

FINDINGS

General Plan Amendment A15-0001/Rezone Z12-0010/Planned Development PD12-0002/Tentative Subdivision Map TM12-1510/Piedmont Oak Estates Phase 1 Planning Commission/January 14, 2016

1.0 CEQA FINDINGS

An Initial Study has been conducted to determine if the proposed project would have a significant effect on the environment (Exhibit M). Supporting technical studies, including Air Quality Analysis/Greenhouse Gas Analysis, Traffic Impact Analysis, Biological Resources Assessment, Geotechnical Engineering Study, Cultural Resources Inventory and Evaluation, and Environmental Noise Assessment, are referenced in this Initial Study. Based on the Initial Study, a Mitigated Negative Declaration has been prepared as specific impacts to Air Quality and Biological Resources have been identified requiring mitigation measures to minimize the effects to a less than significant level.

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Community Development Agency-Planning Services Division at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

2.1 Land Use Element- General Plan Policy 2.1.1.7 (Applicable General Plan Policies and Timing of Development within Community Region).

Piedmont Oak Estates is within the Community Region of Diamond Springs where public infrastructures such as roads and utility exist. The project would construct, extend and/or upgrade on- and off-site infrastructures necessary to serve the proposed development.

2.2 Land Use Element- General Plan Policies 2.2.1.2 and 2.2.1.3 (Land Use Designation and Density).

The project site is designated as High Density Residential and Commercial. Piedmont Oak Estates Phase 1 development would result in a residential density of 3.86 du/ac, which is within the HDR density range of 1-5 du/acre. The commercial lot is also consistent with the underlying land use designation and future development of the lots would be further verified for density/intensity under a separate development application.

2.3 Land Use Element- General Plan Policy 2.2.5.3 (Rezone Consistency).

The project is currently within the El Dorado Irrigation District (EID) service area. Based on the Facility Improvement Letter (FIL) from EID, there is adequate amount of water capacity necessary to would serve future development. Existing EID facilities near the project would be required to be improved and/or extended in order to serve the proposed

development. Submittal of a Facility Plan Report (FPR) would be subject to review and approval by EID.

The project site is within the Mother Lode Union School District (MLUSD) and El Dorado Union High School District (EDUHSD). Indian Creek Elementary School (K-5) and Herbert Green Middle School (7-8) are under MLUSD and Union Mine High School is under EDHUSD. Based on MLUSD's 0.4 student/lot ratio for K-5 and 0.1 student/lot ratio for 6-8, the proposed subdivision would generate a total of approximately 33 elementary students and 8 middle school students for a total of 41 students, which would be sufficiently accommodated by the District. Based on EDHUSD student generation factor of 0.177 student/lot, a total of 15 students would be generated by the subdivision which would be sufficiently accommodated by the District.

Diamond Springs Fire Department provides fire and emergency service in Diamond Springs. The nearest station is located at 501 Main Street, approximately 0.8 mile west of the project site. The anticipated emergency response time is below the 8 minute standard response time required in the Community Region.

The site soil composition consists of Diamond Springs Very Fine Sandy Loam, Diamond Springs Very Rocky Very Fine Sandy Loam, and Placer Diggings, which are characterized to have moderate to hazard erosion rating and medium to rapid potential for storm runoff. As part of project implementation, storm runoff and erosion would be controlled through Best Management Practices with adherence to the DISM standards, Grading and Drainage Ordinance.

The site contains potential habitat for raptor species with the existence of oak woodland canopy. Mitigation measure would be incorporated that would minimize impact to these species prior to site construction.

2.4 Land Use Element- General Plan Policy 2.2.3.1 (Application of Planned Development).

The proposed project is consistent with policy by preserving 37 percent of the site as open space and utilizing clustering for a portion of the residential development.

2.5 Land Use Element- General Plan Policy 2.2.5.21 (Project Compatibility).

Piedmont Oak Estates is within an area compatible with existing and planned residential and commercial uses.

2.6 Circulation and Transportation Element- General Plan Policies TC-Xe, TC-Xf, TC-Xg, and TC-Xh (Levels of Service and Concurrency).

The proposed development would be served by extension and improvement of road infrastructure. The proposed development would not worsen the existing LOS in the area.

As conditioned, payment of standard traffic impact mitigation (TIM) fees shall be required prior to issuance of the residential building permits.

2.7 Public Services and Utility Element- General Plan Policies 5.1.2.1, 5.1.2.2, 5.1.2.3, 5.2.1.3 (Adequacy of Public Utility for Water and Sewer Services).

The proposed development is within the El Dorado Irrigation District (EID) service area where public water and sewer utilities currently exist. The development would be required to improve, upgrade and connect to these infrastructures in order to obtain the service. A Facility Plan Report (FPR), which details the necessary facility improvements for the project, would be required subject to review and approval by EID. An EID meter award letter would be required as proof of rights to service prior to filing of the Final Map.

2.8 Public Services and Utility Element- General Plan Policies 5.4.1.1, 5.4.1.2 (Drainage and Erosion).

The subdivision is designed to address storm drainage using underground pipe network and a detention pond, subject to DISM construction standards. Best Management Practices and standard erosion measures shall be enforced in order to minimize erosion effects during site construction.

