

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: October 9, 2014

Staff: Tom Dougherty

REZONE/PLANNED DEVELOPMENT/TENTATIVE MAP

FILE NUMBER: Z14-0002/PD14-0001/TM14-1515/Wilson Estates

APPLICANTS: Lisa Vogelsang, Catherine Ryan, and Julie Ryan

AGENT/ENGINEER: CTA Engineering and Surveying

REQUEST: The proposed project consists of the following requests:

1. Rezone the 28.18-acre parcel from One-Acre Residential (R1A) to One-Acre Residential-Planned Development (R1A-PD) and Open Space-Planned Development (OS-PD);
2. Tentative subdivision map and development plan to create 28 single-family lots ranging in size from 20,004 to 43,572 square feet in size and one interior private road lot; two lettered lots for open space, drainage and waterline; and one "new connection" road lot; and
3. Design Waivers for the following:
 - a. Reduce Lot R right-of-way widths from 50 feet to 30 feet;
 - b. Reduce cul-de-sac right-of-way radii from 60 to 50 feet;
 - c. Reduce roadway width from 28-foot 101B width to a modified 101C 22-foot CF/CF asphalt paved with Type E AC Dike and three-foot shoulder as shown; and
 - d. Reduce cul-de-sac Lot R-1 from 60 feet to 50 feet top back of mountable dike at 47 feet, 50 feet to hinge point; 3-foot shoulder designed to support a 40,000 lb. load. The new connector may be installed with an AC Dike in lieu of Type 2 Curb and Gutter with Transportation approval pursuant to note 10 on design plate 101B.

LOCATION: North side of Green Valley Road, approximately 3,000 feet east of the intersection with Silva Valley Road, in the El Dorado Hills area, Supervisorial District 1. (Exhibit A)

APNs: 126-070-22, -23, -30 (Exhibit B)

ACREAGE: 28.18 acres

GENERAL PLAN: High Density Residential (HDR) (Exhibit C-1)

ZONING: One-Acre Residential (R1A) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

RECOMMENDATION: Staff recommends that the Planning Commission forward a recommendation to the Board of Supervisors to take the following actions:

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
2. Adopt the Mitigation Monitoring Program in accordance with CEQA Guidelines, Section 15074(d), incorporating the Mitigation Measures in the Conditions of Approval as presented;
3. Approve Rezone Z14-0002 based on the Findings as presented;
4. Conditionally approve Planned Development PD14-0001, approving the Development Plan as the official Development Plan, based on the Findings and subject to the Conditions of Approval as presented;
5. Conditionally approve Tentative Map TM14-1515 based on the Findings and subject to the Conditions of Approval as presented; and
6. Approve the following Design Waivers to:
 - a. Reduce Lot R right-of-way widths from 50 feet to 30 feet;
 - b. Reduce cul-de-sac right-of-way radii from 60 to 50 feet;
 - c. Reduce roadway width from 28-foot 101B width to a modified 101C 22-foot CF/CF asphalt paved with Type E AC Dike and three-foot shoulder as shown; and
 - d. Reduce cul-de-sac Lot R-1 from 60 feet to 50 feet top back of mountable dike at 47 feet, 50 feet to hinge point; 3-foot shoulder designed to support a 40,000 lb. load. The new connector may be installed with an AC Dike in lieu of Type 2 Curb and Gutter with Transportation approval pursuant to note 10 on design plate 101B.

STAFF ANALYSIS

Project Description:

Rezone: Request to rezone 17.96 acres of the parcel from One-Acre Residential (R1A) to One-Acre Residential-Planned Development (R1A-PD) and 8.41 acres to Open Space-Planned Development (OS-PD).

Development Plan: Development Plan for the proposed subdivision allowing a gross density of one unit per acre, the creation of commonly owned open space, and changes to the R1A development standards (setbacks) as shown on the Tentative Map.

