

January 7, 2008

El Dorado County Board of Supervisors
330 Fair Lane
Placerville, CA 95667

RE: **Addendum to 12/17/07 Request for Denial of Z07-0048/PD05-0006/TM05-1393
Serrano Village M, Phase 4**

RECEIVED
BOARD OF SUPERVISORS
EL DORADO COUNTY
2008 JAN -7 PM 12:41

Dear Board Members:

This addendum is follow up to our December 17, 2007 correspondence, which was incomplete due to unavailable staff report attachments and references. Please note that the actual project file for the proposed rezone, while a public document, has still not been available for us to view. We are scheduled to meet with planner Mel Pabalinas on Wednesday, January 9. The items newly listed or expanded upon here are a result of our having gained access to the various referenced materials:

1. **Improper Noticing:** In the Planning Commission hearing the noticing was said to have been 'legal'. However, we can find no exemptions that allow the applicant to skip the direct mailing notification required by El Dorado County Zoning Code section 17.14.015.A (Attachment 1) and California Government Code section 65854 (Attachment 2). Planner Mel Pabalinas let us know that an exemption existed in the Development Agreement. Our research shows that page 11 of the Development Agreement (Attachment 3) does not allow an exemption of this requirement in cases where a change of use (ie: rezone of open space to residential) or change of density (ie: increased density for Village M) is proposed. This project was improperly noticed and must be re-reviewed at the Planning Commission level after proper notification has been given.
2. **CEQA Finding 1.0:** Planning Commission approved the project based on this finding, and yet this finding is flawed. It states in part "*No impacts have been identified which were not discussed and mitigated in the EIR*". Many mitigation measures in the Environmental Impact Report (EIR), put in place specifically to reduce the impact to sensitive areas such as Village M, have been ignored. Some examples are listed here.

EIR mitigation measure, page 12-38 (Attachment 4a), Open Space, states: "*Large areas within the plan boundaries which contain steep topography, expanses of tree cover, sensitive environmental or archeological features, or major recreational amenities shall be preserved as permanent open space*".

EIR mitigation measure, page 12-39 (Attachment 4b), Natural Open Space, states: "*Natural open space will be preserved, in perpetuity, in an essentially unaltered condition. No development will occur within these areas except the minimum necessary for maintenance and fire prevention and those directly associated with the limited recreational use of the area.*" This is repeated in the Specific Plan, section 6.2.1 on page 57 (Attachment 6c), and backed up by Figure 15 on page 58 (Attachment 6d).

EIR mitigation measure, page 12-44 (Attachment 4c), Wildlife, states: "*Large contiguous areas (of oak forest) are needed, as well as connections to offsite live oak forests*". The connection between the Serrano natural open space and the unfenced creekside habitat in Green Springs Ranch is a perfect example of this.

The development as proposed, specifically the creation of lots H & J, is in direct conflict with these mitigation measures, and confirms our original point. The densely wooded natural open space of Village M cannot be converted to developed residential area and still declare the project exempt from CEQA analysis. The retention of the densely wooded natural open space was the mitigation. It is simply not equivalent to "trade" this for abandoned golf course as open space, as confirmed on mitigation measures page 12-45 (Attachment 4d): "*The wildlife value of creekside habitat is increased by its proximity to undeveloped open space. Golf courses are not "undeveloped" from a wildlife perspective...*".

Note: The Specific Plan describes Village M this way (page 35): "*Village M constitutes a variation from the mix of housing types found elsewhere in the Specific Plan. This is due to the sensitive character of the village in terms of dense tree cover, wildlife habitat, and rolling-to-steep topography. As a result, this village is reserved for the largest lots within the Specific Plan area, Ranch Estates (RE) of 4-7 acres in size.*" Village M, phase 4 was originally proposed with a total of 5 residential lots because of the "sensitive character of the village." With the current proposal, this development is being increased to 38 residential lots. This doesn't even come close to meeting the spirit of the Specific Plan description. Note also that this paragraph of the Specific Plan was seriously mis-quoted in the Village M2/M3 staff report, which stated the minimum lot size to be 20,000 square feet rather than the 4-7 acre minimum the Specific Plan actually calls for. A copy of the Specific Plan page 35 is attached here (Attachment 6b) along with the open space plan on Figure 15 (Attachment 6d), and a copy of the misquote from page 2 of the M2/M3 staff report (Attachment 7a). This mis-quote may have led to improper re-zoning of lots in the M2/M3 area in the past.

3. **Staff Report, Attachment 3:** This attachment is referenced on pages 10 and 11 of the M4 staff report. One of the Planning Commissioners stated that he was confident that the data given on these pages was 'good'. However, when we requested documentation from the project planner, what we received did NOT document these numbers at all. We have not seen any documentation of the status of overall tree removal to date, nor of mitigation planting. What we did receive is an aerial photo of Village M4 only, showing preliminary envelopes, with no tree removal accounted for beyond the proposed envelopes. This is not an accurate picture of the full impact of the proposed development. The building envelopes have not been required in the conditions of approval; they are mentioned only in the staff report, which is not a binding document without the conditions to back it up. Thus, the tree removal accounted for should actually include all trees on the proposed lots, as that is what will actually be permitted for removal. A review of Villages H and K, which also incorporate envelopes, will confirm this (see the aerial photo attachments in our letter dated 12/17/07). If the numbers on pages 10 and 11 are being utilized to approve this project, they should be documented with aerial photos, and available for public access.

EIR Mitigation measure 12-44 states that a minimum of 50 percent of the Blue Oak Woodland retained is to occur within contiguous open space, and a minimum of 75 percent of the live oak forest to be retained is to occur within open space. Do the tree retention figures address how much of the tree retention occurs within the open space? If these mitigation measures are not to be complied with, then a supplemental CEQA analysis should be required.

Please note that on page 6 of the staff report, it states that the lot notebooks (envelopes) are to be prepared by the applicant prior to the Final Map. The Specific Plan, however, states very clearly on page 59 (Attachment 6e) that this is to be done at the time of the Tentative Map. Basically, that means prior to approval, not afterward.

4. **Wildlife:** Upon listening to the audio tapes of the Planning Commission proceedings, we were struck by the assertion that our letter dated January 8, 2006, was deemed to have been completely addressed. This is not true. The wildlife corridor was not fully addressed. Yes, the required setback from the creek was discussed. However, the open space designated in Village M was placed to form a contiguous connection to the unfenced rural area of Green Springs Ranch. Paragraph 1, page 82 of the Final EIR (Attachment 5b) states "*To reduce this impact (on mule deer) to a less-than-significant level, the suggestions are made to retain extensive, contiguous tracts of oak forest and blue oak woodland in undeveloped open space...*" The Specific Plan repeats this in Section 6, page 57. Finding 2.4.5 appears to be based on this section of the EIR, and yet the fencing and development proposed for lots H & J actually break up this continuity of natural open space. Again, this should require a revision to the EIR.
5. **Construction Hours:** The EIR, page 76 (Attachment 5a) recommends construction be allowed on weekdays only. The Specific Plan, page 11, section 1.4.1.4 (Attachment 6a) indeed requires construction hours to be

limited to weekdays, and that this requirement should be put on all grading and building permits. This has never been translated into conditions of approval that we are aware of, and is currently not enforced. Construction hours should be incorporated into the conditions for the project, as the chainsaw and construction noise on Saturdays can be overwhelming. We were not aware this requirement existed, and I'm sure the general public is not aware of it either.

