

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
DIVISION**

**PLANNING COMMISSION
STAFF REPORT**



Agenda of: March 9, 2017

Staff: Mel Pabalinas

**GENERAL PLAN AMENDMENT/REZONE/PLANNED
DEVELOPMENT/TENTATIVE SUBDIVISION MAP**

FILE NUMBERS: A15-0001/Z12-0010/PD12-0002/TM12-1510/Piedmont Oak Estates, Phase 1

APPLICANTS: Jim Davies and Terri Chang

REQUEST: The project consists of the following requests:

1) General Plan Amendment amending the land use designation of 0.64-acre portion of APN 051-550-58 from Commercial (C) to High Density Residential (HDR);

2) Rezone portions of:

APN 051-550-58: Approximately 4.86 acres of Single Unit Residential-Planned Development District (R1-PD) to Open Space-Planned Development (OS-PD); and approximately 0.44 acre of Commercial-Planned Development (CC-PD) to Open Space-Planned Development (OS-PD);

APN 051-550-40: Approximately 1.35 acres of Single Unit Residential-Planned Development (R1-PD) to Open Space-Planned Development (OS-PD);

APN 051-550-48: Approximately 0.57 acre of Single Unit Residential-Planned Development (R1-PD) to Open Space-Planned Development (OS-PD); and

APN 051-550-51: Approximately 1.04 acres of Single Unit Residential-Planned Development (R1-PD) to Open Space-Planned Development (OS-PD);

3) Tentative Subdivision Map (Phase 1 only) consisting of 85 residential lots, one lift station lot, one public road lot, 12 private driveway access lots, and five open space lots. The Tentative Map includes the following two Design Waivers:

A) Reduce the standard sidewalk width from 6 feet minimum to 4 feet minimum; and

- B) Remove approximately 900 feet of sidewalk from one side of “A” Street Tentative Map point, through the open space parcel (shown on the tentative map as between point A-3 to point A-4); and
- 4) Development Plan for Piedmont Oak Estates to include 8.21 acres of open space areas (30% of the entire site) and modifications to Single-Unit Residential Zone (R1) District minimum standards for lot size, lot widths, yard setbacks, and maximum building coverage. Ten percent of the proposed residential units shall be reserved as affordable housing.

LOCATION: The project site is located at the northeast corner area of State Highway 49 (Diamond Road) and Black Rice Road, approximately 0.75 miles along State Highway 49 (Diamond Road) from its northerly intersection with Pleasant Valley Road, in Diamond Springs area, Supervisorial District 3 (Exhibit A).

APNs: 051-550-40, -58, -48, -51 (Exhibit B)

ACREAGE: 25.86 acres

GENERAL PLAN: High Density Residential (HDR)/Commercial (C) (Exhibit C)

ZONING: Professional Office-Commercial-Planned Development (CPO-PD)/Single-Unit Residential-Planned Development (R1-PD) District (Exhibit D)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

RECOMMENDATION: Staff recommends the Planning Commission recommend the Board of Supervisors take the following actions:

1. Adopt the Mitigated Negative Declaration based on the Revised Initial Study prepared by staff;
2. Adopt the Mitigation Monitoring Reporting Program in accordance with California Environmental Quality Act Guidelines Section 15074(d), incorporated as Conditions of Approval;
3. Approve General Plan Amendment A15-0001 based on the Findings as presented;
4. Approve Rezone Z12-0010 based on the Findings as presented;
5. Approve Development Plan for Piedmont Oak Estates Tentative Subdivision Map under Planned Development Permit PD12-0002 as the official Development Plan for the subdivision based on the Findings and subject to the Conditions of Approval as presented;
6. Approve Piedmont Oak Estates Tentative Subdivision Map TM12-1510 based on the Findings and subject to the Conditions of Approval as presented; and
7. Approve the following Design Waivers based on the El Dorado County Design and Improvement Standards Manual (DISM):
 - A. Reduce the standard sidewalk width from 6 feet minimum to 4 feet minimum; and

- B. Remove approximately 900 feet of sidewalk from one side of “A” Street Tentative Map point, through the open space parcel (shown on tentative map as between point A-3 to point A-4).

EXECUTIVE SUMMARY

Piedmont Oak Estates is a residential development within the Diamond Springs area of El Dorado County. The proposed subdivision and development plan features both standard detached single family lots and clustered single-family residential lots with a large portion of the site reserved as open space. The project conforms to the General Plan, Zoning Ordinance, and Subdivision Ordinance.

BACKGROUND

The application for Piedmont Oak Estates was officially filed on September 11, 2012, and deemed complete for processing on March 13, 2013 Based on this Completeness determination, and in accordance with Subdivision Map Act Section 66474.2, the project vests regulations that were existing at that time and any new regulations after this date, including provisions from the updated Zoning Ordinance (effective as January 15, 2016) and revised General Plan Transportation and Circulation Element Policies resulting from the voter-initiated Measure E (effective July 29, 2016), would not apply to the project. Though the application includes a General Plan Amendment and Rezone, these requests are limited to modifications to the land use and zone map necessary to facilitate the configuration of the project and would not intensify the potential development of the site.

