are incorporated into the project. Until standards for buffers and special setbacks are established in the Zoning Ordinance, the County shall apply a minimum setback of 100 feet from all perennial streams, rivers, lakes, and 50 feet from intermittent streams and wetlands. These interim standards may be modified in a particular instance if more detailed information relating to slope, soil stability, vegetation, habitat, or other site- or project-specific conditions supplied as part of the review for a specific project demonstrates that a different setback is necessary or would be sufficient to protect the particular riparian area at issue. For projects where the County allows an exception to wetland and riparian buffers, development in or immediately adjacent to such features shall be planned so that impacts on the resources are minimized. If avoidance and minimization are not feasible, the County shall make findings, based on documentation provided by the project proponent, that avoidance and minimization are infeasible.

Rationale: Wetland features, stream corridors, and riparian areas have been incorporated into project design, and the project will be conditioned to obtain all necessary permits and approvals from regulatory agencies prior to any work that could affect these features and to implement best management practices during construction to protect these features. The project proposes minimum setbacks of 10 feet from the edge of existing wetlands during construction, and permanent open space buffers of at least 40 feet. These setback distances have been determined to be consistent with Policy 7.3.3.4 of the *El Dorado County General Plan* and the Interim Interpretive Guidelines (Foothill Associates 2014, EIR Section 4.4, “Biological Resources”).

2.80 The project is consistent with General Plan Policy 7.3.3.5

Policy 7.3.3.5 requires that rivers, streams, lakes and ponds, and wetlands 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.

Rationale: Wetland and riparian areas have been incorporated into project design. These features are included in the open space lots to be preserved with adequate buffers. The project would be conditioned to obtain all necessary permits and approvals from regulatory agencies prior to any work that could affect these features and to implement best management practices during construction to protect these features.

2.81 The project is consistent with General Plan Policy 7.3.4.1

This policy states that natural watercourses shall be integrated into new development in such a way that they enhance the aesthetic and natural character of the site without disturbance.

Rationale: The drainage and wetland areas have been incorporated into project design, as they are included in the open space lots to be preserved with adequate buffers. The open space provides recreation and an aesthetic benefit, as well as serving to protect the drainage from disturbance. All necessary permits and approvals from regulatory agencies are required prior to any work that could affect these features and to implement best management practices during construction to protect these features.

2.82 The project is consistent with General Plan Policy 7.3.3.5

Policy 7.3.4.2 Modification of natural stream beds and flow shall be regulated to ensure that adequate mitigation measures are utilized.

Rationale: Proposed structures, utilities, roads, and trails are designed to avoid permanent fill of waters of the United States, including wetlands and riparian habitat. However, because grading and excavation would occur close or adjacent to these areas, the on-site drainage could be affected through either minor inadvertent removal of vegetation, excessive ground disturbance to the bed and bank causing erosion into waterways, or inadvertent placement of fill materials. Mitigation Measure 4.4-2c would require that any activity that may affect the bed, bank, channel, or associated riparian habitat would require authorization through a Streambed Alteration Notification, pursuant to Section 1600 et seq. of the California Fish and Game Code.

2.83 The project is consistent with General Plan Policy 7.4.1.5

Policy 7.4.1.5 requires that species, habitat, and natural community preservation/conservation strategies be prepared to protect special status plant and animal species and natural communities and habitats when discretionary development is proposed on lands with such resources, unless it is determined that those resources exist, and either are or can be protected, on public lands or private Natural Resource lands.

Rationale: The project site was evaluated for the presence of listed animal and plant species (Foothill Associates, 2015a). As mitigated and conditioned, the project will be required to protect burrowing owl and migratory bird and raptor species' nesting habitat during construction. The project will also be conditioned to avoid elderberry bushes that could provide habitat for Valley elderberry longhorn beetle.

2.84 The project is consistent with General Plan Policy 7.4.1.6.

Policy 7.4.1.6 requires that all development projects involving discretionary review shall be designed to avoid disturbance or fragmentation of important habitats to the extent reasonably feasible. Where avoidance is not possible, the development shall be required to fully mitigate the effects of important habitat loss and fragmentation. Mitigation shall be defined in the Integrated Natural Resources Management Plan (INRMP) (see Policy 7.4.2.8 and Implementation Measure CO-M).