6. **Density Transfer:** Density transfer does not allow the applicant to disregard the EIR mitigation measures. Page 3 of the staff report discusses density transfer. In the discussion it is claimed that the Area Plan designates the Village M area as high density, when actually it is a mix of medium and high density, as shown in the Draft EIR page 4-2 and figure 4-1. The Specific Plan refers to Village M as a variation from the other Villages, and reserves it for Ranch Estates (RE) of 4-7 acres in size. This seems pretty clear that increasing the density to 1/2 acre lots is not in keeping with the Specific Plan or the EIR, and that the density transfer analysis has not been thoroughly reviewed. To review only the total number of units in the Specific Plan is an inadequate review. Again, density transfer was not intended to allow the applicant to disregard the EIR mitigation measures.
7. **Cultural Resources:** The staff report pages 5 and 6, for the Village M2/M3 tentative map, stated that there are six cultural sites in Village M (Attachments 7b and 7c). These sites were all contained in the open space, and it was said that they would be preserved. These sites have not been addressed in the M4 staff report. There is no discussion, no exhibit, and no clue as to whether or not the sites are still to be contained within the open space. Where are these sites?
8. **Old Business & the PC Audio Tape:** When the Planning Commission audio tape was made available to us, we reviewed it to confirm any items we may have overlooked in our initial response.
 - An item in our letter dated January of 2006 which was deemed to have been addressed but was not, is the issue of slopes. Yes, it was determined that the building area on lot J is not 30 percent. The tentative map shows it is actually 26 percent. But the buildable frontage of lot J is so narrow at 51 feet, that in conjunction with the steep slope, it is unrealistic to expect the development of that lot to meet Serrano standards and expectations without a request for exceptions to the development standards. (We were generous in our 12/17/07 letter in estimating a 65 foot buildable frontage width. An exhibit from the applicant provided by the planner shows that dimension to be 51 feet.)

Is Serrano prepared to say that no exceptions will be requested for these lots in order to make them developable?

- Mr. Pabalinas stated in the hearing that the mitigation measures in the EDH Specific Plan EIR are applicable to this project, yet those mitigation measures regarding the open space have been disregarded. The Specific Plan is very clear about the area of proposed lots H and J being natural open space to be preserved in perpetuity. Mitigation measures have not been complied with as required.
- Mr. Pabalinas also stated that the envelopes will be created at the time of the final map, but lots H and J should likely not even be created in the first place, and at the time of the final map it is too late. The Specific Plan clearly says that creation of the tentative map is the time for this review to happen.
- Mr. Pabalinas clearly said in the hearing that he does not have the information regarding the current status of oak tree mitigation planting by Serrano, and that they could request that from the applicant at a later date. I know there is a lot of data on pages 10 and 11 of the staff report regarding open space and trees and it all looks good, but it is meaningless without back up documentation of maps and aerials. This is all supposed to have been reviewed prior to presenting it to Planning Commission. 'At a later date' is too late, and is inconclusive as to whether or not criteria has actually been met. (see item 3 above). "I believe you" is not confirmation of data being correct.

- The assertion that all issues from our 2006 letter were addressed was factored into the Planning Commission's approval of the project, when in fact several items were not completely addressed. It is not a matter of us 'not liking the answer', as suggested by one of the commissioners. The answers are not actually there.

We are NOT against development. Serrano can put in as many units as they are authorized to without complaint from us. But Development Services exists to ensure this development is done within the parameters set up to protect our natural resources, and neighboring communities. Planning Services has been so eager to assist in the development of Serrano, or perhaps so busy, that they have not fully followed through with this responsibility. Please do the right thing now—send this project back to Planning Services to correctly address each of these items, as well as those in our 12/17/07 letter.

Respectfully,



Ellen and Don Van Dyke
vandyke.5@sbcglobalnet

cc: Mel Pabalinas, Planning Services

Attachments:

1. EDC Zoning Code 17.04.015(A)
2. California Government Code 65854
3. Development Agreement page 11
4. Draft EIR mitigation measures:
 - a) page 12-38
 - b) page 12-39
 - c) page 12-44
 - d) page 12-45
 - e) page 4-2
 - f) figure 4-1
5. Final EIR
 - a) page 76
 - b) pg 82
6. EDH Specific Plan
 - a) page 11
 - b) page 35
 - c) page 57
 - d) figure 15, page 58
 - e) page 59
7. Staff Report Conditions for M2/M3
 - a) pg 2
 - b) pg 5
 - c) pg 6

2. Details of the relationship of the PD to existing adjoining uses;
 3. Tabulation of proposed land uses, the number of dwelling units, acres and population density for all residential areas, the range of commercial uses, approximate square footage and type of activity, etc.;
 4. Proposed circulation system, indicating both public and private streets and off-street parking;
 5. Public uses, if any, including schools, parks, recreational areas and other open spaces;
 6. An indication of any proposed modification in the regulations applicable to the subject property;
 7. The expected schedule and sequence of development;
 8. Building coverage ratio;
 9. Open space ratio;
 10. The location of all existing vegetation and topographical features to be retained together with a preliminary landscape plan;
 11. Preliminary map if the subdivision of property is to occur; and
 12. Proposed schematic of utility services;
 13. Proposed deed restrictions.
- B. The planning division staff shall review the proposed plan and make appropriate comments and suggested changes in the plan and shall forward the plan with the staff report to the planning commission for their consideration. (Ord. 3806 §3, 1988: Ord. 3514 §3, 1985: Ord. 3213 §2(part), 1981: prior code §9390.3(1))

17.04.015 Notice requirements and procedure.

- A. Action by the planning commission pursuant to Section 17.04.005B1 shall be made after a public hearing for which notice has been given as follows:
 1. Mailed or delivered at least ten (10) days prior to the hearing to the applicant and all owners of real property as shown on the latest equalized assessment roll within five hundred feet (500') of the property which is the subject of the hearing; and
 2. Published once in at least one newspaper of general circulation at least ten (10) days prior to the hearing.
- B. Action by the board of supervisors on an appeal pursuant to Section 17.04.005B2 or 17.04.005B3b shall be made after a public hearing for which written notice has been mailed or delivered at least ten (10) days prior to the hearing to the applicant and the appellant(s) and published once in at least one newspaper of general circulation at least ten (10) days prior to the hearing.
- C. All hearings conducted pursuant to this chapter shall be public hearings wherein any person may be heard and any evidence taken which is relevant to the proceedings, provided that, in the case of appeal hearings testimony and evidence shall be limited to those things relevant to the specific reasons for the appeal.
- D. In any appeal action brought pursuant to Section 17.04.005B2, the appellant may withdraw his or her appeal, with prejudice, at any time prior to the commencement of the public hearing. For the purposes of this section the public hearing shall be deemed commenced upon the taking of any evidence including reports from planning staff. (Ord. 3806 §4, 1988)

Zoning changes:

65854. The planning commission shall hold a public hearing on the proposed zoning ordinance or amendment to a zoning ordinance. Notice of the hearing shall be given pursuant to Section **65090** and, if the proposed ordinance or amendment to a zoning ordinance affects the permitted uses of real property, notice shall also be given pursuant to Section **65091**.

Noticing Requirements:

**GOVERNMENT CODE
SECTION 65090-65096**

65090. (a) When a provision of this title requires notice of a public hearing to be given pursuant to this section, notice shall be published pursuant to Section 6061 in at least one newspaper of general circulation within the jurisdiction of the local agency which is conducting the proceeding at least 10 days prior to the hearing, or if there is no such newspaper of general circulation, the notice shall be posted at least 10 days prior to the hearing in at least three public places within the jurisdiction of the local agency.

(b) The notice shall include the information specified in Section 65094.

(c) In addition to the notice required by this section, a local agency may give notice of the hearing in any other manner it deems necessary or desirable.

(d) Whenever a local agency considers the adoption or amendment of policies or ordinances affecting drive-through facilities, the local agency shall incorporate, where necessary, notice procedures to the blind, aged, and disabled communities in order to facilitate their participation. The Legislature finds that access restrictions to commercial establishments affecting the blind, aged, or disabled is a critical statewide problem; therefore, this subdivision shall be applicable to charter cities.

65091. (a) When a provision of this title requires notice of a public hearing to be given pursuant to this section, notice shall be given in all of the following ways:

(1) Notice of the hearing shall be mailed or delivered at least 10 days prior to the hearing to the owner of the subject real property as shown on the latest equalized assessment roll. Instead of using the assessment roll, the local agency may use records of the county assessor or tax collector if those records contain more recent information than the information contained on the assessment roll. Notice shall also be mailed to the owner's duly authorized agent, if any, and to the project applicant.

