

FINDINGS

**Zoning Administrator Approved April 18, 2007
File Number P06-0032 - Thorne**

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

FINDINGS FOR APPROVAL

1.0 CEQA FINDING

- 1.1 The proposed project, as conditioned, will not have a significant effect on the environment and a negative declaration has been filed. Any impacts from the project on biological resources, traffic, and mineral resources will be less than significant due to existing standards and requirements imposed in the conditioning of the project.
- 1.2 The project will not affect wetlands, watercourses, riparian lands, unique plant or animal life and habitats, or other terrestrial matters under the jurisdiction of the State Department of Fish and Game.
- 1.3 The documents and other materials which constitute the record of the proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Ct, Placerville, CA 95667.

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.

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

The project site has been determined suitable for residential development by the Environmental Management Department and Planning Services based on the information provided by the applicant. There are numerous building sites on the proposed parcels that would not be constrained by excessive slope, tree canopy, streams or wetlands.

2.3 The proposed parcel map is not likely to cause substantial environmental damage.

A negative declaration was prepared for the proposed parcel map. Based on the initial study, it was determined that the project would not have a significant effect on the environment.

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

The project has been designed in compliance with the Rural Residential Land Use Designation requiring a minimum of ten (10) acre parcel sizes. County regulations, addressing environmental issues and health and safety concerns, have been analyzed, as required by the 2004 General Plan and referenced in the General Plan discussion in the staff report.

3.0 — DESIGN WAIVERS

Findings for Denial of Design Waiver 1

~~3.1 Design waiver request one is for a reduction of the existing on-site road width to 18 feet with 2-foot shoulders per State Responsibility Area Fire Safe Regulations as it encroaches onto Jayhawk Drive.~~

~~3.1.1 There are special conditions for circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.~~

~~— The existing on-site road is 18 feet wide with a turn around that is consistent with California State Responsibility Area State Fire Safe Regulations. However, per direction from the El Dorado County Board of Supervisors, no design waiver for road width reduction shall be approved.~~

~~3.1.2. Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.~~

~~— The increased improvements will require more extensive grading and drainage work with increased impacts to an area that is sensitive to soil disturbance. There are drainage ditches, fences, and utilities along both sides of the on-site roadway. However, per direction from the El Dorado County Board of Supervisors, no design waiver for road width reduction shall be approved.~~

~~3.1.3. The adjustment or waiver(s) would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.~~

~~The design waiver request reduces the road improvements to 18 feet with two foot (2') shoulders, which is consistent with State Responsibility Area Fire Safe Regulations. The Rescue Fire Protection District has required that the project meet all the requirements of the State Responsibility Area Fire Safe Regulations. However, per direction from the El Dorado County Board of Supervisors, no design waiver for road width reduction shall be approved.~~

~~3.1.4. This waiver(s) 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.~~

~~A reduction in road width is consistent with Title 17 of the Zoning Ordinance, General Plan, California State Responsibility Area Fire Safe Regulations, however, findings have not been made to approve the design waiver request per direction from the El Dorado County Board of Supervisors.~~

~~Findings for Denial of Design Waiver 2~~

~~3.3 Request for a reduction of on-site road width from the encroachment to deer valley road to 18 feet without shoulder improvements.~~

~~3.3.1 There are special conditions for circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.~~

~~The current off-site portion of Jayhawk Drive from the encroachment to Deer Valley Road is an 18-foot wide roadway without two-foot (2') shoulder improvements, which is not consistent with State Responsibility Area Fire Safe Regulations~~

~~3.3.2. Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.~~

~~The increased improvements will require more extensive grading and drainage work with increased impacts to an area that is sensitive to soil disturbance. There are drainage ditches, fences, and utilities along both sides of the on-site roadway. However, there are no provisions to allow for the creation of residential parcels on a road that is already sub-standard.~~

~~3.3.3. The adjustment or waiver(s) would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.~~

~~Jayhawk Drive does not meet minimum California State Responsibility Area Fire Safe Regulations and could pose a threat to public health safety and welfare in the event of a wild fire.~~

~~3.3.4. This waiver(s) 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.~~

~~A reduction in road improvements is not consistent with Title 17 of the Zoning Ordinance, General Plan, California State Responsibility Area Fire Safe Regulations, as findings have not been made to approve the design waiver request.~~

~~**Findings for Denial of Design Waiver 3**~~

~~**3.3** Request to make no road improvements to the portion of Jayhawk Drive along the northern property frontage.~~

~~**3.3.1** There are special conditions for circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.~~

~~Jayhawk Drive runs along the northern frontage of the property. DOT recommends that all on-site roads be improved to a minimum of 18-feet with two-foot (2') shoulders per California State Responsibility Area Fire Safe Regulations and Department of Transportation Design and Improvement Standards Manual.~~

~~**3.3.2** Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.~~

~~The improvements would benefit the proposed parcel by providing another means of access.~~

~~**3.3.3** The adjustment or waiver(s) would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.~~

~~Jayhawk Drive along the northern property line does not meet minimum California State Responsibility Area Fire Safe Regulations and could pose a threat to public health safety and welfare in the event of a wild fire.~~

~~**3.3.4** This waiver(s) 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.~~

~~The reduction in road improvements is not consistent with Title 17 of the Zoning Ordinance, General Plan, California State Responsibility Area Fire Safe Regulations, as findings have not been made to approve the design waiver request.~~