Rationale: The project site is bordered by residential development to the northeast and east and Highway 50 to the south, and does not connect to significant habitats, is not part of a major or local wildlife corridor/travel routes and would not substantially reduce the number or restrict the range of any species. The project is not within or adjacent to an Important Biological Corridor or rare plant preserve. The site provides limited value to wildlife species outside of riparian and wetland areas, which are proposed to be preserved and incorporated into the project design as open space amenities. A worker awareness program (Mitigation Measure 4.4-1e) would generally limit the potential for disturbance to, or loss of, special-status wildlife species and habitat during construction activities. In addition, Mitigation Measures 4.4-1a through 4.4-1d would provide protections to specific species of concern, through pre-construction surveys and actions to protect any found species.

2.85 The project is consistent with General Plan Policy 7.4.2.3.

Policy 7.4.2.3 Consistent with Policy 9.1.3.1 of the Parks and Recreation Element, low impact uses such as trails and linear parks may be provided within river and stream buffers if all applicable mitigation measures are incorporated into the design.

Rationale: Trails would be provided across the northern portion of the site, and a small trail would be constructed at the southwest corner of the project site. Several trails would provide connections to the trail leading to Platt Circle and the future trail that passes through the Promontory open space area. Trails could be incorporated into the open space area surrounding the on-site drainage, although they are not proposed at this time. If trails are proposed through a subsequent project, Conditions and Mitigation measures would be incorporated into the design.

2.86 The project is consistent with General Plan Policy 7.4.4.4

Policy 7.4.4.4 For all new development projects (not including agricultural cultivation and actions pursuant to an approved Fire Safe Plan necessary to protect existing structures, both of which are exempt from this policy) that would result in soil disturbance on parcels that (1) are over an acre and have at least 1 percent total canopy cover or (2) are less than an acre and have at least 10 percent total canopy cover by

woodlands habitats as defined in this General Plan and determined from base line aerial photography or by site survey performed by a qualified biologist or licensed arborist, the County shall require one of two mitigation options: (1) the project applicant shall adhere to the tree canopy retention and replacement standards described below; or (2) the project applicant shall contribute to the County's Integrated Natural Resources Management Plan (INRMP) conservation fund described in Policy 7.4.2.8.

Rationale: The project site contains less than 1 percent oak woodland canopy by area (Foothill Associates 2014b) and is exempt from General Plan Policy 7.4.4.4 regarding tree canopy preservation and mitigation. The natural resources onsite including perennial drainages are being incorporated into the design of the development and thus are consistent with the other general plan policies regarding preservation of natural resources.

2.87 The project is consistent with General Plan Policy 7.5.1.3

According to Policy 7.5.1.3, cultural resource studies (historic, prehistoric, and paleontological resources) shall be conducted prior to approval of discretionary projects.

Rationale: The project site was evaluated for historic, prehistoric, and archaeological resources, which included record searches and field surveys. While no resources considered to be significant were found on-site, the project will be conditioned to implement measures to protect known features and the potential for discovering previously unknown resources.

2.88 The project is consistent with General Plan Policy 7.6.1.3 (E)

Policy 7.6.1.3 (E) requires that landscaping requirements in zoning regulations shall provide for vegetative buffers between incompatible land uses in order to provide for open spaces to create buffers which may be landscaped to minimize the adverse impact of one land use on another.

Rationale: Landscape lots, parks and open space area account for approximately 35 percent of the project site (42 acres). The open space Lot A, Lot C, Park Lot I, and Landscape Lot E provide a buffer from the proposed extension of Wilson Boulevard and Saratoga Way to the proposed residences on the western portion of the site. Landscape lots J, K, and L provide a buffer for lots to the East of Wilson Boulevard, and the site plan allows for appropriate buffering between these roads and the proposed residences.