Tentative Subdivision Map: Tentative Subdivision Map and Development Plan to create 28 single-family lots ranging in size from 20,004 to 43,572 square feet in size and the following, as shown on the Tentative Map dated August 2014:

1. One interior private road lot (Lot R) to provide primary access to one exterior road “Lot A, New Connector” road to Green Valley Road;
2. Installation of the “Lot A,” the “New Connector” with a fully constructed intersection to Green Valley Road up to and including the interior roadway;
3. A fire access road built to an interim roadway grade of less than 20 between the private access connection and Malcolm Dixon Road with a controlled access that consists of a locked gate at each end with a Knox lock for the Fire Department;
4. A secondary right out only access to Malcolm Dixon Road from the “Lot R” interior roadway with an emergency only right in for the benefit of the Fire Department;
5. Two lettered lots (B and C) for open space, drainage and waterlines;
6. Two twenty-foot wide utility easements.

Design Waivers: The following Design Waivers are requested to:

1. Reduce Lot R right-of-way widths from 50 feet to 30 feet;
2. Reduce cul-de-sac right-of-way radii from 60 to 50 feet;
3. Reduce roadway width from 28-foot 101B width to a modified 101C 22-foot CF/CF asphalt paved with Type E AC Dike and three-foot shoulder as shown; and
4. Reduce cul-de-sac Lot R-1 from 60 feet to 50 feet top back of mountable dike at 47 feet, 50 feet to hinge point; 3-foot shoulder designed to support a 40,000 lb. load.

All lots are proposed to be served by public water and sewer.

Additionally, the project proposes to construct the following fences/walls:

- a. A six-foot tall solid wood screening fence around the Tentative Map perimeter of Lots 1 and 25-28; and
- b. A six-foot tall solid wood or ornamental iron fence around the Tentative Map perimeter along the “New Connector” road and Malcolm Dixon Road right-of-ways adjoining Lots 1-14.

The applicant noted on the submitted Tentative Map that they want the option available for the phasing of the final map (s) however, they are currently proposing to record it all at once.

Site Description: The 28.18-acre parcel varies in elevation from 720 to 860 feet above sea level. The highest point is in the northeastern portion of the parcel which slopes moderately from that area to the west. The majority of the parcel is grassland with approximately 2.90 acres of the 28.18 being covered with oak canopy-the majority of which are single, mature specimens. Dutch Ravine flows intermittently through the eastern portion of the parcel from north to south and exits under Green Valley Road through a culvert. It is bounded by existing roads on the north and south sides.

Background: The previous Z11-0007/TM11-1504 version of Wilson Estates Subdivision and Rezone proposed to create 49 lots on 28 acres and was heard by the Board of Supervisors (Board) on March 12, 2013. Due to questions on compatibility with surrounding parcel sizes, the applicant requested that the item be continued off calendar.

On August 8, 2013, the applicant requested to be rescheduled for public hearing. To address concerns about compatibility with surrounding parcel sizes, the applicant had proposed minor changes to the Tentative Map lot pattern and changes to the Rezone request.

The Rezone (and revised Tentative Map) request was changed from rezoning the entire 28 acres from One-Acre Residential (R1A) to One-Family Residential (R1), to a request that would include leaving approximately 3.6 acres in R1A (creating 3 lots), rezoning approximately 10.9 acres to One-Half Acre Residential (R-20,000) (creating 14 lots), and rezoning 12.7 acres to R1 (creating 32 lots).

The changes to the Tentative Map lot pattern were very minor and were considered consistent with the Planning Commission review from December 13, 2012. The Rezone revision was also similar to that reviewed by the Planning Commission and would have reduced potential density by maintaining 3.6 acres with the R1A zone and 10.9 acres with R-20,000. Pursuant to Section 17.10.040, the Board had authority to approve this revision to the Rezone request without a re-hearing by the Planning Commission. On October 22, 2013, the Board heard the revised project and made a motion as follows:

“1. Conceptually deny the rezone without prejudice; 2. Direct staff to consult with the applicants to bring back an alternate map reflecting 28 parcels; 3. Direct staff to return to the Board on October 29, 2013 with a report on relieving sewer requirements and discuss the potential for interior road design waivers and estimation of fees for a new map for the Board to consider waiving.”

