

## **FINDINGS**

**Tentative Subdivision Map TM21-0001/Planned Development Permit PD21-0003/  
Rezone Z21-0012/Greenwood Estates  
Planning Commission/January 25, 2024**

### **1.0 California Environmental Quality Act (CEQA) FINDINGS**

- 1.1 An Initial Study has been prepared analyzing potential environmental impacts with implementation of the project. Based on the Initial Study, impacts have been identified to be less than significant with the implementation of Mitigation Measures, and a Mitigated Negative Declaration has been prepared.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning Division at 2850 Fairlane Court, Placerville, CA, 95667.

### **2.0 GENERAL PLAN FINDINGS**

#### **2.1 The project is consistent with General Plan Policy 2.1.1.2.**

General Plan Policy 2.1.1.2 Establish Community Regions defines those areas which are appropriate for the highest intensity of self-sustaining compact urban-type development or suburban type development within the County based on the municipal spheres of influence, availability of infrastructure, public services, major transportation corridors and travel patterns, the location of major topographic patterns and features, and the ability to provide and maintain appropriate transitions at Community Region boundaries. These boundaries shall be shown on the General Plan land use map.

Rationale: The proposed project would develop two (2) duplexes and two (2) triplexes on a parcel located in the community of Cameron Park which is within an established Community Region. The project is consistent with this policy.

#### **2.2 The project is consistent with General Plan Policy 2.1.1.7.**

General Plan Policy 2.1.1.7 identifies Development within Community Regions, as with development elsewhere in the County, may proceed only in accordance with all applicable General Plan Policies, including those regarding infrastructure availability as set forth in the Transportation and Circulation and the Public Services and Utilities Elements. Accordingly, development in Community Regions and elsewhere will be limited in some cases until such time as adequate roadways, utilities, and other public service infrastructure become available and wildfire hazards are mitigated as required by an approved Fire Safe Plan.

Rationale: The proposed project has been analyzed for availability of infrastructure needed to support the development and it has been determined that there are adequate roadways, utilities, and public infrastructure. Further, Conditions of Approval are included to require the project meet the applicable requirements of the local Fire District. The project is consistent with this policy.

**2.3 The project is consistent with General Plan Policy 2.2.1.2.**

General Plan Policy 2.2.1.2 identifies the purpose of the Multifamily Residential (MFR) land use category is to for high-density, single family and multifamily design concepts such as apartments, single-family attached dwelling units (i.e., air-space condominiums, townhouses, and multiplexes), and small-lot single-family detached dwellings subject to the standards set for in the Zoning Ordinance and which meet the minimum allowable density. Lands identified as MFR shall be in locations with the highest degree of access to transportation facilities, shopping and services, employment, recreation, and other public facilities. The minimum allowable density is five (5) dwelling units per acre, with a maximum density of 24 dwelling units per acre. This designation is considered appropriate within Community Regions and Rural Centers.

Rationale: The proposed project would develop 10 residential units on 0.88 acres which would create a density of 11 units per acre. The proposed units are permitted uses in the MFR land use designation. The project is consistent with this policy.

**2.4 The project is consistent with General Plan Policy 2.2.3.1.**

General Plan Policy 2.2.3.1 states that the Planned Development (-PD) Combining Zone District allows for residential, commercial, and industrial land uses consistent with the density specified by the underlying zoning district with which it is combined. Primary emphasis is placed on furthering uses and/or design that (1) provide a public or common benefit on- or off-site, (2) cluster intensive land uses or lots to conform to the natural topography, (3) minimize impacts on various natural and agricultural resources, (4) avoid cultural resources where feasible, (5) minimize public health concerns, (6) minimize aesthetic concerns, and (7) promote the public health, safety, and welfare.

Rationale: The proposed project would develop two (2) duplexes and two (2) triplexes which are a permitted uses in the Planned Development (-PD) Combining Zone. The project would develop 10 new residential units which would be considered a benefit to a public need for housing. The project is designed to intensify the multifamily residential uses to conform to the natural topography of the site and to minimize potential impacts on the site's natural resources. The project is consistent with this policy.

**2.5 The project is consistent with General Plan Policy 2.2.5.2.**

General Plan Policy 2.2.5.2 states that all applications for discretionary projects or permits including, but not limited to, General Plan amendments, zoning boundary amendments, tentative maps for major and minor land divisions, and special use permits shall be reviewed to determine consistency with the policies of the General Plan. No approvals shall be granted unless a finding is made that the project or permit is consistent with the General Plan. In the case of General Plan amendments, such amendments can be rendered consistent with the General Plan by modifying or deleting the General Plan provisions, including both the land use map and any relevant textual policies, with which the proposed amendments would be inconsistent.

Rationale: The Tentative Subdivision Map, Planned Development Permit, and Rezone is a discretionary project and was reviewed for consistency with applicable General Plan Policies, as discussed in the Findings of this Staff Report. The project is consistent with applicable General Plan Policies and therefore consistent with this policy.