2.89 The project is consistent with General Plan Policy 9.1.1.1

Policy 9.1.1.1 requires the County to assist in the development of regional, community, and neighborhood parks, ensure a diverse range of recreational opportunities at a regional, community, and neighborhood level, and provide park design guidelines and

development standards for park development. The parkland dedication/in-lieu fees shall be directed towards the purchase and funding of neighborhood and community parks.

Rationale: The proposed project would include approximately 42 acres of open space, which includes a trail system, landscaping, and open space areas surrounding the creek corridor, and 8 acres of public parks. All parks are proposed to be dedicated to either the EDHCSD, HOA, or other County-approved mechanism for maintenance and/or management. The final design of the parks is subject to EDHCSD/HOA approval. EDHCSD uses a standard of 5 acres per 1,000 residents, which equates to 5.2 acres of park land for this project. Given the EDHCSD park standards, as well as the amount of park acreage included in the project, the proposed project would exceed amount of acreage needed to meet the District standard. Because adequate park facilities provided onsite would be dedicated for community use, the proposed project would meet this standard.

2.90 The project is consistent with General Plan Policy 9.1.1.2

Neighborhood parks shall be primarily focused on serving walk-to or bike-to recreation needs. When possible, neighborhood parks should be adjacent to schools. Neighborhood parks are generally 2 to 10 acres in size and may include a playground, tot lot, turf areas, and picnic facilities.

Rationale: The proposed project would include approximately 8 acres of park area, with sidewalks and trails providing connections for pedestrians and bicyclists. The proposed park shown as “Lot I Active Park” in the Draft EIR would likely be developed as a neighborhood park, and would be accessible to the surrounding neighborhood by sidewalk and bicycle.

2.91 The project is consistent with General Plan Policy 9.1.1.3

Community parks and recreation facilities shall provide a focal point and gathering place for the larger community. Community parks are generally 10 to 44 acres in size, are for use by all sectors and age groups, and may include multi-purpose fields, ball fields, group picnic areas, playground, tot lot, multi-purpose hardcourts, swimming pool, tennis courts, and a community center.

Rationale: The proposed project would include approximately 8 acres of park area, with sidewalks and trails providing connections for pedestrians and bicyclists. However, none of the proposed park lots would meet the criteria for a Community Park. The proposed project’s parks would likely be developed as neighborhood parks or village parks, as determined by their size, location, and amenities. Development of the parks would be determined by the EDHCSD, HOA, or other County-approved mechanism for maintenance and/or management.

2.92 The project is consistent with General Plan Policy 9.1.1.5

Parkland dedicated under the Quimby Act must be suitable for active recreation uses and:

- A. Shall have a maximum average slope of 10 percent;
- B. Shall have sufficient access for a community or neighborhood park; and
- C. Shall not contain significant constraints that would render the site unsuitable for development.

Rationale: The proposed project would include approximately 42 acres of open space areas, which includes a trail system, landscaping, and open space areas surrounding the creek corridor, and 8 acres of public parks. All parks are proposed to be dedicated to the EDHCSD, HOA, or other County-approved mechanism for maintenance and/or management. The final design of the parks is subject to EDHCSD/HOA approval. EDHCSD uses a standard of 5 acres per 1,000 residents, which equates to 5.2 acres of park land for this project. Given the EDHCSD park standards, as well as the amount of park acreage included in the project, the proposed project would exceed the District standard. If required parkland is deemed unsuitable for dedication, parkland in-lieu fees would be required as conditioned.

2.93 The project is consistent with General Plan Policy 9.1.2.4

Policy 9.1.2.4 requires that every discretionary application as well as public facilities planning be evaluated with regard to their ability to implement the Hiking and Equestrian Trails Master Plan and the Bikeway Master Plan.

