

FINDINGS

Rezone Z14-0004/Tentative Map Revision TM08-1482-R/Cameron Woods Unit No. 9 Planning Commission/November 13, 2014

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 pursuant to *Section 66472.1* of the *California Government Code*:

1.0 CEQA FINDINGS

- 1.1 A Mitigated Negative Declaration was adopted for the original Cameron Woods Unit No.9 tentative map based on an Initial Study (Exhibit O). The environmental document analyzed impacts to resources including Biological Resources and Transportation/Traffic with application specific mitigation measures incorporated as project conditions of approval. In accordance with California Environmental Quality Act (CEQA) Section 21166 (Limitation: Subsequent or Supplemental environmental impact report), the revised tentative map is substantially consistent with the original tentative map, but would reduce development impacts, and decrease previously identified environmental effects. Therefore, the previously adopted Mitigated Negative Declaration is an adequate environmental analysis for this revised tentative map. No further environmental analysis is necessary.
- 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 Development Services Department- Planning Services 2850 Fairlane Court Placerville, CA 95667.
- 1.3 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 project description and conditions of approval, which include the original mitigation measures, 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

Land Use Element General Plan Policy 2.2.5.2 requires all discretionary projects to be reviewed for consistency with applicable General Plan Policies. The project has been reviewed for consistency with the following applicable General Plan Policies supported by a corresponding justification statement.

2.1 Use Element – General Plan Policy 2.1.1.7 (Applicable General Plan Policies and Timing of Development within Community Region)

Cameron Woods Unit No.9 is within the Community Region of Cameron Park where public infrastructures such roads and utility exists. The project would construct and/or extend on-site infrastructures necessary to serve the proposed development.

2.2 Land Use Element- General Plan Policies 2.2.1.2, 2.2.1.3, 2.2.5.19 (Land Use Designation and Density)

The project site is designated as High Density Residential (HDR). Cameron Woods Unit No.9 development would result in a density 0.37 du/ac, which is below the HDR density range of 1-5 du/ace under this designation. However, policy 2.2.5.19 allows for this lower density to occur and determines the project to be consistent as the project would further promote and achieve other policies of the General Plan.

2.3 Land Use Element- General Plan Policy 2.2.5.3 (Rezone Consistency)

The project is currently within the El Dorado Irrigation District (EID) service area. Based on the Facility Improvement Letter (FIL) from EID (dated November 13, 2014), there is adequate amount of water and sewer capacity that would serve future development in the area, based on contractual commitment for acquisition of water and sewer connections, subject to verification during Final Map review. Existing EID facilities abutting the project site would be required to be improved and/or extended in order to serve the proposed development. Submittal of a Facility Plan Report (FPR) would be subject to review and approval by EID.

The project site is within the Rescue Union School District (RUSD) and El Dorado Union High School District (EDHUSD). The two elementary schools near the project site are Green Valley Elementary School and Rescue Union Elementary School. Based on RUSD's 0.338 student/lot ration, the proposed subdivision would generate a total of approximately nine elementary students which would be sufficiently accommodated by the District. Based on EDHUSD student generation factor of 0.177 student/lot, a total of four students would be generated by the subdivision which would be sufficiently accommodated by the District.

Cameron Park Fire Department provides fire and emergency service in Cameron Park. The nearest station is located at 2961 Alhambra Drive, approximately 0.5 mile west of the project site. The emergency response time is below the 8 minute standard response time required in the Community Region.

The primary soil composition is within the Rescue Series, which poses a moderate hazard for erosion hazard and medium potential for storm runoff. As part of project implementation, potential for erosion would be controlled through Best Management Practices. Based on the Improvement Plan, a grading plan would be required evaluating effects and methods in preventing erosion during construction in accordance with the Grading and Drainage Ordinance.

The site contains potential foraging habitat for raptor species with the existence of oak woodland canopy. Mitigation measure would be incorporated that would prevent impact to these species prior to site construction. The study determined that no rare plants are located

on the project site. As required by the County Code, the project would be required to pay the Rare Plant Mitigation Fee for each of the proposed lots.