(2) When the Subdivision Map Act (Div. 2 (commencing with Section 66410)) requires notice of a public hearing to be given pursuant to this section, notice shall also be given to any owner of a mineral right pertaining to the subject real property who has recorded a notice of intent to preserve the mineral right pursuant to Section

Attachment 2
(California Gov. Code)

883.230 of the Civil Code.

(3) Notice of the hearing shall be mailed or delivered at least 10 days prior to the hearing to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, whose ability to provide those facilities and services may be significantly affected.

(4) Notice of the hearing shall be mailed or delivered at least 10 days prior to the hearing to all owners of real property as shown on the latest equalized assessment roll within 300 feet of the real property that is the subject of the hearing. In lieu of using the assessment roll, the local agency may use records of the county assessor or tax collector which contain more recent information than the assessment roll. If the number of owners to whom notice would be mailed or delivered pursuant to this paragraph or paragraph (1) is greater than 1,000, a local agency, in lieu of mailed or delivered notice, may provide notice by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation within the local agency in which the proceeding is conducted at least 10 days prior to the hearing.

(5) If the notice is mailed or delivered pursuant to paragraph (3), the notice shall also either be:

(A) Published pursuant to Section 6061 in at least one newspaper of general circulation within the local agency which is conducting the proceeding at least 10 days prior to the hearing.

(B) Posted at least 10 days prior to the hearing in at least three public places within the boundaries of the local agency, including one public place in the area directly affected by the proceeding.

(b) The notice shall include the information specified in Section 65094.

(c) In addition to the notice required by this section, a local agency may give notice of the hearing in any other manner it deems necessary or desirable.

(d) Whenever a hearing is held regarding a permit for a drive-through facility, or modification of an existing drive-through facility permit, the local agency shall incorporate, where necessary, notice procedures to the blind, aged, and disabled communities in order to facilitate their participation in any hearing on, or appeal of the denial of, a drive-through facility permit. The Legislature finds that access restrictions to commercial establishments affecting the blind, aged, or disabled, is a critical statewide problem; therefore, this subdivision shall be applicable to charter cities.

Open Space:

GOVERNMENT CODE

SECTION 65910-65912

65910. Every city and county by December 31, 1973, shall prepare and adopt an open-space zoning ordinance consistent with the local open-space plan adopted pursuant to Article 10.5 (commencing with Section 65560) of Chapter 3 of this title.

65911. Variances from the terms of an open-space zoning ordinance shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

This section shall be literally and strictly interpreted and enforced so as to protect the interest of the public in the orderly growth and development of cities and counties and in the preservation and conservation of open-space lands.

will require a public hearing shall be made by the County in its sole discretion:

1.8. Modification to the El Dorado Hills Specific Plan.

Upon request of the Developer, the Planning Director or other appropriate County personnel may modify the El Dorado Hills Specific Plan without compliance with procedural provisions of the zoning ordinance or any notice of public hearing if the Planning Director determines, in a manner consistent with County policy and state law, that the requested modification does not substantially alter the term, permitted uses, density or intensity of use, provisions for reservation and dedication of land, conditions, terms, restrictions and requirements relating to subsequent discretionary actions, monetary contributions by Developer or any conditions relating to the use of the Property, and is otherwise consistent with the El Dorado Hills Specific Plan, the El Dorado Hills/Salmon Falls Area Plan and the County General Plan.

1.9. Notices. All notices required or provided for under this Agreement shall be in writing and delivered in person or sent by certified mail, postage prepaid, return receipt requested, to the principal offices of the County and Developer or Developer's assigns and successors. Notice shall be effective

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Attachment 3
(Development Agreement)

050288CMS

BOOK 3108 PAGE 120

c. Where possible, trails should follow native drainage courses. In most instances, drainage easements will provide for trail construction and public access.

d. Sidewalks, trails and paths which are not adjacent to public streets should be clearly marked to facilitate use and discourage wandering beyond the recorded easement.

f. Barriers shall be designed and installed to prevent access by unauthorized motor vehicles.

h. Trail construction standards within native open space shall ensure that construction and subsequent use has a minimum impact on terrain and vegetation. Standards should also serve to minimize maintenance requirements.

Open Space

1. Natural Open Space

a. The boundaries of natural open space shall blend with boundaries of the villages in a manner to enhance and integration of open space and developed areas.

b. Open space shall be linked visually and physically to the extent practicable by prohibiting perimeter lot fencing adjacent to the open space. Perimeter fencing may be permitted for rural parcels as provided in the Design Guidelines and CC&Rs.

General Policies

b. Large areas within the plan boundaries which contain steep topography, expanses of tree cover, sensitive environmental or archeological features, or major recreational amenities shall be preserved as permanent open space. (NEW)

3. Drainageways

a. Increased runoff shall require erosion control techniques to be integrated into the overall landscape design. Emphasis is placed on solutions that conform to the native character of the landscape and minimize change to the existing condition of the creek channels.

b. A 100-foot-wide undeveloped buffer zone will be established along Carson Creek in accordance with Department of Fish and Game requirements.

c. Drainageway easements shall specifically preclude erection of structures and other site

development not consistent with purpose of these areas.

Public Facilities and Services

3. Parks

c. Native and drought-tolerant trees and shrubs shall be incorporated into the landscape design to the maximum extent possible.

In addition to the Plan Policies listed above, the Specific Plan includes several other biologic mitigation features, which are listed below.

Drainageways. All major drainageways within the Plan Area will either be left in a completely native, unaltered condition, or modified to appear native. The wide, shallow design of channels with riparian vegetation will constitute an element of open space within certain villages. Drainageways will be contained within easements which provide for routine maintenance as well as pedestrian travel. An important feature of the drainageway system is the inclusion of storm drainage retention ponds. Riparian vegetation will be managed within drainageways and retention ponds in order to enhance the open space character and habitat of these areas.

Natural Open Space. Approximately 1,020 acres, or 23 percent of the Plan Area, have been set aside as native open space. This acreage occurs in areas of steep, visually prominent topography and dense vegetation. Natural open space will be preserved, in perpetuity, in an essentially unaltered condition. No development will occur within these areas except the minimum necessary for maintenance and fire prevention and those directly associated with the limited recreational use of the area.

Uses allowed will be restricted to those which have minimal impact on the open space character such as jogging, hiking, and horseback riding. Limited recreational facilities may be included in both the public and private open space areas where such facilities are compatible with the open space character. A management program is intended to preserve the native character of these areas while providing for fire protection and erosion control.

Residential Open Space. Certain common areas created in conjunction with attached residential developments will be designated as Residential Open Space. Further, in the review of all other residential development applications, open space easement dedications on individual parcels may be required to achieve compliance with principles stated herein. Easements will be required in order to prevent development other than

by roads, retention ponds, lakes, and golf courses should be revegetated with the same native woody riparian species that natively occur on the Plan Area. Revegetation goals at a minimum should be to provide full replacement for the resources eliminated.

Establish a Management Plan and Guidelines for Controlling Riparian Vegetation. Establish a management plan and guidelines that provides for adequate drainage flow and fire protection and ensures the retention of as much native riparian vegetation as possible.

Wildlife

Retain a Minimum of 50 Percent of the Blue Oak Woodland in Relatively Contiguous Open Space. Impacts to the Plan Area wildlife resulting from the loss of foraging and nesting resources in the blue oak woodland could be reduced to a less-than-significant level by maintaining at least half of the existing blue oak woodland. Some of the blue oak woodland could be in residential open space and in the golf course(s) between fairways. To ensure survival of the oaks, the guidelines discussed earlier should be followed.

Retain a Minimum of 75 Percent of the Live Oak Forest in Open Space. Retaining at least 75 percent of the Plan Area's live oak forest in open space designations would reduce wildlife impacts to Plan Area wildlife to a less-than-significant level. Because live oak forest is included in residential open space and the golf courses, the oak preservation guidelines discussed earlier should be strictly followed.