Rationale: In 2008, the decision was made to combine efforts related to County park and trail resources outside of the Tahoe Regional Planning Agency area into a single, comprehensive planning document. The El Dorado County Parks and Trails Master Plan is the resultant document and provides direction for both parks and trails, while replacing the earlier Hiking and Equestrian Trails Master Plan. This plan does not specify facilities for the project area, but defers to the El Dorado Hills CSD Parks and Recreation Facilities Master Plan. The project would include park land dedication to the EDHCSD. According to the El Dorado County Bicycle Transportation Plan (2010), a Class II, on-street bikeway is proposed along Saratoga Way, connecting to Iron Point Way and the bike network in Folsom (Map 1). It is listed as a top priority in the Bike Plan. This bikeway is proposed as part of the project, and would serve to implement part of the Plan.

2.94 The project is consistent with General Plan Policy 9.1.3.1

Policy 9.1.3.1 indicates that linear parks and trails may be incorporated along rivers, creeks, and streams wherever possible.

Rationale: The proposed project includes trails across the northern portion of the site, at the southwest corner of the project site, connections to the trail leading to Platt Circle, and the future trail that passes through the Promontory open space area. Trails could be incorporated into the open space area surrounding the on-site drainage, although they are not proposed at this time. If trails are proposed through a subsequent project, Conditions and Mitigation measures would be incorporated into the design.

2.95 The project is consistent with General Plan Policy 9.2.2.2

Policy 9.2.2.2 requires that new development projects creating community or neighborhood parks shall provide mechanisms (e.g., homeowners associations, or benefit assessment districts) for the ongoing development, operation, and maintenance needs of these facilities if annexation to an existing parks and recreation service district/provider is not possible.

Rationale: The proposed parks would be dedicated to the El Dorado Hills Community Services District, or the HOA for the new residences, which would assume responsibility for maintenance.

2.96 The project is consistent with General Plan Policy 10.1.9.2

Policy 10.1.9.2 states that the County should encourage specific plans and large planned developments in Community Regions and Rural Centers to include a broad mix of housing types and relate it to local wage structures to achieve balance with existing and forecasted resident household needs.

Rationale: The project provides housing similar to that in the existing surrounding neighborhood.

2.97 The project is consistent with General Plan Policy 10.2.1.3.

Require that all costs of upgrading and/or constructing civic, public and community facilities, and basic infrastructure exclusively needed to serve new development be the responsibility of new development and not existing residents.

Rationale: Included as part of the proposed project, a Development Agreement and Public Facilities Finance Plan would be adopted for the project that identifies the applicant's responsibilities for contributing to the cost of infrastructure improvements.

2.98 The project is consistent with General Plan Policy 10.2.1.4

Policy 10.2.1.4 requires that new discretionary development pay its fair share of the costs of all civic and public and community facilities it utilizes, based upon the demand for these facilities which can be attributed to new development.

Rationale: Included as part of the proposed project, a Development Agreement and Public Facilities Finance Plan would be adopted for the project that identifies the applicant's responsibilities for contributing to the cost of infrastructure improvements, based on the demand associated with the development.

2.99 The project is consistent with General Plan Policy 10.2.1.5

A public facilities and services financing plan that assures that cost burdens of any civic, public, and community facilities, infrastructure, ongoing services, including operations and maintenance necessitated by a development proposal, as defined below, are adequately financed to assure no net cost burden to existing residents may be required with the following development applications including Residential projects that exceed 50 units.

Rationale: The project is required to prepare a public facilities and services financing plan and a fiscal impact study. A Development Agreement and Public Facilities Finance Plan will be adopted for the project that identifies the applicant's responsibilities for contributing to the cost of infrastructure improvements. Consistent with Policy 10.2.1.5, the financing plan would include the fair share contribution necessary to prevent the proposed project from diminishing existing operations and maintenance levels of public services, including any civic, public, and community facilities, infrastructure.

2.100 The project is consistent with General Plan Policy 10.2.1.3

Policy 10.2.1.6 requires that new infrastructure and facilities be coordinated with existing infrastructure and facilities and shall maximize use of existing facilities capacity to the extent that any exists.

Rationale: The project has identified locations for connecting to existing EID water and wastewater facilities and County roadway facilities that are available to serve the project site.

3.0 ZONING FINDINGS

3.1 The proposed use is consistent with Title 130.

The parcel is zoned One-Family Residential (R1). The project has been analyzed in accordance with Zoning Ordinance Section 130.28.040 (Development Standards) for minimum lot size, widths and building setbacks.

