

FINDINGS FOR DENIAL

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can not be made:

1.0 CEQA Finding

- 1.1 This project is found to be Statutorily Exempt from the requirements of CEQA pursuant to Section 15270(b) of the CEQA Guidelines where the agency can determine that the project cannot be approved. The project is unapprovable due to numerous inconsistencies with General Plan policies.

2.0 Parcel Map Findings

- 2.1 The proposed parcel map conforms to the applicable standards and requirements of the County's zoning regulations and the Minor Land Division Ordinance.**

The proposed parcels meet the minimum ten acre parcel size, width and frontage noted in the development standards as required by the Estate Residential Ten-acre (RE-10) Zone District. The proposed parcels do not, however, meet the minimum standard for appropriate circulation and access from a County maintained road as defined under the policies of both the El Dorado County Design and Improvement Standards Manual and California SRA State Fire Safe Regulations, as described in the staff report.

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

Based on the analysis of site plans, insufficient access and circulation exist to support additional parcels along Miners Trail. Both Sweeney Road and Miners Trail do not meet the minimum width and exceed the maximum dead end length as required by the California Fire Safe regulations and the Design Improvements Standards Manual. Therefore, the project cannot be supported by staff.

- 2.3 The proposed use is consistent with the policies in the El Dorado County 2004 General Plan, adopted July 19, 2004.**

The project is not consistent with the policies in the General Plan. Specifically the project is not consistent with Policies 2.2.2.3, 6.2.3.1, 6.2.3.2, 5.7.4.1, 6.2.2.2, 7.4.2.2, and 8.4.1.1

related to emergency access, development in high fire severity areas, critical wildlife corridors, and subdivision of lands adjacent to NR designated lands, and further expansion of an inappropriate lot size pattern.

3.0 Findings for Denial of Design Waiver Request

3.1 Request to allow a dead end road longer than the maximum of 500 feet in length. The support for the denial of the design waiver is based on the following findings:

3.1.1 There are special conditions or circumstances particular to the property proposed to be subdivided which would justify the adjustment or waiver.

There are no special circumstances applying to the proposed parcels. The project is located over 3,300 feet from a County maintained road that meets Fire Safe regulations minimum for road width. Sweeny Road, a County maintained road, does not meet fire safe widths. Grizzly Flat Road is the closest County maintained road to meet County standards.

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

The proposed parcels would be detrimental to the health, safety, convenience, and welfare of the public by exacerbating access for emergency services and safety of adjacent property owners in the event of an emergency. Emergency response times can not be met unless the roads are improved to fire safe widths.

3.1.3 The waiver would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.

Waiving the requirement for the dead-end road length would not be consistent with County Code and could have the effect of nullifying objectives of Article II.

3.2 Allow roadway width of 20 feet in lieu of the standard 24 foot requirement. The support for the design waiver is based on the following findings:

3.2.1 There are special conditions or circumstances particular to the property proposed to be subdivided which would justify the adjustment or waiver.

There are no special circumstances applying to the proposed parcels. The Pioneer Fire District and the Department of Transportation has found no evidence or justification to support a reduction in road width. An updated letter from the Pioneer Fire District provided no justification for the reduced widths.

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

The proposed parcels could be detrimental to the health, safety, convenience, and welfare of the public by exacerbating access for emergency services and safety of adjacent property owners in the event of an emergency.

3.2.3 The waiver would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.

Waiving the requirement for the road width would not be consistent with County Code and could have the effect of nullifying objectives of Article II.