

FINDINGS

Specific Plan Amendment SP-R20-0001/Tentative Subdivision Map TM20-0001/Development Agreement DA20-0001/Heritage at Carson Creek Planning Commission/June 10, 2021

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

FINDINGS FOR APPROVAL

1.0 CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDING

1.1 The project is a residential project and a part of an adopted Carson Creek Specific Plan (CCSP), subject to the certified Environmental Impact Report (EIR) and mitigation measures in the Mitigation Monitoring Reporting Program (State Clearinghouse SCH No. 94072021). An Addendum to the EIR has been prepared to analyze the potential environmental impacts associated with the proposed change in land use categories for the 132.1-acre Carson Creek Specific Plan Amendment (SPA) project site, in accordance with CEQA Section 15164(a) (Exhibit W). Based on the conclusions provided in the Initial Study for the Carson Creek SPA project (Exhibit W), the analysis demonstrates that an addendum to the previously certified CCSP EIR is the appropriate document under CEQA for the proposed Carson Creek SPA for the following reasons:

- a. The proposed changes to the project would not require major revisions of the CCSP EIR because implementation of mitigation measures would ensure that the project would not result in new significant environmental effects that could not have been identified at the time that EIR was prepared or a substantial increase in the severity of impacts identified in the CCSP EIR. The proposed revisions to the CCSP would not alter any of the conclusions of the certified EIR regarding the significance of environmental impacts. As discussed in the attached Initial Study, the proposed revisions would not alter the boundaries of the CCSP but would require construction of an emergency evacuation route and future public roadway through adjacent property. Construction and use of the emergency route and future roadway would not create new significant impacts that cannot be mitigated or impacts that would be substantially different than those that would result from development within the CCSP. The Initial Study also demonstrates that with implementation of mitigation measures the severity of project impacts and the project's contribution to cumulative impacts in the region would be generally consistent with the findings of the CCSP EIR.
- b. Although there are some changes in the circumstances under which the project is being undertaken (such as changes in the project vicinity due to ongoing development in the area, and requirements under CEQA to address new resource areas such as tribal cultural resources and wildfire), as discussed in the attached Initial Study these changes do not indicate that the project would result in new significant environmental

effects or a substantial increase in severity of impacts identified in the CCSP EIR because implementation of mitigation measures identified in the CCSP EIR and the attached Initial Study would ensure that impacts would be consistent with the conclusions of the CCSP EIR.

- c. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, that:
 - i. shows the project would have significant effects that were not identified in the EIR or that could not have been identified at the time that EIR was prepared - where the project has the potential to result in significant effects that were not previously identified, the attached Initial Study identifies the mitigation measures necessary to reduce those impacts, and information was available at the time the EIR was prepared that should have been considered and would have resulted in identification of significant or potentially significant impacts; or
 - ii. shows that previously identified significant impacts would be substantially more severe - the Initial Study demonstrates that the project would not substantially increase the severity of any previously identified impacts; or
 - iii. shows that there are mitigation measures previously found not to be feasible that would in fact be feasible - the CCSP EIR did not identify any infeasible mitigation measures; or
 - iv. shows that there are mitigation measures that are considerably different from those analyzed in the EIR and would substantially reduce the project's significant effects but the project proponent has declined to adopt those measures - the attached Initial Study identifies four new mitigation measures to reduce significant impacts that the project proponent has not declined to implement.

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 and Building Department - Planning Services Division at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 ADMINISTRATIVE FINDINGS

2.1 El Dorado County General Plan

The El Dorado County General Plan designates the project site as Adopted Plan (AP), a description in reference to areas where specific plans have been designated and adopted within and by the County. The specific plans and the respective land use maps were accepted and incorporated by reference and were adopted as the General Plan Land Use map for such areas. Specifically, the project site is designated Adopted Plan (AP) - Carson Creek Specific Plan, which identifies the CCSP as the adopted land use plan for

that area. The CCSP has been incorporated by reference under General Plan Land Use Element Policy 2.2.1.2 (General Plan Land Use Designation), therefore, the proposed project, upon approval of the Carson Creek SPA, will be consistent with the General Plan and subject to the applicable policies in the CCSP and EIR. (*Land Use Element Policy 2.2.1.2, 2.2.5.3*)

