

# FINDINGS

## Rezone Z04-0015/Special Use Permit S01-0011/Parcel Map P08-0036/Springs Equestrian Center Planning Commission/October 23, 2014

### 1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the Planning Commission and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 The County finds that through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Division - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.
- 1.4 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

### 2.0 GENERAL PLAN FINDINGS

- 2.1 As proposed, the project is consistent with the Low Density Residential (LDR) land use designation of the subject site as defined within General Plan Policy 2.2.1.2 because the LDR land use designation permits a range of agricultural, timber and recreation activities. As such, the proposed equestrian center is consistent with those recreation uses permitted under the LDR land use designation.
- 2.2 The proposal is consistent with General Plan Land Use Policies 2.2.1.2, 2.2.5.3, and 2.2.5.21 concerning land use designation, rezoning, and land use compatibility because several mitigation measures and standard conditions of approval concerning exterior lighting, dust and fly control, odor, noise, traffic and hours of operation are recommended. Compliance with these mitigation measures and conditions of approval would address any potential land use incompatibility issues with adjoining existing and future land uses. The proposal was reviewed against the 19 specific criteria under policy 2.2.5.3 and found to be consistent with applicable criteria such as availability and capacity of a public treated water system, capacity of the transportation system serving the area, and existing land use pattern. There are no existing CC & R's. The project is also consistent with General Plan Policies TC-Xe, TX-Xf,

5.2.1.3, 5.2.1.4, 5.3.1.1, 5.7.1.3, 7.1.2.1, 7.3.3.4, 7.3.3.5, 7.4.4.4, 7.4.5.1, 7.5.1.3 and 9.2.3.5 regarding traffic impacts, connection to public water, availability of reliable water supply, wastewater capacity, fire protection, noise impacts, grading on slopes in excess of 30 percent, water resource setbacks and protection, oak tree canopy retention and replacement, cultural resource protection and private sector development and maintenance of recreation facilities.

Sufficient transportation mitigation measures are included within the project's conditions of approval to demonstrate General Plan consistency. The project is consistent with these policies based on comments and analysis provided by El Dorado Irrigation District and Rescue Fire Protection District. Adequate fire safe access is provided and a noise study concluded that projected noise levels from the project will not exceed established General Plan noise thresholds. The equestrian center will be privately funded, developed and operated and provide additional recreational and tourism opportunities to El Dorado County residents and visitors consistent with General Plan Policy 9.2.3.5 and Objective 9.3.1.

- 2.3 The project is an interim land use, as the highest possible demand for the project site has not been proposed. The submitted Gravity Sewer Improvements Engineers Opinion of Cost demonstrates that a connection to a public sewer system would potentially cost \$555,185. The applicant has stated that this would be cost prohibitive for the project as proposed and has the potential to cause significant environmental effects. Environmental Management has reviewed and approved a septic feasibility study. The project is consistent with General Plan Policy 5.3.1.7.

### **3.0 ZONING FINDINGS**

- 3.1 The project, as proposed and conditioned, is consistent with the El Dorado County Zoning Ordinance Development Standards, with an approved rezone to RF. The proposed use is permitted by special use permit in the RF Zone District, in compliance with Section 17.48.060.A and E provided that the administrative findings outlined below can be made by the Planning Commission.
- 3.2 As proposed, the project meets all applicable development standards contained within the El Dorado County Zoning Ordinance because sufficient landscaping and parking is provided and all structures meet development setbacks.

### **4.0 ADMINISTRATIVE FINDINGS**

#### **4.1 Special Use Permit**

- 4.1.1 **The issuance of the permit is consistent with the General Plan.** As outlined within the staff report and General Plan consistency findings above, the special use permit is consistent with the applicable policies of the General Plan concerning land use, transportation and circulation, public services and utilities, public health, safety, and noise element, conservation and open space and parks and recreation.

- 4.1.2 **The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.** The proposed use will not be detrimental to the public health, safety and welfare, or injurious to the neighborhood as it will fit within the context of the surrounding rural residential uses, Pleasant Grove Middle school, and an approved subdivision, Silver Springs. Mitigation measures and standard conditions of approval concerning exterior lighting, dust and fly control, odor, noise, traffic and hours of operation are recommended. Compliance with these mitigation measures and conditions of approval will address any potential land use incompatibility issues with adjoining and future land uses.
- 4.1.3 **The proposed use is specifically permitted by special use permit pursuant to this Title.** The proposed use is specifically permitted by special use permit in compliance with Section 17.48.060.A and E of the El Dorado County Zoning Ordinance as the required findings detailed above may be made by the Planning Commission.

## 4.2 Parcel Map Findings

- 4.2.1 **The proposed parcel map, including design and improvements, is consistent with the General Plan policies and land use map.** The Parcel Map request is consistent with the General Plan, because the application is for a recreational development being developed to serve the residents and visitors, consistent with the Low Density Residential land use designation, and is consistent with applicable policies as outlined in Finding 2.2.
- 4.2.2 **The proposed parcel map does conform to the applicable standards and requirements of the County's zoning regulations and the Minor Land Division Ordinance.** The Tentative Parcel Map conforms to the applicable standards and requirements of the County's zoning regulations for each parcel and the Minor Land Division Ordinance, because the project complies with the minimum design standards of the RE-5 and RF zone districts.
- 4.2.3 **The site is physically suitable for the proposed type and density of development.** The site is physically suitable for the proposed type and density of development because the site has adequate access, utilities are available, there is buildable area outside of wetland features, and the site is suited for the recreational and residential development.
- 4.2.4 **The proposed Parcel Map is not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.** The Parcel Map is an administrative document to allow the division of the equestrian facility from the remainder of the project parcel. All wetland features and listed species are being avoided. No significant environmental impacts are anticipated by the Parcel Map alone.
- 4.2.5 **The design of the Parcel Map is not likely to cause serious public health hazards.** The proposed parcel map would not create an undue negative impact upon the surrounding parcels. The improvements would not be detrimental to the public health, safety and welfare or injurious to immediate project vicinity because the surrounding infrastructure is in place

that can support it, the site contains adequate access, the site has access to public water, and the site is suitable for individual septic systems for sewage disposal.