The project was previously considered by the Planning Commission on January 14, 2016. That version of the project consisted of a two-phase tentative subdivision map with 104 residential lots, six open space lots, and two commercial lots. Phase 1 of the development, which includes 82 residential lots (62 clustered and 20 detached lots), six open space lots, and one commercial lot, (Exhibit E). The Planning Commission discussed issues including land use incompatibility with surrounding uses, traffic, and location of smaller proposed residential lots adjacent to existing residential lots surrounding the project site. The Commission continued the item off-calendar with a recommendation to address the identified issues.

A revised version of the map was submitted in March 2016. The map changes include the removal of Commercial Lot 2 in Phase 2, relocation of some of the clustered residential lots, and increased the total residential lot count to 107 consisting of 85 residential lots in Phase 1 and 22 lots in Phase 2. The revised map is supported by a supplement to project technical studies including a Biological Resource Evaluation, Noise Study, and a Traffic Impact Study. The supplemental reports are consistent with the General Plan and support the environmental analysis of the project.

ANALYSIS

Site Description

The vacant project site is located in the Community Region of Diamond Springs. Elevation of the site ranges from 1,735 to 1,835 feet above sea level. The topography of the site consists of gentle to moderately steep slopes of varying aspect with approximately 24.27 acres (94 percent) of the site situated below 30% slope gradient (Exhibit F). The site has a natural drainage that generally flows from the south through the property to the north into Weber Creek. The site does not contain wetlands but has a total of 0.016 acres of ephemeral drainage channels. A total of 8.21 acres of oak canopy, which equates to 30 percent, encompass the site.

Exhibit G shows the project site, the surrounding existing residential and non-residential development and the current land use and zoning designations.

The project would improve an existing disturbed dirt path as a secondary access through an adjacent property (APN 051-461-54) to the south.

Project Characteristics

The following analysis of the proposed Piedmont Oak Estates development describes a Phase 1 (85 lots) and a Phase 2 (22 lots). Phase 2 of the Tentative Map cannot be considered for approval at this time because it is inconsistent with General Plan oak tree Policy 7.4.4.4. However, Phase 2 is integral to the development plan and is described for analysis and CEQA purposes. All referenced exhibits depict the entire development but only Phase 1 would be entitled under these applications. Phase 2, which consists of the remaining 22 custom residential lots and one commercial lot, would be processed and analyzed under a separate tentative map and planned development applications.

Tentative Subdivision Map and Design: Phase 1 of the development, which encompasses 21.24 of the 25.86-acre project site, consists of 21 detached single-family residential lots and 64 clustered lots. The larger detached lots range in size from 4,746 square feet to 12,565 square feet, while the smaller clustered lots (a total of 12 groups identified as Lot R-1 through R-12) range in size from 2,108 square feet to 4,480 square feet in gross lot size. These lots are predominantly located on the eastern portion of the project site where topography is relatively flat. Some of the clustered residential lots previously located along the northern perimeter were an issue discussed at the Planning Commission in January 2016 and have been relocated to be near the center of the subdivision in a commercially-designated area, which would be replaced with a residential designation through the General Plan Amendment and Rezone. (Exhibit H)

Construction of the clustered units and some of the detached lots would require modified R1 development standards. These modifications, which include reductions in minimum lot size, lot coverage, and setbacks to the property line, are consistent with the objectives of the Planned Development involving the allowance of innovative project layout and product design, avoidance of areas constrained by topography and natural resources, and preservation of open space areas. As conditioned, at least 10% of the total units would be

reserved for affordable housing units. Phase 1 residential density is 4.00 dwelling units/acre consistent with the density range of one to five dwelling units/acre under the High Density Residential land use designation.

The subdivision also includes five open space lots (designated as Lots A and E) totaling 8.21 acres, which equates to 39 percent of the Phase 1 project area (32 percent of entire project area), in excess of the minimum 30 percent required for residential Planned Development. Created as part of Phase 1, the large open space lots (Lots A-C) would provide a natural buffer for the subdivision from the existing surrounding uses, preserved ephemeral drainage channels, and reserve area for a detention pond. The smaller open space lots (Lots D and E) are located within the clustered residential development area providing buffering, landscaping, and, potentially, playground structures.

No park land would be dedicated as part of the project; however, in accordance with the Subdivision Ordinance Section 120.12.090, the project shall be conditioned to pay the required park in-lieu fee based on the required parkland area estimated at 0.87 acres. Payment of the fees shall be remitted prior to the filing of the Final Map.