The project is consistent with General Plan Policies 2.5.1.1 and 2.5.1.2, which require use of open space to create greenbelts and preserve natural drainage ways to protect the County's scenic qualities. Existing onsite tributaries to Carson Creek would be preserved within open space areas and landscaped lots would be incorporated throughout the development. The open space areas identified on the proposed Tentative Subdivision Map are consistent with the open space areas identified in the CCSP, with the exception of a 0.9-acre increase in the northerly open space parcel, consistent with the U.S. Army Corps of Engineers (USACE) permit previously issued for the project site. In addition and to help minimize visibility of the development from Latrobe Road, the CCSP requires a 30-foot setback along the eastern site boundary. This setback is included in the proposed Heritage at Carson Creek Tentative Subdivision Map. (*Land Use Element Policy 2.5.1.1, 2.5.1.2*)

The project is consistent with Land Use Element Policy 2.8.1.1, which stipulates that development shall limit excess nighttime light and glare. Development of the project site would require the submission of detailed lighting plans with improvement plans to demonstrate compliance the County's light standards (County Code Section 130.34.020), which prohibit light spillover onto adjacent property. (*Land Use Element Policy 2.8.1.1*)

Based on the traffic study conducted for the project, several improvements to offsite intersections would be necessary to ensure that the project is consistent with County policies and standards relating to traffic congestion and intersection levels of service. Those improvements have been made Conditions of Approval for the project. The project would be conditioned to pay the required Traffic Impact Mitigation (TIM) Fees, at the time of building permit submittal. (*Transportation Element Policies TC-Xa, TC-Xc, TC-Xd, TC-Xe, TC-Xf, TC-Xg, TC-Xh*)

As designed, the project would include interconnecting trails serving its residents and accessible by the general public. The proposed pedestrian network within the project site would include sidewalks along all public streets and trails through the open space area. These sidewalks and trails incorporate the improvements identified in the CCSP and the El Dorado County Active Transportation Plan. Thus, the project would provide sufficient pedestrian facilities to ensure safety of project site residents, and would connect residents from Carson Creek Unit 2 to the 30-acre regional park in the southern portion of the project site. Investment Boulevard does not include sidewalks but onsite sidewalks would connect to the sidewalk system in the Carson Creek Unit 2 development that meet current design standards and provide access to common destinations in the vicinity. (*Transportation Element Policies TC-4e, TC-5a, TC-5c*)

The proposed project would include new water, sewer, and storm drain infrastructure onsite, designed in compliance with County and service provider specifications to serve the development. Potable water, sewage collection and conveyance, and wastewater treatment would be provided by El Dorado Irrigation District (EID). The proposed project would tie into existing water lines located in Investment Boulevard at the northern end of the project site. The proposed project would connect to an existing sewer lift station to the west of the project site and sewage from the project would be conveyed to the EID wastewater treatment plant. Stormwater drainage within the project site would be routed through water quality treatment facilities and conveyed to storm drain lines installed within the project site, which would be connected to the County's existing stormwater drainage system. The proposed project would involve installation of stormwater pipelines and numerous drainage inlets that lead to stormwater quality swales to filter stormwater from the project site before it enters Carson Creek. The water quality swales would discharge stormwater into the creek through outfall improvements proposed at several locations. The proposed project would also incorporate Low Impact Development practices, which could include, but would not be limited to: preservation of existing trees, planting of new trees, minimizing impervious area, landscape planting, and detached down spouts. (*Public Services and Utilities Element Policies 5.1.2.1, 5.1.2.2, 5.2.1.9, 5.2.1.11, 5.3.1.7, 5.4.1.1, 5.4.1.2*)