Rationale: Lot width in this zone is usually required to be a minimum of 60 feet, and lot sizes a minimum of 6,000 square feet. However, some lots will have reduced widths, and square footages as low as 5,972, as proposed with the Planned Development. Other development standards for the R1 zone would be met. The project, as proposed and conditioned, is consistent with the Zoning Ordinance because the parcels have been designed to comply with the R1 development standards as provided within Section 130.28.040 of the County Code.

3.2 The proposed use is consistent with Chapter 130.04.030.

Chapter 130.04.030 of the El Dorado County Zoning Ordinance requires that 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:

1. That the PD zone request is consistent with the general plan;

Rationale: As set forth in the Findings above, the tentative map is consistent with the El Dorado County General Plan. The project is consistent with both the General Plan and zoning on the property. The purpose of the proposed rezone and development plan (Z14-1520, PD14-0006) is to expand the amount of open space and conform the boundaries of the portions of the project area currently zoned OS with the boundaries shown on the site plan. Two noise impacts are likely to occur as a result of the project, even with Mitigation Measures incorporated. The first relates to noise generated by construction activities (Finding 2.64), and the other relates to the increase in noise from existing noise levels to projected future noise levels. Although the development would not comply with these standards, the long-term, overall noise levels would not be exceeded. The project meets the overall intent of the General plan and would serve to further many of the described goals and policies therein.

2. That the proposed development is so designed to provide a desirable environment within its own boundaries;

Rationale: The Saratoga Estates project would subdivide approximately 121 acres into 317 residential lots generally ranging in size from approximately 5,972 to 14,839 square feet. Larger lots (up to approximately 23,516

square feet) would be located at the eastern project site boundary. Sidewalks and landscaping are proposed surrounding the individual lots. The project would include approximately 42 acres of public parks, trails, landscaping, and open space, and the onsite perennial drainage would be preserved onsite within the proposed open space.

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

Rationale: Lot width in this zone is usually required to be a minimum of 60 feet, and lot size a minimum of 6,000 square-feet. However, some lots will have reduced widths and sizes no less than 5,972 square feet. Lots have been clustered to avoid drainages, wetlands, and impacts from traffic-related noise. The reduction will allow for a more flexible site plan, and leave space for adequate open space, preservation of the on-site drainage, and a buffer between the extensions of Wilson Boulevard and Saratoga Way, and the proposed and existing residences.

4. That the site is physically suited for the proposed uses;

Rationale: The proposed tentative map directs development to the El Dorado Hills Community Region and provides lot types consistent with the land uses, densities, and intensities consistent with the El Dorado County General Plan's policies for the County's Community Regions. The Project site is 121.28 acres located immediately north of Highway 50, and surrounded by existing residential development. Adequate access and utility-related infrastructure can be provided, and services are located in close proximity. The site is characterized by two northwest/southeast trending hillsides bisected by a perennial drainage, so site development will require extensive on-site grading. However, the site contains less than one percent oak canopy cover, and the proposed development will avoid sensitive areas on site. The site is located appropriately for the development and physically suited for the proposed uses. The site is physically suitable for both the type and density of the development.

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

Rationale: The project has been reviewed by the County Transportation and Environmental Management Divisions, the El Dorado County Air Quality Management District, and the El Dorado Hills Fire Department. Water, sewer, and other utilities are available to serve the site. Conditions have been applied to ensure that there are no health or safety risks and that adequate fire protection measures will be in place to serve the project.

6. The map does not conflict with any easement for public access through the property.

Rationale: The project has been reviewed by the County Surveyor and no easements exist that would conflict with the map. The project provides residential units, open space, and a range of passive and active recreational amenities for its residents. New internal roads, sidewalks, and pedestrian and bicycle paths are proposed as part of the project to facilitate access to and through the development.