On October 29, 2013 Development Services Division provided findings for denial of Zone Change Z11-0007 and Tentative Map TM11-1504 based on the conceptual action of the Board of Supervisors on October 22, 2013. The Board denied the project based on the Findings prepared by the Development Services Division. Those findings stated that the project was: “inconsistent with Policy 2.2.5.21, which requires that development projects be designed in a manner which

avoids incompatibility with surrounding land uses; the proposed zoning, design of the subdivision, and the proposed lot sizes are not compatible with the Medium and Low Density Residential land use designations and development patterns on lands surrounding the site of the proposed development; and the proposed tentative map is inconsistent with the Residential One-Acre (R1A) zoning of the site.”

The current applications were submitted on April 15, 2014. In response to agency and neighbor concerns, the applicants adjusted that original submittal, and the current version is the third version since it was submitted.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	R1A	HDR	Residential/Vacant
North	RE-5	LDR	Residential/Single family residence
South	R1A/PA-20/RE-5	MDR	Residential/Single family residences
East	RE-5	LDR	Residential/Single family residence
West	R1A	MDR	Residential/Single family residences on approximately one-acre parcels, and the 11-acre LDS Church site.

Discussion: Exhibits A and B illustrate that the general area consists of five-acre and larger sized parcels. The parcels adjoining to the north and east of the subject parcels are designated low-density residential. The parcels adjoining to the south (across Green Valley Road), and west are designated medium-density residential which allows one to five-acre parcels.

The parcels to the north and east are zoned Estate Residential Five-Acre (RE-5). The 113.1-acre parcel just to the north of Malcolm Dixon Road from the project parcels, has an approved 19-lot Tentative Subdivision Map (Diamante Estates, Z06-0027, TM06-1421 and S08-0028), approved by the Board of Supervisors on October 27, 2009. One of those lots is two-acres in size and the remaining 18 are greater than five acres in size. At the time of this staff report, that Final Map has not been submitted. Exhibit C-2 shows that the subject project parcels are located within the El Dorado Hills Community Region Planning Concept Area, and that the Diamante Estates project parcel is located within a Rural Region Planning Concept Area.

Project Issues: Discussion items for this project include access and circulation, Design Waiver request, fire safety, grading and drainage, homeowner’s association, noise and proposed sound wall, oak canopy, open space, parks, and the proposed rezone.

Access and Circulation: One interior private road lot (Lot R) is proposed to provide direct access to the lots. Access to the subdivision is proposed from Green Valley Road via one exterior road “Lot A, New Connector” road to the project entrance. By constructing the “Lot A, New Connector” intersection on Green Valley Road, the project has been conditioned to construct a left turn pocket on Green Valley Road. A fire access road is proposed to be built to

an interim roadway grade of less than 20 percent between the private access connection and Malcolm Dixon Road with a controlled access that consists of a locked gate at each end with a Knox lock for the Fire Department. A secondary right out only access to Malcolm Dixon Road is proposed from the “Lot R” interior roadway with an emergency only right in for the benefit of the Fire Department. The El Dorado Hills Fire Department determined that parking would not be allowed on the interior roads (“Lot R”).

A Traffic Impact Analysis (TIA) was prepared for the 49-lot prior configuration of the project (TM11-1504). The current 28-lot project will generate substantially fewer traffic impacts than the prior project.

The TIA dated March 3, 2011, and supplemental TIA dated May 3 2012 prepared by Kimley-Horn and Associates identified three intersections that the project would potentially impact:

1. Green Valley Road / El Dorado Hills Blvd. / Salmon Falls Road;
2. El Dorado Hills Blvd. / Francisco Drive, and;
3. El Dorado Hills Blvd / US-50 WB Ramps.