**2.6 The project is consistent with General Plan Policy 2.2.5.21.**

General Plan Policy 2.2.5.21 requires development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the development project is proposed. Development projects that are potentially incompatible with existing adjoining uses shall be designed in a manner that avoids any incompatibility or shall be located on a different site.

Rationale: The project use would be compatible with the existing uses and improvements in the surrounding residential development and school. In addition, the project would occur within a quarter mile of existing neighborhood commercial uses. The proposed duplexes and triplexes would be an appropriate use within an area planned for residential uses and would provide additional housing to this neighborhood in Cameron Park. The project is consistent with this policy.

**2.7 The project is consistent with General Plan Policy 2.8.1.1.**

General Plan Policy 2.8.1.1 requires development shall limit excess nighttime light and glare from parking area lighting, signage, and buildings. Consideration will be given to design features, namely directional shielding for street lighting, parking lot lighting, sport field lighting, and other significant light sources, that could reduce effects from nighttime lighting. In addition, consideration will be given to the use of automatic shutoffs or motion sensors for lighting features in rural areas to further reduce excess nighttime light.

Rationale: The project is designed to comply with County lighting ordinance requirements and would be reviewed for compliance at time of building

permit issuance. All residential oriented lighting is designed to be shielded downwards to minimize nighttime glare to maintain minimal light impacts to adjacent uses while also providing enough lighting for safety and security on the project site. All lighting would be manufactured to U.L. specifications. The project is consistent with the policy.

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

Except as otherwise provided, the following TC-Xa policies shall remain in effect indefinitely unless amended by voters:

1. Traffic from residential development projects of five (5) or more units or parcels of land shall not result in, or worsen, Level of Service (LOS) F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the County.

Rationale: El Dorado County determined that operation of the 10 residential units would not “worsen” traffic circulation in the project area. Based on this determination, preparation of a Transportation Impact Study was waived by the County. The project is consistent with this policy.

2. The County shall not add any additional segments of U.S. Highway 50, or any other highways and roads, to the County’s list of roads from the original Table TC-2 of the 2004 General Plan that are allowed to operate at LOS F without first getting the voters’ approval.

Rationale: This is not applicable as the project is not requesting any modifications to Table TC-2.

3. Intentionally blank (Resolution 125-2019, August 6, 2019)
4. Intentionally blank (Resolution 159-2017, October 24, 2017)
5. The County shall not create an Infrastructure Financing District unless allowed by a 2/3rds majority vote of the people within that district.

Rationale: This is not applicable as the project is not requesting the County create an Infrastructure Financing District.

6. Intentionally blank (Resolution 159-2017, October 24, 2017)
7. Before giving approval of any kind to a residential development of five (5) or more units or parcels of land, the County shall make the finding that the project complies with the policies above. If this finding cannot be made, then the County shall not approve the project in order to protect public health and safety as provided by state law to assure that safe and adequate roads and highways are in place as such development occurs.

Rationale: The project complies with the above policies as discussed therein.

**2.9 General Plan Policy TC-Xb does not apply.**

To ensure that potential development in the County does not exceed available roadway capacity, the County shall:

- A. Every year prepare an annual Capital Improvement Program (CIP) specifying expenditures for roadway improvements within the next 10 years. At least every five (5) years prepare a CIP specifying expenditures for roadway improvements within the next 20 years. Each plan shall contain identification of funding sources sufficient to develop the improvements identified;
- B. At least every five (5) years, prepare a Traffic Impact Mitigation (TIM) Fee Program specifying roadway improvements to be completed within the next 20 years to ensure compliance with all applicable LOS and other standards in this plan; and
- C. Annually monitor traffic volumes on the County's major roadway system depicted in Figure TC-1.

Rationale: This policy is not applicable as this policy refers to the County preparing a CIP, preparing a TIM Fee Program, now the Traffic Impact Fees (TIF) Program, and monitoring traffic volumes.

**2.10 General Plan Policy TC-Xc does not apply.**

Developer paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development during peak hours upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the County (Resolution 201-2018, September 25, 2018).

Rationale: This policy is not applicable as this policy directs how the County will pay for building the necessary road capacity.

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

LOS for County-maintained roads and State highways within the unincorporated areas of the County shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions except as specified in Table TC-2. The volume to capacity ratio of the roadway segments listed in Table TC-2 shall not exceed the ratio specified in that table. LOS will be as defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council) and calculated using the

methodologies contained in that manual. Analysis periods shall be based on the professional judgement of the County Department of Transportation which shall consider periods including, but not limited to, Weekday Average Daily Traffic (ADT), AM Peak Hour, and PM Peak Hour traffic volumes.

Rationale: This project is located in the Cameron Park Community Region. The LOS threshold is E. El Dorado County determined that operation of the 10 residential units would not “worsen” traffic circulation in the project area. Based on this determination, preparation of a Transportation Impact Study was waived by the County. The project is consistent with this policy.