2.4 Land Use Element- General Plan Policy 2.2.5.4 (Application of Planned Development)

The proposed project is consistent with the exemption under this policy and does not require a Planned Development. However, to prevent bifurcation, future development application(s) to further subdivide the approved lots would be evaluated cumulatively for consistency with Planned Development policies in the General Plan under Objective 2.2.3 (Planned Development).

2.5 Land Use Element- General Plan Policy 2.2.5.21 (Project Compatibility)

Cameron Woods Unit No.9 is within an area compatible with existing and planned residential uses and density.

2.6 Circulation and Transportation Element- General Plan Policies TC-Xe, TC-Xf, TC-Xg, TC-Xh (Levels of Service and Concurrency)

The proposed development would be accessed by extension and improvement to existing road infrastructure currently serving the immediate residential neighborhood. As determined by the Transportation Division, given the amount of lots and construction of subdivision roads, the proposed development would not worsen the existing LOS in the area. As conditioned, payment of standard traffic impact mitigation (TIM) fees shall be required prior to issuance of the residential building permits.

2.7 Public Services and Utility Element- General Plan Policies 5.1.2.1, 5.1.2.2, 5.1.2.3, 5.2.1.3 (Adequacy of Public Utility for Water and Sewer Services)

The proposed development is within the El Dorado Irrigation District (EID) service area where public water and sewer utilities currently exist. The development would be required to improve and connect to these infrastructures in order to obtain the service. A Facility Plan Report (FPR), which details the necessary facility improvements, would be required subject to review and approval by EID. An EID meter award letter would be required as proof of rights to service prior to filing of the Final Map.

2.8 Public Services and Utility Element- General Plan Policies 5.4.1.1, 5.4.1.2 (Drainage and Erosion)

The subdivision is designed to address storm drainage using open ditch and underground pipes, subject to DISM standards. Best Management Practices shall be enforced in order to minimize erosion effects during site construction. On-site wetland would be buffered from development in accordance to General Policy 7.3.3.4.

2.9 Health and Safety Element-General Plan Policies 6.2.3.1 and 6.2.3.2 (Fire Protection Services)

The project is located within the Cameron Park Community Region, where fire protection service is provided by Cameron Park Fire Department. This site is designated as moderate in terms of fire hazard. Specific project conditions of approval, including minimum fire suppression and road standards, shall be applied, subject to verification by the department prior to any construction. Site development shall be required to implement and adhere to specific provisions identified in the approved Wildfire Safe Plan.

2.10 Conservation and Open Space Element –General Plan Policy 7.3.3.4 (Wetland Buffer)

This policy and its Interim Interpretive Guideline require a minimum 50-foot development setback to the intermittent wetland. Two wetland areas exist on the southeastern of the project site. The project proposes a minimum of 5-foot wetland setback to the proposed driveway widening. This setback would adequately prevent any disturbance to the function and value of the wetlands. Additionally, implementation of applicable Storm Water Pollution Prevention Program (SWPPP) and Best Management Practices (BMP) measures (incorporated as project conditions of approval) would further protect these wetlands. This feature has been incorporated as part of the Lot 26.

2.11 Conservation and Open Space Element – General Plan Policy 7.4.4.4 (Option A- Oak Tree Canopy Retention and Replacement)

The revised tentative map would have impacts to oak canopy consistent with General Plan Policy 7.4.4.4 Option A and the Interim Interpretive Guideline. A total of 2.47 acres of the 22.49 acre of canopy would be removed as part of the project and a total of 3.07 acres of replacement canopy shall be replanted within areas of Lot 26. This will be applied as a condition of approval for the project.

3.0 ZONING CONSISTENCY FINDING

The proposed rezone to R1-AA is consistent with the General Plan. The proposed Zone Change to One-family Residential (R1) will be consistent within the (HDR) land use designation. The proposed zone change to Professional Office Commercial-Design Control (CPO-DC) will be consistent with in the (C) land use designation. All future development of the proposed commercial lots will be reviewed for consistency with the General Plan either through the building permit process or during the Design Review process for the commercial parcels.