The mitigation for each of these potential impacts is included in the County’s 5-year Capital Improvement Program (CIP), represented (respectively) by the following CIP Projects:

1. Project No. 73151, Green Valley Road Traffic Signal Interconnect;
2. Project No. 71358 Francisco Drive Right-Turn Pocket, and;
3. Project No. 53124 U.S. 50 HOV Lanes Phase 0 (El Dorado Hills Blvd. Interchange).

Since these projects are included in the County’s 5-year CIP program, with funding and delivery dates identified, no further mitigation by this project is required. The project’s fair share of mitigation is payment of TIM fees at the time of Building Permit.

Multi-Project Area of Benefit: The project as proposed does not impact Malcolm Dixon Road to a degree that would require full participation in the Malcolm Dixon Area of Benefit Improvements. If this project proceeds in advance of any other project that is required to construct improvements as identified in the Exhibit X & Y of the Malcolm Dixon Area Traffic Circulation Plan (MDATCP), this project would construct the left turn pocket intersection improvements on Green Valley Road and a portion of the “Lot A, New Connector” road from Green Valley Road to the project entrance (approximately 331 feet, or 61 percent of the New Connector) only. In constructing these improvements at the sole cost of the project, the burden of constructing the remaining improvements identified in the MDATCP would be reduced proportionately.

However, if the MDATCP improvements are constructed by others, the project would realize a significant benefit. Therefore, in the event that the Malcolm Dixon Area of Benefit Public Financing District (District) is formed, and the MDATCP improvements are constructed by others, the applicant would be required to participate in the District and pay their fair share of the cost of those improvements.

The project has been conditioned to dedicate right of way and design slope easements and set-backs consistent with the MDATCP Improvements. Therefore, this project as proposed does not preclude the creation of the District, or the construction of the MDATCP improvements.

The area of benefit includes the following approved tentative maps: a. La Canada Tentative Map TM06-1421 (47 lots, 10/27/09); b. Alto LLC Tentative Map TM06-1408 (23 lots, 5/5/09); c. Grande Amis-Chartraw-Malcolm Dixon Road Estates Tentative Map TM05-1401 (8 lots, 6/15/10); and d. Diamante Tentative Map TM06-1421 (19 lots, 10/27/09).

Area of Benefit Improvements: Improvements identified in the MDATCP include widening of Malcolm Dixon Road, realignment of the two curves on Malcolm Dixon Road and the connection to Green Valley Road through this project. The projects within the District will share the cost of all of the improvements. The first project will be required to build all of the improvements and then be reimbursed by the subsequent projects their fair share of the costs. Public funds will not be utilized for the improvements.

Transportation Divisions recommended conditions incorporate the same Area of Benefit conditions to the approved tentative maps listed above in the event that another project constructs the improvements in advance of this project. At the time of this staff report, no Final Maps have been submitted for any of the approved Tentative Maps. These map locations are shown on the Malcolm Dixon Area Traffic Circulation Plan area map, included as Exhibit K.

Policy 6.2.3.2 directs that the applicant 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. Transportation and the Fire Department have recommended conditions to address concerns with the emergency ingress/egress capabilities of the project.

Gates: The encroachments from the “Lot A-New Connector” road to “Lot R”, and “Lot R” to Malcolm Dixon Road are proposed to enter the subdivision through gated entrances. A fire access road between the private access connection and Malcolm Dixon Road is proposed to have controlled access that consists of a locked gate at each end with a Knox lock for the Fire Department. The Fire Department has reviewed the gate proposals and has recommended conditions that the gates comply with their Gate Standard B-002. The Fire Department would inspect the gates for compliance prior to final approval of that building permit.