4.0 TENTATIVE SUBDIVISION MAP FINDINGS

4.1 The project is consistent with Sec. 120.44.030.

Sec. 120.44.030 of the Subdivision Ordinance. - Findings Requiring Disapproval, says that the approving authority shall not approve a tentative map if the approving authority makes any of the following findings:

A. That the proposed map is not consistent with applicable general and specific plans;

Rationale: The proposed tentative map and the design of improvements of the subdivision are consistent with the General Plan. The proposed tentative map directs development to the El Dorado Hills Community Region and provides lot types consistent with the land uses, densities, and intensities consistent with the El Dorado County General Plan's policies for the County's Community Regions. The proposed project would not require a General Plan Amendment, as it is currently consistent with the General Plan land use designations and densities of the HDR and OS land use designations. The development density would be similar to the high-density residential development of other areas within the El Dorado Hills Community Region boundary. There are no specific plans applicable to the project site.

B. That the design or improvement of the proposed division is not consistent with applicable general and specific plans;

Rationale: The design of the proposed tentative map and development plan are consistent with the General Plan. The Project site is 121.28 acres located in the El Dorado Hills Community Region, immediately north of Highway 50, and surrounded by existing residential development. Adequate access and utility-related infrastructure can be provided, and services are located in close proximity. The site is characterized by two northwest/southeast trending hillsides bisected by a perennial drainage, but the proposed development will avoid sensitive areas on site. The site is located appropriately for the development and physically suited for the proposed

uses. The development density would be similar to the high-density residential development of other areas within the El Dorado Hills Community Region boundary. There are no specific plans applicable to the project site.

C. That the site is not physically suitable for the type of development;

Rationale: The proposed tentative map directs development to the El Dorado Hills Community Region and provides lot types consistent with the land uses, densities, and intensities consistent with the El Dorado County General Plan's policies for the County's Community Regions. The Project site is 121.28 acres located immediately north of Highway 50, and surrounded by existing residential development. Adequate access and utility-related infrastructure can be provided, and services are located in close proximity. The site is characterized by two northwest/southeast trending hillsides bisected by a perennial drainage, so site development will require extensive on-site grading. However, the site contains less than one percent oak canopy cover, and the proposed development will avoid sensitive areas on site. The site is located appropriately for the development and physically suited for the proposed uses. The site is physically suitable for both the type and density of the development.

D. That the site is not physically suitable for the proposed density of development;

Rationale: The proposed project would not require a General Plan Amendment, as it is currently consistent with the General Plan land use designations and densities of the HDR and OS land use designations. The proposed tentative map and the design of improvements of the subdivision are consistent with the General Plan. The proposed tentative map directs development to the El Dorado Hills Community Region and provides lot types consistent with the land uses, densities, and intensities consistent with the El Dorado County General Plan's policies for the County's Community Regions. According to the General Plan, standard residential subdivisions in the HDR land use designation shall maintain a density range from one to two dwelling units per acre. Residential subdivisions utilizing the planned development concept shall maintain a density range from one to five dwelling units per acre. The tentative map would create 317 lots on 121.28 acres of the project site for a density of 2.6 dwelling units per acre. The lots will range from 5,972 square feet to 23,516 square feet in size. The development density would be similar to the high-density residential development of other areas within the El Dorado Hills Community Region boundary. There are no specific plans applicable to the project site.

E. That the design of the division or the proposed improvements are likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;

Rationale: The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. The project is not within or adjacent to the Important Biological Corridor or rare plant preserve. The project is designed to avoid interference with all wetland and riparian features and conditions have been imposed on the project which will prevent siltation or other storm water runoff from having a negative impact on downstream creeks or streams avoiding injury to fish or other wildlife dependent on the downstream drainage. Impacts were evaluated and mitigation measures would be implemented to protect these species from potentially adverse effects as a result of the project (EIR Mitigation Measures BIO-1 and BIO-2). Loss of oak woodland, which provides habitat for some wildlife species, would be mitigated in accordance with EIR Mitigation Measure BIO-2a. Mitigation measures, which are required as conditions of approval, will be implemented ensuring that the proposed subdivision would not cause substantial environmental damage and would not substantially and unavoidably injure fish or wildlife or their habitat.