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

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

- A. A two (2) percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily; or
- B. The addition of 100 or more daily trips; or
- C. The addition of 10 or more trips during the a.m. peak hour or the p.m. peak hour.

Rationale: El Dorado County determined that operation of the 10 residential units would not “worsen” traffic circulation in the project area. Specifically, the project is anticipated to generate 73 trips per day with five (5) trips occurring during the a.m. peak hour and six (6) trips occurring during the p.m. peak hour. The project is consistent with this policy.

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

At the time of approval of a discretionary project that worsens (defined as a project that triggers Policy TC-Xe [A] or [B] or [C] traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain LOS standards detailed in this Transportation and Circulation Element; or (2) ensure the construction of the necessary road improvements are included in the County’s 20-year CIP.

Rationale: El Dorado County determined that operation of the 10 residential units would not “worsen” traffic circulation in the project area. Based on this determination, preparation of a Transportation Impact Study was waived by the County. The project would not require the construction of any road improvements to maintain LOS standards or require construction of any

road improvements that are included in the County's 20-year CIP. The project is consistent with this policy.

**2.14 General Plan Policy TC-Xg does not apply.**

Each development project shall dedicate right-of-way, design and construct or fund any improvements necessary to mitigate the effects of traffic from the project. The County shall require an analysis of impacts of traffic from the development project, including impacts from truck traffic, and require dedication of needed right-of-way and construction of road facilities as a condition of development. This policy shall remain in effect indefinitely unless amended by voters.

Rationale: El Dorado County determined that operation of the 10 residential units would not "worsen" traffic circulation in the project area. Based on this determination, preparation of a Transportation Impact Study was waived by the County. The project would not require the construction of any road improvements to maintain LOS standards. The project is consistent with this policy.

**2.15 This project is consistent with General Plan Policy TC-Xh.**

All subdivisions shall be conditioned to pay the TIF in effect at the time a building permit is issued for any parcel created by the subdivision.

Rationale: The project would involve subdividing one existing parcel into 10 total parcels. The project will pay TIF at the time a building permit is issued.

Resolution 079-2021 of the Board of Supervisors of El Dorado County states, "*Applicants shall pay the TIF rate in effect at the time of building permit issuance or at the time of approval of an application for a change in the use of a building or property as provided in County Code Chapter 12.28 and the TIM Fee Administration Manual.*"

**2.16 General Plan Policy TC-Xi does not apply.**

The planning for the widening of U.S. Highway 50, consistent with the policies of this General Plan, shall be a priority of the County. The County shall coordinate with other affected agencies, such as the City of Folsom, the County of Sacramento, and Sacramento Area Council of Governments (SACOG) to ensure that U.S. Highway 50 capacity enhancing projects are coordinated with these agencies with the goal of delivering these projects on a schedule agreed to by related regional agencies.

Rationale: This policy is not applicable to the project as it is direction to the County to coordinate with other Agencies.

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

Policy TC-4i requires that within Community Regions and Rural Centers, all development shall include pedestrian/bike paths connecting to adjacent development and to schools, parks, commercial areas and other facilities where feasible. In Rural Regions, pedestrian/bike paths shall be considered as appropriate.

Rationale: The project would construct a six-foot-wide sidewalk adjacent to Greenwood Lane which would serve as a connection for residents to nearby schools, parks, and commercial areas. The project is consistent with this policy.

**2.18 The project is consistent with General Plan Policy TC-5a.**

Sidewalks and curbs shall be required throughout residential subdivisions, including land divisions created through the parcel map process, where any residential lot or parcel size is 10,000 square feet or less.

Rationale: The project would construct a six-foot-wide sidewalk adjacent to Greenwood Lane which would serve as a connection for residents to nearby schools, parks, and commercial areas. The project is consistent with this policy.

**2.19 The project is consistent with General Plan Policy 5.1.2.1.**

General Plan Policy 5.1.2.1 states prior to the approval of any discretionary development, the approving authority shall make a determination of the adequacy of the public services and utilities to be impacted by that development. Where, according to the purveyor responsible for the service or utility as provided in Table 5-1, demand is determined to exceed capacity, the approval of the development shall be conditioned to require expansion of the impacted facility or service to be available concurrent with the demand, mitigated, or a finding made that a CIP project is funded and authorized which will increase service capacity.