Design Waiver Requests: Four Design Waiver requests have been requested to allow variation from the requirements of the El Dorado County Design Improvement Standards Manual (DISM) to:

1. Reduce Lot R right-of-way widths from 50 feet to 30 feet;
2. Reduce cul-de-sac right-of-way radii from 60 to 50 feet;
3. Reduce roadway width from 28-foot 101B width to a modified 101C 22-foot CF/CF asphalt paved with Type E AC Dike and three-foot shoulder as shown; and
4. Reduce cul-de-sac Lot R from 60 feet to 50 feet top back of mountable dike at 47 feet, 50 feet to hinge point; 3-foot shoulder designed to support a 40,000 lb. load. The new connector may be installed with an AC Dike in lieu of Type 2 Curb and Gutter with Transportation approval pursuant to note 10 on design plate 101B.

In order for those requests to be approved, the following findings must be made:

- “1. There are special conditions for circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver;
2. Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property;
3. The adjustment or waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public; and
- 4 This waiver 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 because the project has been conditioned to meet all applicable County Codes.”

Planning, Transportation and the Fire Department have reviewed the requests and found no objections to any of the Design Waiver requests. The Findings for Approval at the end of this Staff Report include the required Design Waiver findings.

Fire Safety and Water Supply: There is an existing domestic water line in Green Valley Road. With the installation of a looped system through the project, sufficient water supply will be provided to meet the domestic needs and fire flow for the project as required by Policy 5.2.1.2 (adequate quantity and quality of water for all uses), and Policy 5.7.1.1 (adequate emergency water supply, storage, conveyance facilities, and access for fire protection).

The project has a Fire Safe Plan dated September 2, 2011 and a Wilson Estates Amendment A Fire Safe Plan addendum dated May 28, 2014 to reflect 28 lots. Both have been approved by Cal Fire and the El Dorado Hills Fire Department. The Fire Safe Plan requires the establishment of either a Community Services District, Lighting and Landscape District, or a Zone of Benefit/Homeowner’s Association and having recorded CC&Rs to ensure the ongoing maintenance of the open space lots for fire protection.

Grading and Drainage: The project includes mass lot grading and drainage improvements as shown on the Preliminary Grading, Drainage and Tree Preservation plan dated July, 2014. Transportation has reviewed the preliminary plan maps, as well as the Drainage Report dated July 2012, has recommended conditions related to drainage and water quality. Storm water treatment prior to discharge would be required with the final improvement plans. The location and feasibility of storm water treatment facilities is not presented on the Preliminary Grading, Drainage and Tree Preservation Plan (Exhibit F). The applicant would be required to install interceptor drains to avoid cross-lot drainage issues, to obtain off-site easements when applicable, and to use slope rounding grading techniques to avoid the stair-step effect. The Drainage Report Wilson Estates, dated July 2012 is provided as an attachment to the Mitigated Negative Declaration and Initial Study.

Homeowner's Association: A Homeowner's Association (HOA) would need to be established for the purposes of implementing the Fire Safe Plan, maintenance of the fences, retaining and sound walls, open space lots, the entrance gates, the shared roads, and all drainage facilities within the subdivision. Covenants, Conditions and Restrictions (CC&Rs) would be reviewed by the County with the filing of the final map to insure they include those provisions. The conditions requiring an HOA with specific CC&Rs for inclusion are included in the Conditions of Approval.

Noise and Proposed Sound Wall: Policy 6.5.1.3 states that noise mitigation measures are required to achieve the standards of Tables 6-1 and 6-2. Policy 6.5.1.8 states that 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.

The applicants submitted an Environmental Noise Assessment, dated May 3, 2012, and supplemental analysis dated May 20, 2014, which analyzed the noise scenario in the context of the project proposal. Those assessments found that future Green Valley Road traffic noise levels at the outdoor activity areas (backyards) of the Wilson Estates project site are expected to exceed the exterior El Dorado County traffic noise level standard. As a means of achieving compliance with the exterior standard, a six-foot high noise barrier was recommended at the locations depicted in Exhibit N of the Assessment dated May 3, 2012. As a result, Green Valley Road traffic noise exposure would be expected to be less than 60 dB Ldn. The Assessment found that the barriers should be constructed of concrete or masonry block, or precast concrete. Wood was not recommended due to eventual warping and shrinking of materials which results in openings and cracks which compromise the barrier longevity. The applicant has included a masonry sound wall in the project proposal which is further back from Green Valley Road than Exhibit N of the Assessment and therefore would offer better noise attenuation. The location and construction of the wall is shown on the Fence Exhibit dated August 2014 (Exhibit G). The Assessment determined the masonry sound wall would be adequate to meet the County's noise standards.