The California Fire Code requires a minimum of two access points to a project of this size. The proposed project would be accessed by Investment Boulevard and the Royal Oaks Drive extension. The project would construct an Emergency Evacuation Route in the short-term, which would be replaced by a full public roadway connection to Latrobe Road in the long-term. The Emergency Evacuation Route would meet the design standards of the Fire Department to ensure that any people within the project site are able to evacuate if necessary. The project also proposes to implement a Wildland Fire Safe Plan to minimize the risks that wildfire would pose to people within or near the project site by identifying measures for providing and maintaining defensible space around future homes and open space. (*Public Health, Safety, and Noise Element Policies 6.2.3.1, 6.2.3.2*)

In terms of potential geological hazards, the project would be required to implement mitigation measures requiring conformance with the Uniform Building Code and create design standards in accordance with the findings of site specific geotechnical analysis. (*Public Health, Safety, and Noise Element Policies 6.3.2.5*)

The project anticipates impacts from future projected transportation and existing non-transportation noise sources. Based on the acoustical study conducted for the project, these noise effects would be minimized to a less than significant level in conformance with the standards set forth in the General Plan policies. Implementation of noise attenuation measures, such as setbacks, sound barrier walls, or noise berms, as necessary would reduce traffic noise levels at proposed noise sensitive uses to conform to the applicable County standards. (*Public Health, Safety, and Noise Element Policies 6.5.1.1, 6.5.1.8, and 6.5.1.7, 6.5.1.13*)

To reduce construction emissions to the extent feasible, the CCSP EIR requires implementation of mitigation measures applicable to grading and construction activities. In addition to implementation of the mitigation identified in the CCSP EIR, project construction would also be required to comply with the local air district's rules and regulations. (*Public Health, Safety, and Noise Element Policy 6.7.7.1*)

Prior to the issuance of grading permits, grading design plans would be required to incorporate the findings of detailed geologic and geotechnical investigations. These findings all include methods to control soil erosion and ground instability. (*Conservation and Open Space Element Policy 7.1.2.2*)

The project site encompasses two tributary channels to Carson Creek and is adjacent to a third tributary. Identified as Open Space, these features have been designated for preservation in the CCSP and incorporated into the project design. Portions of these features would be affected as part of overall site preparation and construction of trails meandering along the wetland features. Under existing permits issued by the USACE in 2017, the Open Space area on the project site was required to be increased by 0.9 acres. The southerly of the two open space areas within the project site reflects the required expansion in open space. In total, the CCSP includes approximately 200 acres of passive Open Space that would encompass the wetland features. (*Conservation and Open Space Element Policies 7.3.3.1, 7.3.3.5, 7.3.4.1, 7.3.4.2, 7.3.5.3, 7.6.1.1*)

Several biological resources studies have been prepared for the project site. To ensure impacts to biological resources remain less than significant, the project would implement mitigation measures identified in the site-specific assessments and included in the CCSP EIR and Carson Creek SPA EIR Addendum. The results of the biological resources technical report shall be used as the basis for establishing mitigation requirements in conformance with General Plan Policy 7.4.2.8. (*Conservation and Open Space Element Policy 7.4.2.8*)

Cultural resource studies were prepared for the CCSP area and a supplemental report was prepared in 2020 for the proposed project site. As stipulated in the CCSP EIR, mitigation would be required to ensure that potential impacts to cultural resources remains less than significant. This mitigation requires adherence with specific protocols to be followed in the event of the accidental discovery of previously unknown resources. The project would be conditioned to comply with this requirement. (*Conservation and Open Space Element Policy 7.5.1.3*)

As contemplated in the CCSP, the project retains the existing 30-acre regional park site parcel. The proposed project would not alter the size, configuration, or anticipated use of this parcel. The proposed project would connect to and expand an existing trail system that borders and crosses through the existing developments of Euer Ranch and Carson Creek Units 1, 2, and 3. (*Parks and Recreation Element Policies 9.1.1.4, 9.1.2.9, 9.1.3.1*)

2.2 **Carson Creek Specific Plan**

The project has been verified for conformance with the specific policies and requirements of the adopted CCSP including phasing, density, design, amenities, preservation of natural features and utilities. The proposed amendments to the CCSP have been determined to meet the intent of the applicable policies. Implementation of the project shall be subject to required permits prior to any activity, in conformance with all applicable original and new conditions of approval and mitigation measures imposed on the project. Therefore, the project has been found to be consistent with the CCSP.