Rationale: Both water and sewage disposal for the proposed project would be served by connecting to El Dorado Irrigation District (EID). EID reviewed the proposed project and provided comments in the Facility Improvement Letter (FIL) verifying water and sewer connectivity, recommended improvements, and adequacy of the existing system for fire service and fire hydrants (Exhibit N). The proposed project would require nine (9) Equivalent Dwelling Units (EDUs) of water. The project would be required to construct a water line extension connecting to an existing eight-inch water line located in Greenwood Lane. The Cameron Park Fire Department determined the minimum fire flow for the project would be 1,500 gallons per minute (GPM) for a two-hour duration while maintaining 20 pounds per



square inch (psi) residual pressure. According to the District's hydraulic model, the existing system can deliver the required flow (Exhibit N). There is an eight-inch sewer line located in Greenwood Lane which has adequate capacity to serve the proposed development. In order to receive service from this line, an extension of facilities of adequate size would be constructed on the project site. The project would require nine (9) EDUs of sewer service. Proposed water lines, sewer lines, and related facilities shall be located within an easement and shall remain accessible by conventional maintenance vehicles. Easements for any new EID facilities constructed by the project must be granted to EID prior to approval of water and sewer improvements, whether onsite or offsite. For reference, a Preliminary Utilities Plan (Exhibit J) illustrates existing and proposed water and sewer improvements. These requirements have been incorporated as Conditions of Approval. The project is consistent with this policy.

**2.20 The project is consistent with General Plan Policy 5.2.1.3.**

General Plan Policy 5.2.1.3 states all medium-density residential, high-density residential, multifamily residential, commercial, industrial and research and development projects may be required to connect to public water systems if reasonably available when located within Community Regions.

Rationale: The proposed project would be served by connecting to the public water system operated by the EID. The project is consistent with this policy.

**2.21 The project is consistent with General Plan Policy 5.2.1.4.**

General Plan Policy 5.2.1.4 states rezoning and subdivision approvals in Community Regions or other areas dependent on public water supply shall be subject to the availability of a permanent and reliable water supply.

Rationale: The proposed project would be served by connecting to the public water system operated by the EID. EID reviewed the proposed project and provided comments in the FIL verifying water connectivity, recommended improvements, and adequacy of the existing system for fire service and fire hydrants (Exhibit P). The proposed project would require nine (9) EDUs of water. The project would be required to construct a water line extension connecting to an existing eight-inch water line located in Greenwood Lane. The Cameron Park Fire Department determined the minimum fire flow for the project would be 1,500 GPM for a two-hour duration while maintaining 20 psi residual pressure. According to the EID's hydraulic model, the existing system can deliver the required flow (Exhibit P). The project is consistent with this policy.

**2.22 The project is consistent with General Plan Policy 5.3.1.7.**

General Plan Policy 5.3.1.7 states in Community Regions, all new development shall connect to public wastewater treatment facilities.

Rationale: The proposed project would be served by connecting to the public wastewater system operated by the EID. The project is consistent with this policy.

**2.23 The project is consistent with General Plan Policy 5.4.1.1.**

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

Rationale: The proposed project would include construction of a site-specific storm drainage system. The project's storm drainage system is designed to protect public health and safety, preserve natural resources, prevent erosion of adjacent and downstream lands, prevent the increase in potential for flood hazard or damage offsite, minimize impacts to existing facilities, meet the NPDES requirements, and preserve natural resources. Preliminary Grading and Drainage Plans for the proposed project have been submitted to the County and show the location of proposed development including the storm drains/drain inlets (Exhibit I). In addition, a drainage study was prepared for the project site and determined the post-developed site would not increase the peak runoff compared to the existing pre-developed condition due to increase in impervious surfaces such as asphalt pavement and building roofs. This determination was reached based on the project site is less than 1 acre of a 114-acre watershed area and existing soil type has a less pervious than the soils that would be provided with the developed site. Onsite drainage will continue to be directed to an existing 42-inch storm drain located at the northwest corner of the site while drainage for the rest of the site would be directed to water quality vegetative swales to be constructed adjacent to the Greenwood Lane right-of-way and then subsequently overland to an existing curb and gutter (Exhibit F). The project is consistent with this policy.

**2.24 The project is consistent with General Plan Policy 5.4.1.2.**

General Plan Policy 5.4.1.2 states discretionary development shall protect natural drainage patterns, minimize erosion, and ensure existing facilities are not adversely impacted while retaining the aesthetic qualities of the drainage way.

Rationale: The proposed project would include construction of a site-specific storm drainage system. The project's storm drainage system is designed to preserve natural resources on or adjacent to the site to the extent feasible. Preliminary Grading and Drainage Plans for the proposed project have been submitted to the County and show the location of proposed development including the storm drains/drain inlets (Exhibits I). The project is consistent with this policy.

**2.25 The project is consistent with General Plan Policy 5.5.2.1.**

General Plan Policy 5.5.2.1 states evidence is required that capacity exists within the solid waste system for the processing, recycling, transformation, and disposal of solid waste concurrent with the approval of new development.

Rationale: El Dorado Disposal (EDD) distributes municipal solid waste to Forward Landfill in Stockton and Kiefer Landfill in Sacramento. Pursuant to El Dorado County Environmental Management Solid Waste Division staff, both facilities have sufficient capacity to serve the County. The project will be conditioned to meet the requirements set forth by the County Environmental Management Department (Exhibit M). The project is consistent with this policy.