Oak Tree Canopy: The project proposes to utilize custom lot envelopes limiting the allowable development area for each lot and therefore, the majority of the existing intermittently-dispersed, single mature oak trees would have the ability to be preserved by a future lot owner. Policy 7.4.4.4 establishes the native oak tree canopy retention and replacement standards.

As shown in the Preliminary Grading, Drainage, and Tree Preservation Plan map dated July 2014 (Exhibit F), the project area has 2.90 acres of the total 28.18 project acres covered in oak canopy which is ten percent of the project area. General Plan Policy 7.4.4.4, Option A, would therefore require the retention of 90 percent of the oak tree canopy for the project area. That map has a lot layout slightly different from the Tentative Map dated August 2014 however, the two trees to be removed and the Tree Mitigation Area are the same, as are the canopy calculations.

The General Plan allows 10 percent of the 2.90 acres to be removed (up to 0.29 acres) and to be mitigated at a 1 to 1 ratio. The project would remove approximately 0.06 acre of oak tree canopy lot development which is less than what is allowed to be removed. The applicant has

demonstrated on the Tentative Map that the project can provide 1 to 1 replacement plantings onsite within Lot B. That planting is required to be carried out in compliance with the Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.4.4.4 (Option A). The project's recommended condition includes that the final oak tree planting plan be reviewed and approved by Planning Services prior to issuance of any grading or building permit for the masonry wall/Lot B area. The project would be compliant with Policy 7.4.4.4, Option A.

Open Space: The 4.75-acre Lot B is proposed for open space, drainage, oak tree planting and the sound wall. The 3.64-acre Lot C includes the intermittent stream and is not proposed to be developed. The ongoing maintenance of those lots would be the responsibility of the future HOA. A condition has been included that requires that a Notice of Restriction be recorded with, and noted on, the final map that states that Lots B and C are for open space, landscaping, drainage, and retaining walls and that they shall not be utilized for residential development.

Parks: The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. The fees would be paid at the time of the filing of a Final Map to the El Dorado Hills Community Services District (EDHCSD) area of the County. The proposed new residences would be subject to the payment of Park Impact fees of the EDHCSD in place at the time of building permit issuance.

Rezone: Policy 2.2.5.3 requires that the County shall evaluate future rezoning: (1) To be based on the General Plan's general direction as to minimum parcel size or maximum allowable density; and (2) To assess changes in conditions that would support a higher density or intensity zoning district. In addition to the issues discussed above, specific criteria considered the following:

1. **Water Supply:** Policy 5.2.1.4 directs that subdivision approvals in Community Regions dependent on public water supply shall be subject to the availability of a permanent and reliable water supply. El Dorado Irrigation District has indicated in the submitted Facility Improvement Letter (FIL) dated September 14, 2012, that they have the ability to serve the project with existing mains as long as the applicant meets Fire Department standards for the development of a looped water system within the proposed development. The project requires 50 EDUs and the FIL reported that as of January 1, 2012, there were approximately 4,752 EDUs available in the El Dorado Hills Water Supply Region. Since the FIL was prepared, the project is changed to a 28-lot subdivision requiring 28 EDUs. This system would need to tie into the existing 12-inch water line in Green Valley Road. The project is required to construct all improvements to EID specifications and the El Dorado Hills Fire Department requires a minimum fire flow of 1,000 gallons per minute with a minimum residual pressure of 20 psi for a two-hour duration. The project would comply with this policy.
2. **Wastewater Disposal:** Sewer facilities for the project would be provided by the El Dorado Irrigation District (EID), as required by Policy 5.1.2.1. The project would connect to an existing EID public wastewater treatment system and would be required to extend those facilities to handle the increased capacity. There is an existing sewer