If the percentage of live oak forest preserved could be improved from 22.3 percent (Table 12-2) to approximately 50 percent by the inclusion of protected live oak forest in developed areas and the permanent revegetation of disturbed areas, the impact on the vegetation could be reduced, from a county perspective, to a less-than-significant level. Large contiguous areas are needed, as well as connections to offsite live oak forests. Development of year-round water sources and the planting of vegetation with wildlife values (e.g., food, cover) would also help to compensate for live oak forest habitat losses. Planting should be in open space as well as parks, golf courses, schools, and other open areas.

Establish 100-Foot-Wide Buffers Zones Along All Intermittent Drainageways in the Plan Area. To avoid significant impacts to wildlife inhabiting Allegheny Creek and other intermittent waterways in the Plan Area, 100-foot-wide corridor or streamside vegetation should be preserved free of development. No clearing of trees, snags, or undergrowth should be permitted in this riparian corridor, nor the planting of lawns or non-native ornamental shrubs or trees unless necessary for safety

reasons or to remove diseased trees. Limited vegetation removal may be necessary for maintaining flood control. Vegetation removal should be evaluated on a criteria which prohibits any large-scale clearing.

Establish a 200-Foot-Wide Buffer Zone Along Carson Creek. To retain the high wildlife and amenity values along Carson Creek, no development or landscaping should occur within a 200-foot-wide (100 feet on each side) corridor along Carson Creek. No clearing of trees, snags, or undergrowth should be permitted in the Carson Creek riparian corridor, nor the planting of lawns or nonnative ornamental shrubs and trees unless necessary for safety or to remove diseased trees. Limited vegetation removal may be necessary for maintaining flood control. Vegetation removal should be evaluated on a criteria which prohibits any large-scale clearing.

Establish Undeveloped Open Space Adjacent to Creekside Areas, Where Possible. The wildlife value of creekside habitat is increased by its proximity to undeveloped open space. Golf courses are not "undeveloped" from a wildlife perspective because their landscaped, manicured grounds and introduced shrubs and trees typically have low wildlife values compared to native plant communities. Where possible Plan Area's creekside habitat should be included within extensive tracts of live oak forest open space.

Encourage the Development of Riparian and Marsh Vegetation Around the Retention Ponds. Within the constraints of flood control management guidelines, riparian and wetland vegetation should be allowed to establish in and around the retention ponds. Creation of new riparian habitats at these ponds would substantially enhance their wildlife values.

Develop Alternative Sources of Water in the Golf Courses or Open Space Areas. Alternative sources of water for wildlife should be created and riparian vegetation encouraged in the golf courses and open space areas (including both permanent and residential open space). A minimum of six small guzzlers or spring developments may provide the necessary water. In addition, the integration of the golf course water features into areas which are adjacent to native vegetation areas will facilitate use of the water by animals.

Maximize the Amount of Vegetation Cover in All Open Space Designations. Because some wildlife are reluctant to venture far from the cover of trees or undergrowth, extensive stretches of landscaped lawns, golf courses, or playing fields can be an impediment to wildlife movement. Where possible in parks and golf courses, native shrubs and trees should be planted in patches so that broad stretches of unbroken turf are minimized.

Avoid the Use of Poisons for Rodent Control. To prevent mortalities of non-target wildlife, rodent control programs at

West: Single-family residential; commercial; Oak Ridge High School; several high density residential villages; Harvard Way; and El Dorado Hills Boulevard.

The community of El Dorado Hills serves primarily as a bedroom community to Sacramento. The commercial area, located at El Dorado Hills Boulevard and U. S. Highway 50, serves as the central commercial area. Raley's is the major retailer with several surrounding businesses. El Dorado Hills currently contains seven "villages" (0.25-acre lot, single-family developments that are internally focused, contain internal circulation, and a neighborhood commercial area).

Planned Land Uses

Relevant Plans and Policies. According to county planning staff (Dunn pers. comm.), the El Dorado County General Plan contemplates the development and use of a number of area plans for certain communities and serves as an overall guide to more specific area plans within the county. Therefore, the relevant goals and policies of the EDH-SF Area Plan are assessed, rather than the county General Plan goals and policies. The Area Plan contains specific goals and policies targeted to future urban growth and development in the El Dorado Hills community. The relevant goals and policies and the Specific Plan's consistency with them are discussed in the "Impacts" section that follows.

El Dorado Hills/Salmon Falls Area Plan. Land use designations for the Plan Area and adjacent lands are shown in Figure 4-1. The majority of the Plan Area is designated on the El Dorado Hills/Salmon Falls (EDH-SF) Area Plan (El Dorado County Planning Department, undated) as High Density Residential (three du per acre unless accompanied by a planned development, in which case five du to the acre will be permitted). The remainder of the Plan Area is designated Commercial, Multi-Family Residential (12 du per acre or 20 du maximum per acre with a Planned Development), Medium Density Residential (one du per 1.0-4.9 acres), and Parks/Recreation. Adjacent land use designations are as follows:

North: Low Density Residential, Medium Density Residential, High Density Residential, and Public Facility.

East: High Density Residential and Medium Density Residential

South: Low Density Residential, Medium Density Residential, High Density Residential, Multi-Family Residential, Industrial, and Open Space/Conservation.

West: Commercial, Multi-Family Residential, High Density Residential, Medium Density Residential, Parks/Recreation, and Public Facility.

FIGURE 4-1.
AREA PLAN DESIGNATIONS

El Dorado Hills/Salmon Falls Area Plan

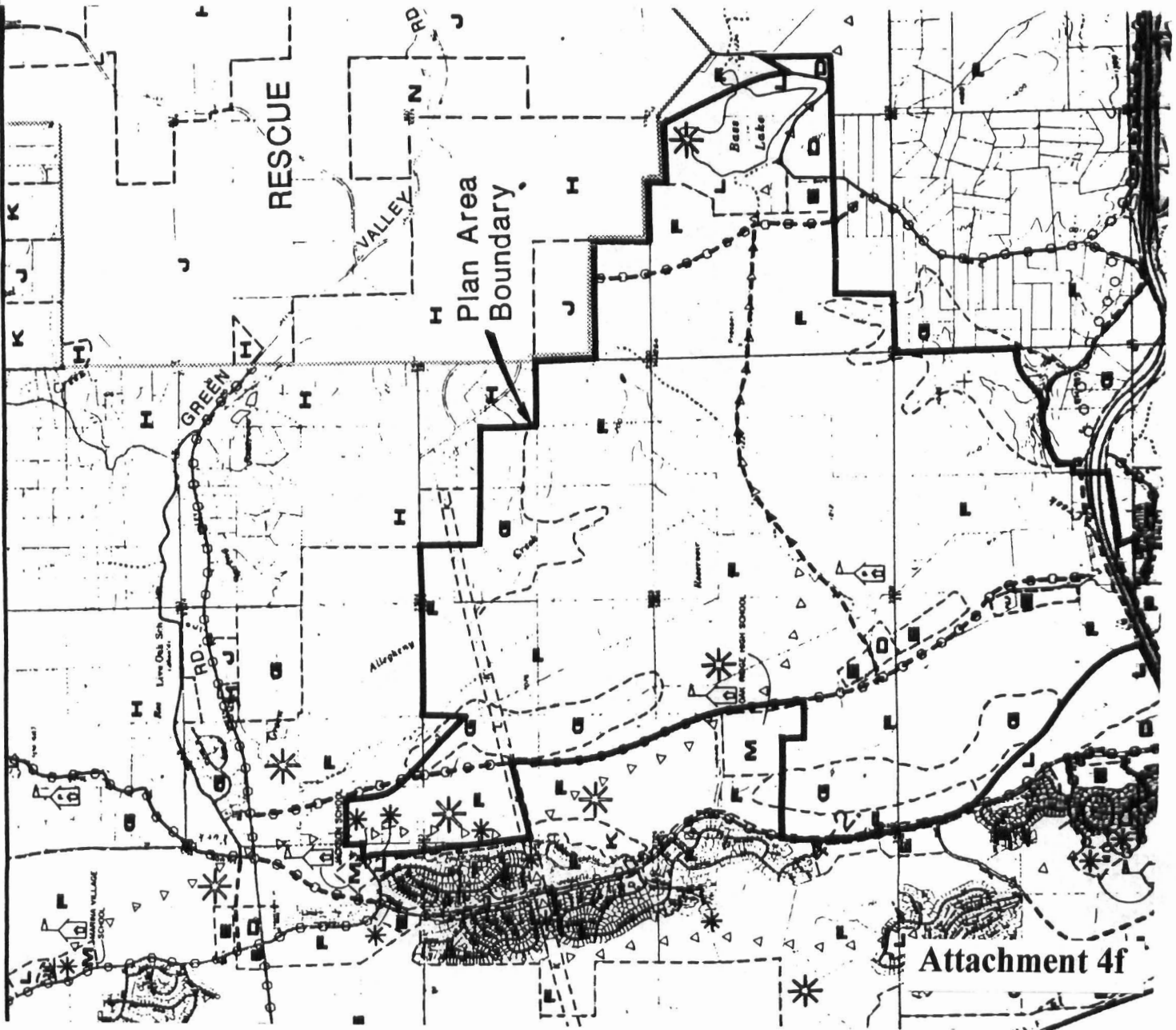
- B Industrial
- D Commercial
- E Multi-Family Residential
12 du maximum per acre
20 du maximum per acre with PD
- F High Density Residential 5 du maximum per acre
- G Medium Density Residential 1 du/1.0-4.9 acres
- H Low Density Residential 1 du/5.0-9.9 acres
- J Rural Residential Agriculture 1 du/10-160 acres
- K Open Space/Conservation
- L Parks/Recreation
- M Public Facility