**2.26 The project is consistent with General Plan Policy 5.6.2.1.**

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

Rationale: Landscaping plans for the proposed project have been submitted to the County and show the location of drip lines and plant types that will be incorporated into the development (Exhibit H). The use of drip lines will reduce the water usage for onsite landscaping and all plants are identified as having low water usage. The project is consistent with this policy.

**2.27 The project is consistent with General Plan Policy 5.6.2.2.**

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

Rationale: The project is designed to make the most use of the site for residential uses. Because of the small project site (less than one [1] acre), the ability for the inclusion of design components that take advantage of passive or natural summer cooling and/or winter solar access is severely limited and considered not reasonably possible. The project will retain some existing oak trees on the western edge of the site which will serve to provide some

cooling shade to residences on Lots 5 and 6. The project is consistent with this policy.

**2.28 The project is consistent with General Plan Policy 5.7.1.1.**

General Plan Policy 5.7.1.1 states prior to approval of new development, the applicant will be required to demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or will be provided concurrent with development.

Rationale: The Cameron Park Fire Department in cooperation with CAL FIRE reviewed the project but did not provide formal comments. Documentation from EID would be provided to verify the project would meet required fire flow. Initial comments from EID indicated that the minimum fire flow for the project would be 1,500 GPM for a two-hour duration while maintaining a 20-psi residual pressure. According to EID's hydraulic model, the existing water system could deliver the required fire flow. The final determination would be approved by the Cameron Park Fire Department/CAL FIRE during Civil Plan review. As conditioned, the project is consistent with the policy.

**2.29 The project is consistent with General Plan Policy 5.7.3.1.**

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

Rationale: The EDSO has reviewed the project proposal and has indicated that EDSO has no requests for this phase of the project. The project is consistent with this policy.

**2.30 The project is consistent with General Plan Policy 5.7.4.1.**

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

Rationale: Emergency vehicle access to the project site will be provided by a roadway that extends centrally through the site in an east-west direction. Parking will be prohibited on the 20-foot-wide access road as well as prohibited in the fire turnaround area to allow for sufficient emergency vehicle turnaround and access to all residences. The project is consistent with this policy.

**2.31 The project is consistent with General Plan Policy 5.7.4.2.**

General Plan Policy 5.7.4.2 states prior to approval of new development, the Emergency Medical Services Agency (EMS) shall be requested to review all applications to determine the ability of the department to provide protection services. The ability to provide protection to existing development shall not be reduced below acceptable levels as a consequence of new development. Recommendations such as the need for additional equipment, facilities, and adequate access may be incorporated as conditions of approval.

Rationale: The EMS has reviewed the project proposal as well as comments by the Cameron Park Fire Department. EMS has determined that they concur with the Cameron Park Fire Department comments and has no other information to add regarding this proposed development. The project is consistent with this policy.

**2.32 The project is consistent with General Plan Policy 6.2.3.2.**

General Plan Policy 6.2.3.2 states that as a requirement of new development, the applicant must demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Rationale: Emergency vehicle access to the project site will be provided by a roadway that extends centrally through the site in an east-west direction. Parking will be prohibited in specific areas on Lots 5 and 6 to allow for sufficient emergency vehicle turnaround and access to all residences. The shared roadway will ensure that private vehicles can quickly evacuate the site if necessary. The project is consistent with this policy.

**2.33 The project is consistent with General Plan Policy 6.5.1.1.**

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

Rationale: The proposed project was determined to not incorporate land uses that could generate noise levels that exceed noise levels exceeding performance standards. In addition, the proposed residential units are not anticipated to be exposed to exterior noise levels exceeding performance standards because of the distance to the closest major noise source (vehicle travelling along Highway 50) is a quarter mile to the south and intervening development (multifamily residential) further attenuates noise levels. A project-specific acoustical analysis is not required. The project is consistent with the policy.

**2.34 The project is consistent with General Plan Policy 6.5.1.3.**

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

Rationale: Noise mitigation measures are recommended for the proposed project. However, the mitigation measures are related specifically to construction activities and not related to the proposed land uses. The project is consistent with the policy.

**2.35 The project is consistent with General Plan Policy 6.5.1.6.**

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

Rationale: The proposed residential units are not anticipated to be exposed to exterior noise levels exceeding performance standards because of the distance to the closest major noise source (vehicle travelling along Highway 50) is a quarter mile to the south and intervening development (multifamily residential) further attenuates noise levels. Mitigation measures for development design are not required. The project is consistent with the policy.

**2.36 The project is consistent with General Plan Policy 6.5.1.8.**

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

Rationale: The proposed duplexes and triplexes would be considered a noise sensitive land use. The residents living in the proposed duplexes and triplexes are not anticipated to be exposed to levels of noise from transportation noise sources which exceed the levels specified in Table 6-1 because of the distance to the closest major noise source (vehicle travelling along Highway 50) is a quarter mile to the south and intervening development (multifamily residential) further attenuates noise levels. The project is consistent with the policy.