4.0 TENTATIVE MAP CONSISTENCY FINDINGS

4.1 The proposed tentative map, including design and improvements, is consistent with the General Plan policies and land use map.

The proposed Tentative Map will create a total 26 single-family residential lots which will be consistent with the density requirements of the High Density Residential (HDR) land use designation of the General Plan. The proposed commercial parcels will be consistent within the Commercial land use designation. The project will require road and infrastructure improvements consistent with the requirements of the General Plan.

The project will be consistent with applicable General Plan policies regarding Oak Canopy, Rare Plants, Slope, Riparian Habitat, Traffic and Circulation, and Public Utilities. Mitigation Measures have been included which will require pre-construction surveys to ensure impacts to biological resources will be avoided or reduced to less than significant. Riparian areas impacted as part of the off-site road improvements will require state and federal permits to reduce potential impacts during project construction.

4.2 The design or improvements of the proposed division are consistent with the General Plan.

The project will construct road improvements consistent with the County Design Manual and the Fire Safe Regulations. The project will connect to public water and sewer services in the project area which have adequate capacity to serve the project.

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

The project site is relatively flat and is suitable for residential and commercial development. Infrastructures including roads and utilities will be constructed to serve the development, compatible with the existing neighborhood. Oak canopy proposed to be preserved or replaced are consistent with the General Plan and wetlands will be avoided.

4.4 The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitats.

The revised tentative map is in substantial conformance with the previously approved tentative map but has lesser impacts incorporated in subdivision design. Therefore, the previously adopted Mitigated Negative Declaration and Initial Study sufficiently analyze and mitigates for the identified project impacts.

4.5 The design of the subdivision or the improvements are suitable to allow for compliance with the requirements of Section 4291 of the Public Resource Code (Section 4291 establishes criteria for fire and fuel breaks around buildings).

The project has been designed to comply with the requirements of the County Design Manual and the Fire Safe Regulations. The Cameron Park Fire Department has required Conditions

of Approval to require a fire safe plan and construction of roadways to Fire Safe Regulation standards.

4.6 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 division.

The project will construct through roads which will connect to existing roadways in the Cameron Park Area. The proposed improvements will not conflict with existing access in the area. The project will provide the ability for existing and future developments in the area to connect to the proposed roadways and utilities services.

5.0 DESIGN WAIVER FINDINGS

5.1 The Design Waivers requested are subject to specific findings under Section 16.08.020 of the El Dorado County Zoning Ordinance described below.

Design Waiver Request: Allow proposed Lots 23 and 24 to exceed the 3:1 depth to width ratio in accordance with the El Dorado County Design and Improvement Standards Manual (DISM).

- A. There are special conditions or circumstances peculiar to the property proposed to be subdivided which would justify the waiver.
- B. Strict application of the design or improvement requirements of this chapter would cause extraordinary and unnecessary hardship in developing the property.
- C. The waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.
- D. The waiver would not have the effect of nullifying the objectives of this Article or any other law or ordinance applicable to the subdivision.

Response to Required Findings:

- A. In order to achieve a subdivision design that avoids wetland, maintain usable lot, and match existing road design, a waiver of the lot ratio standard is needed for Lots 23 and 24.
- B. Strict application of the design requirements of this chapter would cause extraordinary and unnecessary hardship in developing the property which, if the requested waiver is denied, would result in unnecessary impact to wetlands, incompatible road design, and constrained lot development.
- C. The waiver would not be injurious to adjacent properties or detrimental to the health, safety, and welfare of the public but would maintain conformance to the design of the existing residential development.

- D. Granting of this waiver would not nullify the objectives or other applicable law and ordinance but would further the objectives in creating a subdivision that is compatible with the existing neighborhood, would be built in conformance to County standards, and would maintain consistency with the applicable policies of the General Plan.