Rescue Area Plan

- B Industrial
 - C Commercial
 - M Public Facilities
 - L Parks
 - F High Density Residential 4 du per acre
 - G Residential 2 ac. minimum parcel
 - H Residential Agriculture 5 ac. minimum parcel
 - J Residential Agriculture 10 ac. minimum parcel
 - N Exclusive Agriculture
- Proposed school sites as shown on the 1969
General Plan

Cameron Park Area Plan

- B Industrial
- D Commercial
- E Multi-Family Residential 3.1-20 du/ac.
- F Single Family Residential
High Density 1.1-3 du/ac.
F-PD* 4.2 du/ac.
- G Single Family Residential
Medium Density 1 du/1.0-4.9 acres
- H Single Family Residential
Low Density 1 du/5.0-9.9 acres
- J Rural Residential Agricultural
1 du/10-60 acres
- K Public Facility
- L Open Space/Conservation
- M Parks/Recreation
- PD Design Control
- Requires Planned Unit Development



Hills. There are no standards for determining the "significance" of the impact. In the judgement of the EIR preparers the impact is significant. Other individuals may believe the impact from the noise is less than significant.

9-2 Comment: (Public Hearing)

The noise chapter suggests limiting construction to daytime hours (7 a.m. - 9 p.m.) to minimize noise impacts. It isn't light until 9 p.m. all year long. I think they should quit working at 6 p.m. and avoid weekends.

Response: Comment noted. The following mitigation measure is recommended for inclusion in the EIR:

Limit construction to daytime hours from 7 a.m. to 7 p.m. or sunset, whichever is earlier, Monday through Friday.

Chapter 10: Geology, Seismicity, and Soils

10-1 Comment: (Marcia Hanebutt and David Hanebutt)

General Erosion Control: This land (the hills in particular) is of an unstable nature and for the most part has very little tree coverage; it is mostly covered by rangeland grasses. We hope that all considerations have been made and noted as to the protection of potential slide areas. The hills are very steep and in many areas treeless.

Response: Comment noted. The environmental analysis included as Chapter 10, "Geology, Seismicity, and Soils," did not identify landslides as a potential concern. The Specific Plan proposes open space for most of the steeper slopes. Geotechnical studies would be necessary prior to construction.

Chapter 11: Hydrology and Water Quality

11-1 Comment: (Marcia Hanebutt, Public Hearing)

We own property adjacent to Village G. The Specific Plan proposes one-half-acre lots near our property. Carson Creek goes through our property, and it's a raging river after a storm. What about the drainage on these lots?

Response: The proposed development would increase the amount of impervious surface area and the channelization of stormwater flow. The developer has proposed retention ponds at several locations in the Plan Area to retain the high flows and minimize the potential for flooding downstream. All drainage plans will be reviewed by the county to assure adequate capacity.

Impacts to mule deer are identified as potentially significant on page 12-36 of the Draft EIR. To reduce this impact to a less-than-significant level, the suggestions are made to retain extensive, contiguous tracts of oak forest and blue oak woodland in undeveloped open space, enforce leash laws in the open space, and minimize fencing to permit movement of wide-ranging wildlife. The Specific Plan proposes to retain large amounts of oak forest and blue oak woodland in undeveloped open space.

The comment does not provide any new information that indicates a need to reassess the impacts on mule deer.

Chapter 13: Cultural Resources

13-1 Comment: (Jack N. Tobiason)

With regard to the interchange location proposed by the developers, I note that the EIR tells the developer to avoid the Tong Cemetery. Placing the eastern on-ramp tightly against the cemetery is an open invitation for vandalism, garbage dumping, and desecration of the cemetery. It does not comply with EIR requirements.

Response: The mitigation measure referenced in the comment is found on page 13-20 of the Draft EIR. The mitigation measure is to design the Specific Plan to avoid impacts to sites, specifically Site EDH-29 (Tong Cemetery).

This mitigation measure applies to the proposed Silva Valley Parkway Interchange. This interchange will be reviewed in a separate site-specific document.

Chapter 14: Aesthetics

No comments were received.

Chapter 15: Energy Conservation

No comments were received.

Chapter 16: Alternatives

16-1 Comment: (ECOS)

The DEIR fails to consider alternative land use configurations for the 4,000 acre community. Alternatives such as

Attachment 5b
(Final EIR)

cleanly to avoid damage to the "bark ridge" tissue of adjacent limbs. For information regarding protection of oaks, contact the University of California Cooperative Extension, Natural Resources Program, and the Sacramento Tree Foundation.

- d. The El Dorado County Planning Department will be responsible for enforcement of oak tree protection during construction.
- e. In development areas, no oaks larger than 25 inches cbh will be removed until a site survey and inspection report is performed.

1.4.1.3 Air Quality

All developers will be required to implement dust-reducing construction practices as a condition of the tentative subdivision map. The measure will be shown on the grading plans and must first be reviewed and approved by the El Dorado County Department of Transportation.

Construction contracts will include provisions for watering or using other dust control methods on all exposed earth surfaces during clearing, grading, earthmoving, and cleanup of mud and dirt carried from the construction site onto adjacent streets, and for paving, planting, use of soil binders, or repeated soaking to maintain a crusty surface to reduce wind-blown dust potential.

1.4.1.4 Noise

- a. The developer of any residential development located adjacent to U.S. Highway 50, or any county road having a predicted average daily traffic (ADT) count of 13,000 or more will be required to mitigate traffic noise. Roads projected to have an ADT of 13,000 or more in 2010 include: El Dorado Hills Boulevard/Latrobe Road, White Rock Road, Silva Valley Parkway, Wilson Way, Bass Lake Road, and Country Club Drive.
- b. The developer will be required to have an acoustical analysis submitted by a qualified acoustical consultant to the El Dorado County Department of Community Development. The analysis will include provisions for both existing noise levels at the time of submittal of a tentative subdivision map and anticipated noise levels based on building plans and lot design. The analysis will be submitted as part of the building permit application.
- c. Interior noise levels will be mitigated to a level of 45 dB Ldn or below to be acceptable to the planning director. Noise levels would be diminished by construction of barriers, reduced vehicle speeds, restriction of truck traffic, increased setbacks, advantageous use of natural topographic barriers, construction materials, or any combination of the above.
- d. Any developer of a shopping center being built adjacent to a residential development will be required to have an acoustical analysis submitted by a qualified acoustical consultant to the El Dorado County Department of Community Development. The analysis will indicate building placement, truck loading, and delivery areas and will be submitted as part of the building permit application.
- e. Interior noise levels will be mitigated to a level of 45 dB Ldn or below, or as acceptable to the planning director. Mitigation techniques may include minimization of nighttime loading, careful siting and design of loading facilities (depressed and shielded), and the use of concrete walls.