**2.37 The project is consistent with General Plan Policy 6.7.6.2.**

General Plan Policy 6.7.6.2 states that new facilities in which sensitive receptors are located (e.g., residential subdivisions, schools, childcare centers, playgrounds, retirement homes, and hospitals) shall be sited away from significant sources of air pollution.

Rationale: The proposed duplexes and triplexes would be considered sensitive receptors. It is not anticipated that future residences at the project site would be exposed to significant amounts of toxic air contaminant (TAC) emissions, such as industrial facilities or highways, because the project site is not located near any emitters of TACs. The project is consistent with the policy.

**2.38 The project is consistent with General Plan Policy 7.3.2.2.**

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

Rationale: The proposed project would require a grading permit and would include construction of a site-specific storm drainage system. As part of reviewing and approving the proposed storm drainage system, the project would be required to prepare and receive approval of an erosion control program from the County. The project is consistent with the policy.

**2.39 The project is consistent with General Plan Policy 7.3.5.1.**

General Plan Policy 7.3.5.1 states that drought-tolerant plant species, where feasible, shall be used for landscaping of commercial development. Where the use of drought-tolerant native plant species is feasible, they should be used instead of non-native plant species.

Rationale: As shown on the Preliminary Landscape Plans (Exhibit H), landscape and irrigation for the proposed project would comply with Zoning Ordinance Chapter 130.33 (Landscaping Standards), and the County Model Water Efficient Landscape Ordinance (MWELo). The project is consistent with the policy.

**2.40 The project is consistent with General Plan Policy 7.4.2.8.**

General Plan Policy 7.4.2.8 states site-specific biological resources technical report will be required to determine the presence of special-status biological resources that may be affected by a proposed discretionary project.

Rationale: A Biological Resources Evaluation Memorandum was prepared by Fremont Environmental Consulting dated September 16, 2021. In addition, an Arborist Report was prepared by California Tree and Landscape Consulting

dated August 28, 2021. The evaluations concluded the proposed project site provides habitat for non-native annual grassland. No special-status plant or animal species were observed in the project site during the biological reconnaissance survey. In addition, no bird nests were observed in the project site during the biological reconnaissance survey. However, nesting habitat for common raptors, migratory birds and other nesting birds is present in the oak trees in and adjacent to the project site. Lastly, the project site contains a total of eight (8) trees including four (4) blue oak and four (4) valley oak, and there is one (1) Blue Oak on the adjacent property that extends into the project site. The oaks on the site are considered to be a remnant oak woodland with no individual trees. Therefore, mitigation measures are included to require conducting a pre-construction survey for active bird nests and the applicant to pay mitigation fees in conformance with local policies. With implementation of mitigation, the project is consistent with this policy.

**2.41 The project is consistent with General Plan Policy 7.5.1.3.**

General Plan Policy 7.5.1.3 states cultural resource studies shall be conducted prior to approval of discretionary projects.

Rationale: A complete Record Search was conducted by North Central Information Center (NCIC) dated August 23, 2021. The results of the NCIC report indicated low potential for locating pre-historic period cultural resources in the immediate vicinity of the proposed project area, low potential for locating historic-period cultural resources in the immediate vicinity of the proposed project area, and that the proposed project area is not sensitive. Although further archival and/or field study by a cultural resource professional was not recommended, mitigation is included with the Conditions of Approval that would reduce potential impacts to undiscovered cultural resources to a level of less than significant. With implementation of mitigation, the project is consistent with this policy.

**3.0 ZONING FINDINGS**

**3.1 The project is consistent with Section 130.24.010 C.1.**

130.22.010 C.1 Multi-unit Residential (RM). The RM zone identifies those lands which are most capable of supporting the highest density of development within the County, based on topography, infrastructure, and circulation availabilities and constraints, as well as proximity to employment centers, public facilities, recreation, and shopping. It is applied to regulate and promote the development of multi-unit dwellings, including apartments, condominiums, and townhouses, while ensuring compatibility with surrounding lower density residential neighborhoods. Detached or attached residential dwellings are allowed in accordance with the standards set forth in this Chapter, and providing the minimum



density of at least five (5) dwelling units per acre is met. This zone is utilized in Community Regions and Rural Centers to meet affordable housing goals identified in the Housing Element of the General Plan. This zone is applicable to lands designated as MFR in the General Plan.

Rationale: The project site is zoned RM and would be rezoned to be included in the Planned Development (-PD) Combining Zone. The proposed use to develop two (2) duplexes and two (2) triplexes would be a consistent use in the RM zone, and the project is consistent with the requirements for a development plan permit (-PD). The project is consistent with this section.