2.9 Health and Safety Element- General Plan Policies 6.2.3.1 and 6.2.3.2 (Fire Protection Services).

The project is located within the Diamond Springs Community Region, where fire protection service is provided by Diamond Springs Fire Department. This site is designated as moderate in terms of fire hazard. Specific project conditions of approval, including minimum access points and road standards, shall be applied, subject to verification by the department prior to any construction. Site development shall be required to implement and adhere to specific provisions identified in the approved Wildfire Safe Plan.

2.10 Conservation and Open Space Element- General Plan Policy 7.4.4.4 (Option A- Oak Tree Canopy Retention and Replacement).

An estimated 1.20 acres of the existing 8.21 acre oak canopy is anticipated to be removed which is limited to Phase 1 construction only in order to maintain consistency with the provisions of General Plan Policy 7.4.4.4 Option A. This amount of canopy removed would be replaced via on-site replanting within designated areas of the Open Space and along the secondary road access.

3.0 ZONING ORDINANCE FINDINGS

The proposed rezone would maintain consistency with the General Plan. The density and design of the planned development conforms to the proposed zones. Future Planned Development permit shall be required for the development of Commercial Lot 1, subject to review for conformance with the applicable zone district development standards.

4.0 SUBDIVISION ORDINANCE FINDINGS

4.1 The proposed tentative map, including design and improvements, is consistent with the General Plan policies and land use map; and

4.2 The design or improvements of the proposed division are consistent with the General Plan.

The proposed Phase 1 subdivision design and required project improvements are consistent with the applicable policies of General Plan as it relates to density, neighborhood compatibility, connectivity to existing infrastructure, and resource preservation.

4.3 The site is physically suitable for the proposed type and density of development.

The project site range from flat to gentle slope areas, which would be suitable for the proposed residential and commercial development. Phase 1 infrastructure including roads and utilities will be constructed to serve the development, which is compatible with the existing neighborhood. Oak canopy proposed to be preserved and replaced is consistent with the General Plan and ephemeral drainage areas will be avoided.

4.4 The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitats.

As analyzed, the project anticipates potential impacts to Air Quality and Biological Resources. Specific mitigation measures, which would minimize the impacts to less than significant, have been applied as project conditions of approval.

4.5 The design of the subdivision or the improvements are suitable to allow for compliance with the requirements of Section 4291 of the Public Resource Code (Section 4291 establishes criteria for fire and fuel breaks around buildings).

The project has been designed to comply with the requirements of the County Design Manual and the Fire Safe Regulations. Standards conditions of approval from Diamond Springs Fire Department and provisions of the approved Wildfire Safe Plan shall be implemented as part of site development and operation.

4.6 **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 division.**

All easements necessary to accommodate and construct proposed Phase 1 infrastructure such as road and utilities to serve the development would be secured prior to any construction.

5.0 DESIGN WAIVERS FINDINGS

The Design Waivers requested are subject to specific findings under Section 16.08.020 of the El Dorado County Subdivision Ordinance described below.

- A. There are special conditions or circumstances peculiar to the property proposed to be subdivided which would justify the waiver.
- B. Strict application of the design or improvement requirements of this chapter would cause extraordinary and unnecessary hardship in developing the property.
- C. The waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.
- D. The waiver would not have the effect of nullifying the objectives of this Article or any other law or ordinance applicable to the subdivision.

The following describes the requested Design Waivers and responses to the required findings criteria.

Design Waiver 1: Reduction in sidewalk width from 6-foot to 4-foot.

Response to A: DISM Plan 101 B requires a 6-foot wide sidewalk on both sides of the public road. The proposed interior roads are anticipated to be private and construction of the 4-foot sidewalk would sufficiently serve the pedestrian needs of the subdivision.

Response to B: Application of a standard 6-foot wide sidewalk on both sides of the private road would result in unnecessary grading impacts and potentially affect the design of the development.

Response to C: This reduced sidewalk would adequately and safely meet the needs of the proposed subdivision and therefore, is not anticipated to be detrimental to health and welfare of the general public.

Response D: As this waiver is limited to this proposed development, the waiver would not nullify the objectives of the Subdivision Ordinance.

Design Waiver 2: Sidewalk on one side only, "A" Street from Tentative Map point A-3 to point A-4.

Response to A: DISM Plan 101 B requires a 6-foot wide sidewalk on both sides of the public road. The proposed interior roads are anticipated to be private and a portion of this road would have the 4-foot sidewalk on one side only. This modified sidewalk width would sufficiently serve the pedestrian needs of the subdivision.

Response to B: Application of a standard 6-foot wide sidewalk on both sides of the private road would result in unnecessary grading impact along this area of the subdivision and potentially affect the design of the development.

Response to C: This construction of a 4-foot sidewalk on one side of the road would adequately and safely meet the pedestrian needs of the proposed private subdivision and therefore, is not anticipated to be detrimental to health and welfare of the general public.

Response to D: As this waiver is limited to this proposed development, the waiver would not nullify the objectives of the Subdivision Ordinance.