All development, including grading and construction of buildings, will be limited to daytime hours from 7 a.m. to 7 p.m. or sunset, whichever is earlier, Monday through Friday. This requirement will be indicated on grading permits and building permits.

VILLAGE "M"

Village "M" constitutes a variation from the mix of housing types found elsewhere in the Specific Plan. This is due to the sensitive character of the village in terms of dense tree cover, wildlife habitat, and rolling-to-steep topography. As a result, **this village is reserved for the largest lots within the Specific Plan area, Ranch Estates (RE) of 4-7 acres in size.** These rural lots also act as a buffer between the edge of the Plan Area and the large rural lots to the north and the agricultural preserve to the east. The rural character of Village "M" will be maintained by the use of a standard rural road system of aggregate or chip seal surface. Water and sewer lines will be located within the public right-of-way. Road connections to the north are not expected to permit incompatible traffic volumes that would impact the rural setting and natural amenities of the village. Village "M," although large in acreage, is appropriate for approximately 37 dwelling units.

VILLAGE "R"

Village "R" constitutes 157 acres of the El Dorado Irrigation District's (EID) Bass Lake water reservoir and water treatment facility. Once used as a recreation area, the lake and surrounding properties are no longer available for public use. The lake is now a potable water storage area for use by EID as a source of gravity-fed domestic water for the El Dorado Hills area. A treatment plant and caretaker's residence are also situated in Village "R."

In spite of its restricted access, Bass Lake does offer a visual water amenity to the North Uplands Golf Course Neighborhood and to travelers using Bass Lake Road. The lake and surrounding properties also constitute an additional area of permanent open space which, if feasible, should be returned to public recreational use in the future. No development is proposed for Village "R."

2.5.2 Development Neighborhood #2

The South Uplands Golf Course Neighborhood constitutes an area lying between the North Uplands Golf Course Neighborhood and Highway 50 in the southeastern portion of the Specific Plan area. It is a large area of gentle slopes and less tree cover than exists in the North Uplands Golf Course Neighborhood. This setting leaves less area for preservation as natural open space. However, additional water amenities are provided to increase the riparian habitat and the visual character of this neighborhood. Envisioned as a second golf course community, this neighborhood would also permit construction of an 18-hole golf course through the valleys and drainage course. Overall densities in this neighborhood are slightly higher due to the difference in topography and the need to maximize effective open space.

In addition to the golf course, a country club and related facilities also may be provided south of Country Club Drive, although its location will depend on the final design and plans for golf course development. The South Uplands Golf Course Neighborhood contains four separate villages oriented to the golf course and natural open space areas. Consistent with the Specific Plan, certain housing types are also allocated in this neighborhood based on natural land constraints and proximity to existing or planned amenities.

The villages within the South Uplands Golf Course Neighborhood include the following:

VILLAGE "C"

Village "C" is defined by the contiguous natural open space areas to the west and south and the proposed golf course to the east. This village also lies along a north-south ridgeline of gentle to moderate slopes that contain very few trees but excellent views of the Sacramento Valley. View Lots (VL) are designated along the west side of the ridge, with larger Estate Homes (EH) anticipated in the interior of the village and on the east ridgetop. Fairway Estates (FE) are suitable uses fronting the golf course at the east side of the village. An area of Ranch Estate

SECTION 6. OPEN SPACE ELEMENT

6.1 Concept

Open space plays a key role in the design and function of the Specific Plan area. While providing for wildlife habitat and passive recreation, it also serves to separate and define the villages that make up the Plan Area. Further, the preservation and maintenance of large areas of natural open space enhances the overall aesthetic and visual character of the Plan Area and the El Dorado Hills Community.

Open space designations are applicable to both public and private land and are applied in the public interest to preserve areas of visual or environmental significance. In some instances, the public interest will be served best by limiting access to open space lands. Such limitations are appropriate to protect certain wildlife habitats and plant communities and to prevent intrusion upon privacy.

6.2 Characteristics and Ownership

Five basic types of public and private open space are provided in the Plan Area: Natural Open Space, Residential Open Space, Golf Courses, Drainageways, and Parkland and School Playfields. These are described in the following paragraphs.

6.2.1 Natural Open Space

Approximately 978 acres, or 25 percent of the Specific Plan area, have been set aside as natural open space. This acreage occurs in areas of steep, visually prominent topography and dense vegetation. Natural open space, as shown in Figure 15, Open Space Map, will be preserved in perpetuity in an essentially unaltered condition. No development will occur within these areas except for the minimum necessary for maintenance, fire prevention, and those activities directly associated with limited recreational use of the area. Portions to be held by public entities or by the private homeowners associations also are illustrated in Figure 15, Open Space Map.

Uses allowed will be restricted to those which have a minimal impact on the open space character, such as jogging, hiking, and horseback riding. Limited recreational facilities may be included in both the public and private open space areas where such facilities are compatible with the open space character. Commercial and residential structures are prohibited in these areas. An Open Space Management Plan shall be required to preserve the natural character of these areas while providing for fire protection and erosion control.

Natural open space constitutes the largest assemblage of undeveloped land in the Plan Area. An important feature of the natural open space is its relatively unbroken expanse and continuous flow. This aspect not only provides opportunities for long, uninterrupted trail systems, but also will preserve many wildlife habitats and travelways. Natural open space abuts the golf course in several locations.

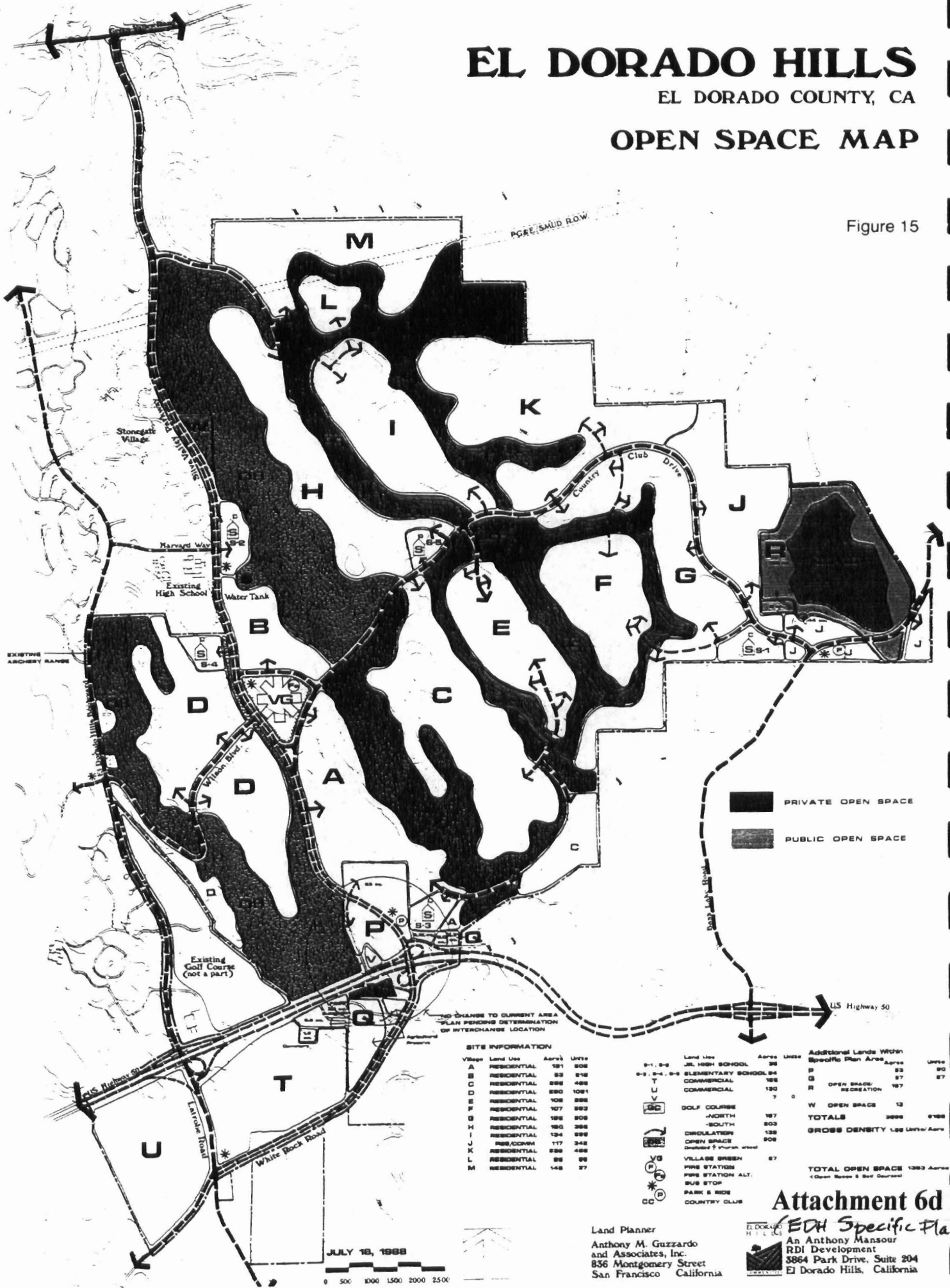
Ownership and management of the natural open space will be retained initially by the property owner. Ultimately, ownership of and management responsibilities for portions of the public open space will be relinquished to other entities, such as the Community Service District or the County of El Dorado. In order to maintain the standards of protection, open space easements or similar restrictions shall be provided. An Open Space Management Plan shall be prepared for all of the natural open space. The Open Space Management Plan shall consider alternatives for