F. That the design of the division or the type of improvements is likely to cause serious public health hazards;

Rationale: The design of the subdivision and the type of improvements would not create serious public health and safety problems or unacceptable fire risks to occupants or adjoining properties. The project site is not located within a mapped Alquist-Priolo Earthquake Fault Zone, and all new structures to be built in accordance with the California Building Code (CBC) to ensure public safety from the possibility of ground shaking hazards. The project will be conditioned to comply with the geotechnical report's recommendations for seismic and soils hazards. An Asbestos Dust Mitigation Plan is required, which would reduce potential naturally occurring asbestos emissions and risk to nearby residents. The project, as mitigated and conditioned, will be required to control diesel particulate matter emissions during construction. With implementation of traffic mitigation measures and Transportation Division conditions, the project would neither introduce dangerous road design features, nor generate traffic that is incompatible with existing traffic patterns. The project site is located in an area of moderate wildfire hazard risk. A Wildland Fire Safe Plan has been prepared for the proposed project. As conditioned, the proposed project is required to comply with all El Dorado Hills Fire Department fire standards, including, but not limited to: location of and specifications for fire hydrants; emergency vehicle access including

roadway widths and turning radii; fire flow and sprinkler requirements; and defensible space and wildland fire-safe plans.

G. That the design of the division or the improvements are not suitable to allow for compliance of the requirements of public resources code § 4291;

Rationale: Project implementation would result in the construction of residences in an area of moderate fire potential, adjacent to the Promontory Open Space. A fire in the Promontory Open Space would meet the National Wildfire Coordinating Group's definition of a wildland fire. Currently, there is no formal access to this property, although a trail is planned through the open space in conjunction with the Promontory Specific Plan. Before construction, the portions of the site planned for residences and public infrastructure would be grubbed and vegetation would be removed. Construction activities on the project site would incorporate standard Best Management Practices (such as designated smoking areas and vehicles with spark arrestors) to reduce the potential for project construction to result in fire that could spread to the adjacent wildland and effect existing residences. A Wildland Fire Safe Plan was prepared for the project and implementation is required to reduce the potential for project construction resulting in fire that could spread to the adjacent wildland and effect existing residences.

H. That the design of the subdivision or the type of improvements will 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: 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. There are no easements, acquired by the public at large, for access through or use of, property within the subdivision. The project is designed to avoid the PG&E power line easement located on the northern side of the site.

5.0 DESIGN WAIVER FINDINGS

5.1 Chapter 120.08.020 of the El Dorado County Subdivisions Ordinance requires that the following four findings are met for each design waiver in order to justify their approval:

Design Waiver Request 1: Modify Standard Plan 101 B to reduce Right of Way and roadway width for internal subdivision streets from 50 feet to 40 feet ROW and from 36 feet to 29 feet curb face to curb face, respectively.

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

Reduced right of way and roadway width would better conform to the existing topography and natural features on the site and would assist in facilitating creation of quality open space corridors along the roadway. This waiver would also aid in creating a more efficient clustering of housing within the development. The larger right of way and road width would require more extensive grading work, increasing the potential for wetland impacts, increasing impervious area, and decreasing the quality of the open spaces created or preserved by the project.

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

Wider road rights of way and roadway width would increase the landform disturbance, the potential for wetland impacts, and would decrease the quality of open spaces. Without this design waiver, the quality and character of the primary project entrance/exit, associated natural and park spaces, and primary circulation within the project would be significantly reduced.

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

The Project is proposing a gated community with private streets. The proposed roadway width is consistent with County Standard Plan 101 B and County adopted fire regulations. A combination of trails and sidewalks will accommodate pedestrian/bicycle circulation. The proposed roadway width is consistent with County adopted fire regulations and it is unlikely that this request will be detrimental to health, safety, convenience, and welfare of the public.

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.*

Properties within the project would be provided with safe, adequate access and circulation with or without implementation of the requested Design Waiver. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

Design Waiver Request 2: Modify Standard Plan 103A-1 to allow driveways to be within 25 feet from a radius return, allow driveway widths to be reduced to 16 feet wide driveway for two-car garage, and omit four-foot taper to back of curb.