facility located at the intersection of Malcolm Dixon and Allegheny Roads. The project proposes to set a connecting line in the existing Malcolm Dixon Road public utility easement from the project site to an existing manhole located within Uplands Drive. It is not proposed to require crossing the existing bridge located west of Uplands Drive. The EID FIL states that the project will require 49 EDUs of sewer service and that the existing sewer line has adequate capacity for the proposed project at this time, with extensions of facilities of adequate size. Since the FIL was prepared, the project is changed to a 28-lot subdivision requiring 28 EDUs.

3. **Wetlands/Intermittent Streams:** The Jurisdictional Delineation and Special Species Evaluation identified one 0.0748-acre seasonal wetland (Dutch Ravine) potentially subject to Clean Water Act jurisdiction. Dutch Ravine was determined to be an intermittent stream. It travels through the eastern portion of the project area from north to south. Policy 7.3.3.4 directs that buffers and special setbacks of 50 feet from intermittent streams and wetlands.

The stream would be fully contained within the 3.64-acre eastern portion of the project area shown as "Lot C." This lot would be rezoned to Open-Space-Planned Development. Residential development within this lot would be prohibited.

The project plans were reviewed by both the U.S. Army Corps and California Fish and Wildlife and neither responded with any concerns.

4. **Critical flora and fauna habitat areas:** The Jurisdictional Delineation and Special Species Evaluation, and Special Status Plant Surveys determined that although the proposed project site contains habitat to support some species of concern, no special-status species were found on the site. The primary existing vegetation/wildlife corridor along Dutch Ravine would be preserved by the required 50-foot non-building setback measured from the high water marks on both sides of the stream as well as being located within a designated open space lot. Depending on the time of the year development occurs, there could be impacts to nesting raptors or other migratory birds. The project has included a mitigation measure designed to reduce those potential impacts. The referenced studies are included as attachments to the Mitigated Negative Declaration and Initial Study.
5. **Existing Land Use Pattern:** General Plan Policy 2.2.5.21 directs that new development be compatible with the surrounding neighborhood. The project site is surrounded by land designated and utilized for medium-density residential uses on two sides and low-density uses on the other two. The project has proposed larger lot sizes (43,470 and 43,566 square feet), as well as a six-foot tall wooden fence for the portion of the project abutting the residences along the west property line (Note: One acre = 43,560 square feet). The 3.64-acre "Lot C" open space parcel would create a transition to the larger parcel to the east. These larger sized parcels and setbacks were designed by the applicant to provide a more efficient transition from the MDR designated lots to the west and the LDR designated lots to the east, in response to concerns from neighbors as well as the El Dorado Hills Area Planning Advisory Committee.

6. **Important historical/archeological sites:** A Phase 1 Archeological Study of the Wilson Estates Project, dated January 2011 was completed for the project site. The study reported there were no significant prehistoric and historic-period cultural resources sites, artifacts, historic buildings, structures or objects found within the project parcels other than portions of rock building foundations of the Charles Dixon Farm Site.

The study recommended that during the course of grading activities within the perimeter of the site as defined by Figure 1 of the Phase 1 Archeological Study of the Wilson Estates Project, dated January 2011, archeological monitoring shall occur. If previously unidentified or subsurface archeological sites or features are discovered, work would be required to stop at that location and the discovery would be examined for its potential significance and removed if deemed of scientific value, after which work can proceed once again.

The study also recommended that an interpretive sign be designed in consultation with the El Dorado County Historical Museum to commemorate the location of the Charles Dixon Farm and the Live Oak School across Malcolm Dixon Road. The sign would be required to be located in an appropriate location near the site and along Malcolm Dixon Road.