EL DORADO HILLS

EL DORADO COUNTY, CA

OPEN SPACE MAP

Figure 15



NO CHANGE TO CURRENT AREA PLAN PERIODIC DETERMINATION OF INTERCHANGE LOCATION

Site	Land Use	Acres	Units
A	RESIDENTIAL	181	808
B	RESIDENTIAL	83	878
C	RESIDENTIAL	898	488
D	RESIDENTIAL	880	1081
E	RESIDENTIAL	108	888
F	RESIDENTIAL	107	883
G	RESIDENTIAL	188	808
H	RESIDENTIAL	180	388
I	RESIDENTIAL	134	898
J	RESIDENTIAL	117	348
K	RESIDENTIAL	88	488
L	RESIDENTIAL	88	88
M	RESIDENTIAL	148	87

Land Use	Acres	Units
9-1, 9-2 JR. HIGH SCHOOL	88	88
9-3, 9-4, 9-5 ELEMENTARY SCHOOLS	84	84
T COMMERCIAL	188	188
U COMMERCIAL	130	130
V	7	7
GC DOLF COURSE		
-NORTH	187	
-SOUTH	803	
IRC CIRCULATION	128	
OS OPEN SPACE	808	
VG VILLAGE GREEN	87	
PS FIRE STATION		
PS ALT. FIRE STATION		
BS BUS STOP		
PS PARK & RIDE		
CC COUNTRY CLUB		

Additional Lands Within Specific Plan Area	Acres	Units
P	83	80
G	87	87
R	187	187
W	13	13
TOTALS	3888	6788
GROSS DENSITY	1.88 Units/Acre	

TOTAL OPEN SPACE 1383 Acres
 (1 Open Space & Golf Course)

Attachment 6d
(EDH Specific Plan)
 An Anthony Mansour
 RDI Development
 3864 Park Drive, Suite 204
 El Dorado Hills, California

Land Planner
 Anthony M. Guzzardo
 and Associates, Inc.
 836 Montgomery Street
 San Francisco California

JULY 18, 1988
 0 500 1000 1500 2000 2500

ownership and maintenance of the natural open space. The plan shall also identify mechanisms for funding the ongoing maintenance and management of the public and private natural open space.

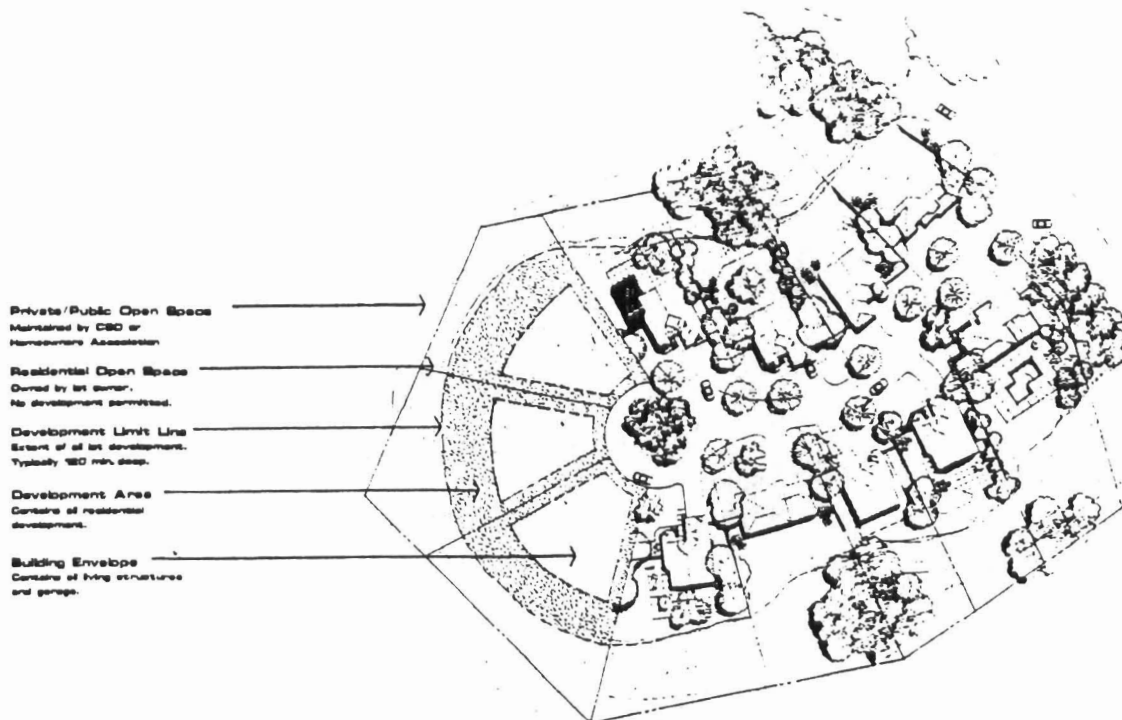
6.2.2 Residential Open Space

There are two types of residential open space. Attached dwelling units will have common areas that will be designated as residential open space to be owned and maintained by a homeowner's association. On individual lots, private open space will be designated and owned in fee by individual property owners, but will be constrained from certain uses by deed restrictions or CC&Rs.

At the time of tentative map submittal to the County, a building envelope shall be established for each lot, and common areas with attached units will provide for flexibility of orientation, solar access, minimization of grading, preservation of trees, conformance with all setback requirements, and open space preservation on common areas, as applicable.

Prior to construction of residences, each structure location, orientation, building material, landscaping, fencing location and materials, and other physical improvements will be established during Design Review and approved by the Architectural Control Committee as provided for in the Design Guidelines and CC&Rs. Lots that abut natural open space may contain both development and nondevelopment areas. The development area shall be that which includes the building envelope, fencing, and intensive landscaping. The nondevelopment area shall be one of residential open space, abutting either the designated public or privately owned space. This residential open space is intended to minimize fence visibility, reduce open space intrusion, buffer open space from development, and reduce tree loss. Development and nondevelopment areas and building envelopes shall be designated on all tentative maps and approved by the Architectural Control Committee.