### 3.2 **The project is consistent with Section 130.24.030.**

130.24.030 Residential Zone Development Standards.

Rationale: The project site is zoned RM and would be rezoned to be included in the Planned Development (-PD) Combining Zone. The standard setbacks for the RM zone require 10 feet from the front, five (5) feet from the sides, and 10 feet from the rear property lines. The maximum building height for the RM zone is 50 feet. The proposed project meets the required height standards but does not meet the required setbacks. However, the project is also requesting to change the existing zoning Multi-Unit Residential within a Design Review Combining Zone (RM-DC) to Multi-Unit Residential within a Planned Development Zone (RM-PD). With the changed zoning, the project would be allowed a variation to the setback standards for achieving greater flexibility in the project design (refer Section 5.1 below). The project is consistent with this section.

### 3.3 **The project is consistent with Section 130.28.050**

130.28.050 Applicability: All residential development projects in the (-PD) Combining Zone shall be subject to 30 percent of the total site being set aside for open space that is commonly owned or publicly dedicated per section 130.28.050.A of the County Zoning Ordinance. However, the project is exempt from this requirement per Section 130.28.050.B.1 of the County Zoning Ordinance.

Rationale: To facilitate and encourage development of higher density housing types, per section 130.28.050.B.1 of the County Zoning Ordinance, the following projects are exempt from the open space requirement:

- a. Residential planned developments consisting of five (5) or fewer lots or units;
- b. Condominium conversions;

- c. Projects within Community Regions or Rural Centers on existing sites three (3) acres or less in size;
- d. RM zoned projects or the residential component of Mixed Use Developments.

As the proposed project has been determined to meet the criteria of c. and d. as listed directly above, the project is exempt from the Onsite Open Space Requirement and is therefore consistent with this section.

**3.4 The project is consistent with Section 130.33.020.**

130.33.020 Applicability: All ministerial and discretionary development for industrial, research and development, commercial, multi-unit residential, civic, or utility uses shall provide landscaping for the areas of a lot that do not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or impervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

Rationale: As shown on the Preliminary Landscape Plans (Exhibit H), landscape and irrigation for the proposed project would comply with Zoning Ordinance Chapter 130.33 (Landscaping Standards), and the County MWEL. The project is consistent with this section.

**3.5 The project is consistent with Section 130.34.020.**

130.34.020 Outdoor Lighting Standards: All outdoor lighting shall be located, adequately shielded, and directed such that no direct light falls outside the property line, or into the public right-of-way.

Rationale: The project is designed to be consistent with Zoning Ordinance Chapter 130.34 (Outdoor Lighting). The project is designed to comply with County lighting ordinance requirements and would be reviewed for compliance at time of building permit issuance. All residential oriented lighting is designed to be shielded downwards to minimize nighttime glare to maintain minimal light impacts to adjacent uses while also providing enough lighting for safety and security on the project site. All lighting would be manufactured to U.L. specifications. The project is consistent with this section.

**3.6 The project is consistent with Table 130.35.030.**

130.35.030 Parking and Loading Requirements for residential duplexes and triplexes requires two (2) parking spaces per unit.

Rationale: As shown on the Site Plan (Exhibit F), the project would provide 20 parking spaces for the duplexes and triplexes as individual two-car attached garages. The project is consistent with this section.

#### **4.0 COMMUNITY DESIGN GUIDELINES**

4.1 The site layout and improvements for the proposed project are consistent with the El Dorado County Community Design Guidelines, specifically the Landscaping and Irrigation Standards, Outdoor Lighting Standards, and Parking and Loading Standards. The project is consistent with the Community Design Guidelines.

#### **5.0 DEVELOPMENT PLAN PERMIT FINDINGS**

##### **5.1 The project is consistent with 130.52.040 D.1.**

130.52.040 D.1 states that variations in zone development standards contained in this Title, or design standards contained in the Design and Improvement Standards Manual (DISM)/Land Development Manual (LDM), or successor document, such as setbacks, lot size, lot width, floor area ratio (FAR), and height limits for greater flexibility in project design.

Rationale: The proposed development plan is designed with eight (8) of the duplexes having five-foot front setbacks, five-foot rear setbacks, and zero-foot side setbacks. The setbacks would not meet the development standards contained in Section 130.24.030, Residential Zone Development Standards. However, the project is also requesting to change the existing zoning RM-DC to RM-PD. With the changed zoning, the project would be allowed a variation to the setback standards for achieving greater flexibility in the project design. The project is consistent with this section.

##### **5.2 The project is consistent with 130.52.040 E.1.**

130.52.040 E.1 states that the proposed development plan is consistent with the General Plan, any applicable specific plan, and Chapter 130.28 (Planned Development (-PD Combining Zone) in Article 2 (Zones, Allowed Uses, and Zoning Standards) of this Title.

Rationale: The proposed development plan is consistent with the applicable General Plan Policies and applicable standards of Chapter 130.28, as discussed in the Findings and throughout this Staff Report. The project is consistent with this section.

##### **5.3 The project is consistent with 130.52.040 E.2.**

130.52.040 E.2 states that the site is adequate in shape and size to accommodate proposed uses and other required features.

