

Findings

1.0 CEQA Findings

1.1 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project. No significant impacts to the environment as a result of this project were identified in the initial study.

1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 General Plan Finding

2.1 The proposed parcel map conforms to the El Dorado County General Plan;

The project site is designated as Medium Density Residential (MDR). The parcel map would create parcels which are consistent with the density requirements and minimum parcel size requirements within the MDR land use designation.

3.0 Zoning Finding

3.1 The parcel map conforms to the El Dorado County Zoning Ordinance;

The project site is zoned One-Acre Residential (R1A). The parcel map would create parcels which would be consistent with the minimum parcel size requirements and the development standards of the R1A zone district.

4.0 Tentative Map Findings

4.1 That the proposed tentative map and rezone is consistent with applicable general and specific plans;

The proposed rezone from Estate Residential 5-acre (RE-5) to Single-family 1-acre Residential (R1A) is consistent with the General Plan which designates the parcel as Medium Density Residential (MDR) which allows for the proposed parcel sizes. The proposed R1A zoning is consistent within the Shingle Springs Community Region.

4.2 The proposal conforms to the County’s zoning regulations and Minor Land Division Ordinance;

The Department of Transportation and the El Dorado County Fire Protection District have reviewed the existing road conditions and have determined that the proposed improvements would provide adequate access. Adequate public services exist that would be sufficient to serve the project. Based on percolation rate test, septic would also provide adequate service for each parcel.

The proposed parcels provide adequate area to meet the development standards of the R1A Zone District.

4.3 The site is physically suitable for the proposed type and density of development;

As determined through a Cultural Resource Study, Biological Survey, and analysis by staff the project site does not contain any natural resources that would be significantly impacted through the proposed residential development of the site.

4.4 The design of the division or the proposed improvements are likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;

The required site improvements would not cause significant impacts to the environment or wildlife. As determined by the analysis by staff and Biological Survey, the project would not result in significant environmental impacts.

5.0 Design Waiver Findings

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

Alternative access to proposed Parcels 2 and 3 from Joy Lane or Meder Road would involve introducing a twenty-four foot wide- road to parcel 2 and 3 which would allow unwanted public access, which is not desirable to the applicant. Requiring parcels 2 and 3 front a road pursuant to Volume II, section 2, B (5) would require creating a 100-foot frontage pursuant to section 17.28.210 (C) of the Zoning Code would require construction of a twenty-four foot wide road from either Joy Lane or Meder Road. Allowing the creation of Parcels 2 and 3 using a driveway standard would reduce impacts to oak canopy unwanted public access and will only require an encroachment permit onto Joy Lane for parcel 3 and also an encroachment onto Meder Road for Parcel 2.

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

Strict application of the requirement for parcels to meet the *El Dorado County Design and Improvement Standards* required frontage on a public street or a street meeting County subdivision design and improvement standards would introduce new public access and road improvements and removal of additional oak canopy for access to only two parcels.

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

Allowing parcels 2 and 3 to use a driveway standard for exclusive access across parcels 1 and 4 will not be injurious to adjacent properties or detrimental to the public health, safety, and welfare.

5.4 This waiver(s) would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.

The approval of this design waiver will not nullify the additional requirements contained in the Chapter 16 of County Code.