Because of the possibility in the future that ground disturbances could discover significant cultural resources, mitigation measures have been recommended to assure that potential issues are addressed during project development.

Agency and Public Comments: The following agency and organizations were provided project details for review:

El Dorado Hills Area Planning Advisory Committee (EDHAPAC): The EDHAPAC reviewed the project at their June 11, 2014 meeting and responded that they had voted 4-2 for conditional support of the project if their comments and recommendations were incorporated into the project. Their letter (Exhibit M) stated that “the proponents have made several changes to their original proposal, over an extended period of time, which have significantly improved the project’s compatibility with the surrounding properties. The added open space helps preserve some of the natural woodlands within the project.” They stated a desire that the large oak shown to be removed within “Lot R” be preserved. The primary concerns of the minority members with the original Tentative Map dated April 2014 were:

- “Provides no buffer or transition to the western end residents
- Provides no one acre parcels
- Removes Oak Trees that can be saved
- Still asks the board for a rezone which the community was strongly opposed to.
- Is still a gated community with a HOA which the community is opposed to.
- gives up 30 percent of the land to open space

- Puts all 280 vehicle trips onto Malcolm Dixon Road's historic bridges. (The connector road and exit onto that connector was previous mitigation to divide the traffic between Green Valley Road and Malcolm Dixon Road.)”

The agent met with the minority members subsequent to that APAC meeting, and the applicants revised the map with the August 2014 version to attempt to address the majority of their concerns.

El Dorado Hills Community Service District (“District”): The District submitted advisory comments and conditions to be considered during the development of this project (Exhibit L). Some of their recommendations are appropriate for the building permit stage and were not added to the conditions for this map stage. The applicable conditions have been included in the Conditions of Approval. The project is conditioned for park in-lieu fees to be paid prior to filing the final map, and park impact fees are paid at the building permit stage.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Exhibit P) to determine if the project has a significant effect on the environment. Potentially significant effects of the project on the environment have been mitigated by recommended conditions that avoid or lessen the impacts to a point of insignificance; therefore a Mitigated Negative Declaration has been prepared and a Notice of Determination (NOD) will be filed. A \$50.00 filing fee for the NOD is required and the NOD must be filed within five working days from the project approval.

The filing of the NOD begins the statute of limitations time period for legal challenges to the project. If the NOD is filed the statute of limitations ends 30 days from its filing. If no NOD is filed, it ends 180 days from the date of final action by the County.

In accordance with California Fish and Game Code Section 711.4, the project is subject to a fee of \$2,181.25 after approval, but prior to the County filing the Notice of Determination on the project. This fee plus the \$50.00 filing fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,181.25 is forwarded to the State Department of Fish and Wildlife and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

SUPPORT INFORMATION

Conditions of Approval Findings

Exhibit A.....	Location Map
Exhibit B.....	Assessor's Parcel Map
Exhibit C-1.....	General Land Use Designations Map
Exhibit C-2.....	El Dorado Hills Community Region Map
Exhibit D.....	Zoning Designations Map
Exhibit E.....	Tentative Map; August 2014
Exhibit F.....	Preliminary Grading and Drainage Plan, and Tree Preservation Plan; July 2014
Exhibit G.....	Fence Exhibit; August 2014
Exhibit H.....	Zoning Map (rezone); August 2014
Exhibit I.....	Preliminary Onsite/Offsite Sewer Exhibit; July 2014
Exhibit J.....	Slope Map; July 2014
Exhibit K.....	Malcolm Dixon Area Traffic Circulation Plan Exhibit X; October 2008
Exhibit L.....	El Dorado Hills Community Service District Letter; May 30, 2014 (three pages)
Exhibit M.....	El Dorado Hills Area Planning Advisory Committee Letter; June 13, 2014 (two pages)
Exhibits N-1 to N-4.....	Site Visit Photos
Exhibit O.....	Aerial Photo of Project Site
Exhibit P.....	Proposed Mitigated Negative Declaration and Initial Study