2.3 **Zoning**

The anticipated project development shall conform to the applicable standards set forth in the CCSP and the proposed Carson Creek SPA. Specifically, the residential subdivision has been designed in accordance with the development and zone standards added for Residential Village 11 in the amended CCSP. Future development of the parcel adjacent to Investment Boulevard identified for zoning as Local Convenience Commercial (LC) would be subject to a Conditional Use Permit (CUP). As part of the CUP process, proposed development on this parcel shall be subject to review for consistency with the LC Investment Boulevard development standards proposed in the Carson Creek SPA.

2.4 **Subdivision Ordinance**

2.4.1 That the proposed map is consistent with applicable general and specific plans;

The proposed project has been verified for conformance with applicable General Plan and CCSP policies including provisions relating to density, design, development standards, and amenities. The anticipated development shall be subject to further conformance with the approved Carson Creek SPA, Conditions of Approval, and Mitigation Measures. Therefore, the project has been found to be consistent with the applicable El Dorado County General Plan and CCSP.

2.4.2 That the design or improvement of the proposed division is consistent with applicable general and specific plans;

The subdivision has been designed in conformance with the identified residential land use requirements in the amended CCSP. Subsequent improvement plans, grading plans and other permits shall be further reviewed in accordance with the applicable County standards and recommended conditions of approval/mitigation measures for this project. Therefore, the project has been found to be consistent with the applicable El Dorado County General Plan and CCSP design and improvements.

2.4.3 That the site is physically suitable for the type of development; and

2.4.4 That the site is physically suitable for the proposed density of development;

The site is physically suitable to accommodate the proposed density and improvements for the Heritage at Carson Creek residential subdivision. The site contains mild rolling hills with sparse tree coverage. The tributaries within the project site shall be preserved and incorporated as part of the subdivision design, in accordance with the CCSP. Prior to any activity, the anticipated development would require various permits and plan approvals, subject to review for consistency with the conditions of approval for the project.

2.4.5 That the design of the division or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;

Development of the subdivision would be subject to the applicable provisions of the CCSP, and the required mitigation measures from the CCSP EIR and EIR Addendum prepared for the project. Off-site improvements associated with the project are not anticipated to have any significant environmental impacts and shall be further verified by the affected agency. Therefore, the project would have less than significant environmental impact, subject to the conditions of approval and mitigation measures imposed on the project.

2.4.6 That the design of the division or the type of improvements would not cause serious public health hazards;

The proposed development has been designed and conditioned to ensure no serious public hazard would occur. In accordance with the CCSP, the design and improvements would involve a controlled internal road systems, public utility services, on- and off-site amenities, and emergency vehicular access. Development of the project would be subject to improvement plans and permits verifying construction of utilities for water, sewer, power, drainage and roads in accordance with the CCSP, adopted EIR for the CCSP, and EIR Addendum prepared for the project.

2.4.7 That the design of the division or the improvements is suitable to allow for compliance of the requirements of Section 4291 of the Public Resources Code;

The development is subject to the applicable Specific Plan policies involving site design and maintenance of open areas susceptible to brush fires. Further, the subdivision is subject to specific project conditions from the El Dorado Hills Fire Department regarding location of hydrant, construction of non-combustible fencing material, preparation and submittal of a Wildfire Management Plan, and establishing emergency vehicle access. Therefore the proposed subdivision conforms to the requirements of Section 4291 of the Public Resource Code;

- 2.4.8 That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

Coupled with imposed project conditions, necessary utility and right-of-way easements for the project are appropriately depicted on the submitted plans and shall be further verified for any conflicts by the County Surveyor's Office at the time of filing and approval of the final map for any portions of the approved tentative map.