Rationale: The site is adequate in shape and size to accommodate proposed uses and other required features. The project site is an 0.88-acre undeveloped parcel located at an elevation of 1,150 feet to 1,159 feet above mean sea level. Based on a field review conducted by staff on June 26, 2022, topography is relatively flat with gentle slopes. The project is consistent with this section.

**5.4 The project is consistent with 130.52.040 E.3.**

130.52.040 E.3 states that any exceptions to the development standards of the zone are justified by the design or existing topography.

Rationale: The project is requesting exception to the required setbacks of the development standards. However, the project is also requesting to change the existing zoning RM-DC to RM-PD. With the changed zoning, the project would be allowed a variation to the setback standards for achieving greater flexibility in the project design (refer to Section 5.1 above). The project is consistent with this section.

**5.5 The project is consistent with 130.52.040 E.4.**

130.52.040 E.4 states that adequate public services and facilities exist or will be provided to serve the proposed development including, but not limited to, water supply, sewage disposal, roads, and utilities.

Rationale: Adequate public services and facilities will be provided to serve the proposed development including, but not limited to, water supply, sewage disposal, roads, and utilities. Based on comments from EID, in order to provide public water service, the project would require nine (9) EDUs of water. The project would be required to construct a water line extension connecting to an existing eight-inch water line located in Greenwood Lane. The Cameron Park Fire Department determined the minimum fire flow for the project would be 1,500 GPM for a two-hour duration while maintaining 20-psi residual pressure. According to the EID's hydraulic model, the existing system can deliver the required flow (Exhibit N). The final determination would be approved by the Cameron Park Fire Department/CAL FIRE during Civil Plan review. There is an eight-inch sewer line located in Greenwood Lane which has adequate capacity to serve the proposed development. In order to receive service from this line, an extension of facilities of adequate size would be constructed on the project site. The project would require nine (9) EDUs of sewer service. Proposed water lines, sewer lines, and related facilities would be located within an easement and would remain accessible by conventional maintenance vehicles. Easements for any new EID facilities constructed by the project must be granted to EID prior to approval of water and sewer improvements, whether onsite or offsite. For reference, a Preliminary Utilities Plan (Exhibit

J) illustrates existing and proposed water and sewer improvements. These requirements have been incorporated as Conditions of Approval. Utilities would be provided by connecting to Pacific Gas and Electric (PG&E). The project is consistent with this section.

**5.6 The project is consistent with 130.52.040 E.6.**

130.52.040 E.6 states that the proposed development complies with the provisions of the -PD Combining Zone Section 130.28.010 (Planned Development (-PD Combining Zone Established) in Article 2 (Zones, Allowed Uses, and Zoning Standards) of this Title.

Rationale: The proposed development complies with the provisions of the -PD Combining Zone Section as discussed in the Findings and throughout this Staff Report. The project is consistent with this section.

**6.0 DESIGN WAIVER FINDINGS**

6.1 Chapter 120.08.020 of the El Dorado County Subdivisions Ordinance requires that the following four (4) findings are met for each design waiver in order to justify their approval:

Design Waiver Request 1: Allow a reduction in road width from the County Standard of 28 feet to a proposed width of 24 feet, including a public utilities easement, with the paved portion of the road being only 20 feet in width.

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

The proposed right-of-way is only 203 feet long and is wide enough to include all of the necessary utilities. Since this road will never be widened, a right-of-way larger than the proposed improvements is not necessary.

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

Strict application of the Design Standard would result in additional expense and creation of additional hardscape. The right-of-way is wide enough to include all of the necessary utilities and because this road will never be widened, a right-of-way larger than the proposed improvements is not necessary.

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

Due to the close proximity of driveways, a reduced road width will limit vehicle speeds and provide adequate safety to those cars exiting the driveways. Sidewalks

have been eliminated since these streets function very similar to cul-de-sacs and the standards do not require sidewalks along cul-de-sacs.

4. *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

Even with these deviations, the applicant believes that the section meets the intent of the standards by providing enough road width to ensure safe travel and adequate room for access as the length of the proposed roadway is 203 feet. El Dorado County Department of Transportation takes no exception to this Design Waiver Request.

Design Waiver Request 2: Allow a substitution of a Modified two-foot-wide Type 1 rolled curb and gutter for the standard two-foot-six-inch-wide Type 1 rolled curb, gutter & sidewalk.

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

The proposed right-of-way is only 203 feet long and will be 24 feet in width. The gutter is being designed and scaled down to fit the 24 feet in width. A width wider than what is proposed is not necessary.

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

Strict application of the Design Standard would result in additional expense and creation of additional hardscape. A gutter width wider than what is proposed is not necessary.

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

The project's requested deviation to the gutter width would not be detrimental to health, safety, convenience, and welfare of the public. Drainage would still be sufficient for the project and the El Dorado County Department of Transportation takes no exception to this Design Waiver Request.

4. *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

Even with these deviations, the applicant believes that the section meets the intent of the standards by providing sufficient gutter width. El Dorado County Department of Transportation takes no exception to this Design Waiver Request.