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

Application of this waiver would provide for more flexibility and creative design opportunities, and provide for a more unique overall subdivision appearance while reducing project impervious area.

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

Strict application will limit final product choices or restrict the number of lots to be created. Driveways, as proposed, would allow for access and the required number of parking spaces for each residential lot.

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

The Project proposes a gated community with private streets. The proposed roadway width is consistent with County adopted fire regulations. With low anticipated traffic volumes, this waiver is not anticipated to be detrimental to health, safety, convenience, and welfare of the public.

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.*

Properties within the project would be provided with safe, adequate access and parking with or without implementation of the requested Design Waiver. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

Design Waiver Request 3: Modify Standard Plan 101B to reduce sidewalk widths from 6 feet with 0.5-foot from face of curb to 5.5 feet from face of curb to back of sidewalk along interior roads (from Face of Curb to Back of Walk), except M Street from Saratoga Way to C Street.

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

Narrow sidewalks would better conform to the existing topography and features of the site and will contribute to a reduction in project impervious area. Sidewalks and pedestrian trails are included in the project design.

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

Strict application of this standard would result in wider road rights-of-way and roadway width, which would increase landform disturbance, the potential for wetland impacts, impervious area and decrease the quality of preserved open spaces.

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

The Project proposes a gated community with private streets. Sidewalks will accommodate pedestrian circulation. This waiver is not anticipated to be detrimental to health, safety, convenience, and welfare of the public. County and the project applicant shall ensure that sidewalks have an unobstructed width of 4', or sidewalk unobstructed width shall meet the current regulatory standard in place at the time of improvement plan approval, whichever is greater.

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.*

Properties within the project would be provided with safe, adequate access and circulation with or without implementation of the requested Design Waiver. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

Design Waiver Request 4: Modify Standard Plan 101B to allow sidewalks on one side of the roadway only for streets without residential frontage (M,N, I, G, D Street, C Court, and a Portion of A and B Streets.

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

All sidewalks are appropriately related to residential frontages. On streets that are not proposed to have residential frontage, fewer sidewalks will reduce the visual impact of the concrete and will be more visually compatible within a project containing corridors of open space adjacent to roadway frontages. Fewer sidewalks would also contribute to a reduction in project impervious area.

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

Sidewalks on both sides of the street would result in wider road rights-of-way and landform disturbance, the potential for wetland impacts and either a reduction in the number of residential lots or open spaces. Strict application of this standard will create unnecessary grading constraints and use of retaining walls and increase encroachment onto open space lots for streets that do not have residential frontage.

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

The proposed roadway width is consistent with County adopted fire regulations. Sidewalks are proposed on one side of the street throughout the development to provide for pedestrian circulation. Providing pedestrian circulation on one side of the street would not be detrimental to health, safety, convenience, and welfare of the public.

- 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.*

Properties within the project would be provided with safe, adequate access and circulation with or without implementation of the requested Design Waiver. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

Design Waiver Request 5: Allow Tangents Shorter than 100 feet between Reversed Curves on Local Streets.

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

Reduced tangent length between reversed curves would better conform to the existing topography and natural features on the site. This waiver would also aid in creating a more efficient clustering of housing within the development. Strict compliance with this standard would require more extensive grading work, inefficient use of the developable space and increase wetland impacts. Every tangent less than 100 feet in length is proposed to be accompanied by adjacent curves that are substantially larger than 200 feet.

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

Strict application of this standard would increase the landform disturbance, the potential for wetland impacts and either a reduction in the number of residential lots or open spaces.

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

The proposed roadway width is consistent with County adopted fire regulations. Sidewalks are proposed on side of the street throughout the development to provide for pedestrian circulation. The Project is proposing a gated community with private streets. The proposed roadway width is consistent with County Standards and County

adopted fire regulations. It is unlikely that this request would be detrimental to health, safety, convenience, and welfare of the public.

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.*

Properties within the project would be provided with safe, adequate access and circulation with or without implementation of the requested Design Waiver. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.