Figure 16
Plan View of Residential Open Space



ZONING: One-half Acre Residential-Planned Development (R20,000-PD) and One-family Residential-Planned Development (R1-PD) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Statutorily Exempt pursuant to Section 15182 of the CEQA Guidelines

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND: The El Dorado Hills Specific Plan describes Village M as follows: “Village M constitutes a variation from the mix of housing types found elsewhere in the Specific Plan. This is due to the sensitive character of the village in terms of dense tree cover, wildlife habitat, and rolling-to-steep topography. As a result, this village is reserved for the large lots within the Specific Plan area, 20,000 square foot minimum lot size. These lots also act as a buffer between the edge of the Plan Area and the large rural lots to the north and the agricultural preserve to the east. The rural character of Village M will be maintained by the use of a standard rural road system of aggregate or chip seal surface. Water and sewer lines will be located in the public right-of-way. Road connections to the north are not expected to permit incompatible traffic volumes that would impact the rural setting and natural amenities of the village. Village M, although large in acreage, is appropriate for approximately 37 dwelling units.”(El Dorado Hills Specific Plan, Page 35)

Mis-quote

The surrounding land use and zoning designations have changed since the adoption of the Specific Plan. The parcels located to the north have been subdivided (Highland View Subdivision, Phases I through 7/TM88-1092 and TM 00-1365) since the adoption of the El Dorado Hills Specific Plan. The majority of the land to the north of proposed Village M is designated High Density Residential (HDR) on the General Plan Land Use Map and zoned One-half Acre Residential (R20,000). The HDR land use designation allows a maximum of two dwelling units per acre for a standard subdivision and up to a maximum of five dwelling units to the acre for a subdivision with a planned development. The average residential density in Highland View is one to two dwelling units to the acre with an average parcel size of approximately 20,000 square feet or larger.

Section 2.1.1 of the El Dorado Hills Specific Plan Development Agreement contains the following density transfer provisions as follows: “The parties and successors and assignees agree that the total number of dwelling units in any of the residential neighborhoods or any of the villages as shown on the Specific Plan may vary, provided that the densities permitted by the El Dorado Hills/Salmon Falls Area Plan (5.0 dwelling units per acre) as it exists at the time of the effective date of this Agreement, nor shall the total units or gross and net densities of the total Specific Plan exceed those set forth in the Specific Plan. The parties agree that a possibility exists that any specific village may not be developable to the maximum density provided in the Specific Plan due to the use of density transfer provided by this section.”

Tentative Map TM01-1381 was approved on January 24, 2002, for 90 residential and 7 open space lots on a 243.97 acre site. The final map was recorded for Unit 1 on August 20, 2004, in Book J of maps at Page 36 with a total of 17 residential lots and 1 open space lot. The current project is a revision to Village M, Units 2 and 3, proposing 103 residential and 5 open space lots. The approved density within Villages M2 and M3 averages approximately 2.71 dwelling units to the acre (gross

Attachment 7a
(M2/M3 Staff Report)

the proposed revision, it is estimated that 1,220 acres of combined public open space and golf course will exist in Serrano. This amount is in excess of the 1,178 acres contemplated by the Specific Plan.

Circulation: The site is accessed from Appian Way at the western boundary, as well as an extension of Grayson Creek Drive from the south. The primary east-west connector street is designated as Western Sierra Way on the revised tentative map. Western Sierra Way extends from C Street beyond Grayson Creek Drive.

Water: The water master plan shows the Village M area as being served by 10-inch water mains looping through the project area in the roadways. The 10-inch mains loop off the 12 to 24-inch potable water mains located within Appian Way. This system has been approved and is in place.

Recycled Water: Recycled water is fed through a separate system which originates at the El Dorado Hills Wastewater Treatment Plant. The recycled water is pumped to a holding tank at a higher elevation and is allowed to feed through the system to provide water for landscaping irrigation.

Wildland Fire Protection: A Wildfire Mitigation Plan was prepared by two Registered Professional Foresters and was signed off by the El Dorado Hills Fire Department and the California Department of Forestry and Fire Protection. The Wildfire Management Plan contains information on specialized mitigation measures as well as standard firesafe provisions contained in the State Firesafe Regulations.

Parks: No parks are proposed within Villages M2 and M3. However, five of the lots are designated as Open Space Lots, owned and maintained by the homeowners association, which can be utilized for passive recreation. There are plans to develop a system of hiking/jogging trails which will connect to the existing system in the overall Serrano development. Serrano Associates has provided the required parks to the El Dorado Hills Community Services District through the development agreement.

Schools: The project proponent put in place a Community Facilities District to fund school construction to house the students generated from the Specific Plan area. The District requires payment of an annual tax of approximately \$900.00 per home per year.

The tax is payable until school facilities provided in the formation documents to house students from the project have been completed. The plan area also set aside four school sites (one middle school and three elementary schools). The middle school and two elementary schools have already been built. The remaining site is in the Rescue School District.

Cultural Sites: The El Dorado Hills Specific Plan EIR identified the presence of six cultural sites located within the Village M project area. The majority of the sites are historic in that they represent remnants of stone mortared cabins used by miners; one site is both historic and prehistoric. The EDH Specific Plan EIR contains the following mitigation measures covering the sites in the Village M project area:

Attachment 7b
(M2/M3 Staff Report)

1. Stop work if cultural resources are discovered during excavation and construction activities; and
2. Require test excavations as a condition of approval on the tentative subdivision maps.

Mitigation Measure 1 is covered under the El Dorado County Grading Ordinance and is a standard subdivision requirement (see Attachment 3). Mitigation Measure 2 has been modified by recent amendments to the California Environmental Quality Act (CEQA). Appendix K of the CEQA Guidelines contains specific information on the treatment of cultural resources and sites. The Guidelines state that "Excavation as part of a mitigation plan shall be restricted to those parts of an important archaeological resource that would be damaged or destroyed by the project unless special circumstances require limited excavation of an immediately adjacent area in order to develop important information about the part of the resource that would be destroyed." Additionally, the Guidelines establish that "Excavation as mitigation shall not be required for an important archaeological resource if the lead Agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, provided that the determination is documented in the EIR."

In this case, all of the identified sites in the Village M project area are located within the proposed open space lots. Serrano Associates intends that the sites be preserved in-situ and that none of the resources will be disturbed as part of excavation and completion of project improvements. Preservation is considered the preferred mitigation under the CEQA Guidelines.

Specific Plan Issues: The Specific Plan EIR required that lots adjoining the neighboring Green Springs Ranch subdivision be a minimum of four acres in size. The configuration of those lots is a concern of the Green Springs Ranch residents. A portion of the Green Springs Ranch neighbors have requested that the lots be deeper. Planning recommends a condition that the lots not exceed a 3:1 ratio of lot frontage to depth, as noted in the County Design and Improvement Standards manual.

Groundwater: A matter related to the use of groundwater and the drilling of wells arose during the hearings on prior tentative map approvals. The applicant agreed at that time and continues to agree that any wells previously drilled within the Serrano property will be abandoned. To date developers in Serrano have permanently abandoned over a dozen such well sites.

Asbestos: The El Dorado Hills Specific Plan EIR indicated that asbestos was among the mineral resources to be found at the site and indicated the likely area of its deposition. That mapping closely parallels the recently published State Map. The County of El Dorado has adopted an air quality/dust control ordinance requiring extraordinary dust control measures for grading projects in areas containing asbestos within serpentine rock or ultramafic geologic formations. The State of California has published a map of El Dorado County which categorizes much of the County ranging from most likely to not likely to contain asbestos. The area of this subdivision is identified on the map as an "Undesignated Map Area Not Likely to Contain Asbestos." However, the site is on the margin of the area to the east which is identified on the State Map as an "Area More Likely to Contain Asbestos."

Attachment 7c
(M2/M3 Staff Report)