Oak canopy impacts within Phase 1 have been designed consistent with the oak tree canopy retention and replacement standards under General Plan Policy 7.4.4.4 Option A (Oak Canopy Retention and Replacement). As detailed in Exhibit L-Attachment 13, development of Phase 1 would result in the removal of 1.15 acres of the existing 8.21-acre oak canopy consistent with the policy while retaining 86% of the existing canopy. The canopy removed would be commensurately replaced through on-site replanting within designated areas of the Open Space and along the secondary road access, in accordance with the policy replacement standards.

Access and Circulation: Interior road system serving the subdivision would originate from State Highway 49 (Exhibit I). The proposed road (identified as Road A through C) would be constructed in its entirety as part of Phase 1. A portion of Road A fronting Commercial Lot 1 would be public, while the balance of the interior roads would be privately owned and maintained by the future Homeowner's Association of the residential development. Road access into the residential subdivision beginning at the easterly end of Commercial Lot 1 may be gated, subject to applicable regulatory design and construction standards.

All lots have been designed to have direct or indirect access off these interior roads. Commercial Lot 1 and the single-family detached lots would have direct driveway connection off Road A while most of the clustered lots would be indirectly accessed via a private common driveway. Subject to Design Waivers, four-foot wide sidewalks would be constructed along one side of the entire road. A detailed discussion of the design waivers and supporting narrative are discussed under *Findings*.

The project would improve an existing dirt path located at the end of the cul-de-sac at the terminus of Road A serving Lots 29-33. This off-site road, which would be improved as a secondary road access with a 20-foot wide pavement with 1-foot wide shoulders, is within APN 051-461-54. The secondary road access would proceed southerly and intersect with Black Rice Road, and connect to State Highway 49 to the west. As the westerly portion of Black Rice Road is private, the project is conditioned to obtain an agreement with the

underlying owners of the road prior to construction of the improvements including widening and road paving.

The project contributes to the worsening of Level of Service (LOS) operation at two intersections in the vicinity of the project. To reduce the effect of these impacts application of Condition of Approval Nos. 13 and 14 imposed on the project would require the coordinated construction of a traffic signal at Missouri Flat Road/China Garden Road and Pleasant Valley Road/Racquet Way intersections. Payment of standard Traffic Impact Mitigation (TIM) fees, which contributes to the funding of the County's capital improvement and traffic impact programs, shall be required prior to issuance of residential building permit.

Site Improvements and Utilities: Class I subdivision improvements for Piedmont Oak Estates shall be installed in accordance with applicable County and other agency standards. Prior to recordation of the Phase 1 subdivision, all construction features including cut and fill to establish necessary residential pads, construction of encroachment and road network, and installation of underground wet and dry utility lines (e.g., power, phone/cable, water, sewer, storm drains and fire hydrant system) shall be performed. Earthwork activity, which is estimated to encompass around 48,000 cubic yards of groundwork, is anticipated to be balanced for both development phases (Exhibit J).

Water: The subdivision would receive public water and sewer services provided through the extension and construction of existing infrastructures in the area operated and maintained by El Dorado Irrigation District (EID) (Exhibit K and K.1). The subdivision proposes to connect to an existing 6-inch water line located on Highway 49 from which an 8-inch water line would be constructed along Road A-C. The new waterline would extend throughout the subdivision and connect to the existing 8-inch waterline along Black Rice Road. The new waterline would provide for both potable and fire hydrant water services. The Facilities Improvement Letter (FIL) issued for the project states that a total of 2,000 EDUs of water supply is available in EID's Western/Region Water Supply Region and that the project requires a minimum total of 108 equivalent dwelling units (EDU) of water service. Acquisition of water service shall be verified prior to Final Map recordation with the submittal of EID meter award letter.

Sewer: The subdivision would be served by a proposed on-site sewer system that would be connected to and supported by an existing off-site lift station currently serving a residential development (Courtside Manor) located south of the project site along Black Rice Road (Exhibit K). A 4-inch forced main sewer line would originate from the lift station along the secondary access, northerly into the subdivision. Given the varying topography of the site, the on-site sewer system would be supported by one new on-site lift station for the conveyance of sewage. This station would be sited on a portion of Open Space Lot C, adjacent to residential Lot 12.

The existing Courtside Manor lift station was originally constructed as a temporary EID facility and may have limited operational capacity to serve the proposed development. EID has future plans to replace this lift station with a new regional lift station when the proposed development is implemented. Detailed design of the sewer system would be further analyzed in the Facility Plan Report (FPR) for the project, which would determine

if an upgrade to the Courtside Manor lift station would be needed, or if a new regional lift station would be required to serve the project and the surrounding development. One potential location of this off-site lift station is a property east of the project site identified as APN 051-550-53.

As part of development phasing and prior to approval of Improvement Plans for the development, the applicant shall be required to obtain approval of the FPR from EID. If EID determines that an off-site lift station is needed, the potential environmental impacts associated the construction and operation of this facility would be analyzed in a separate environmental analysis by EID. Acquisition of sewer service shall be verified prior to Final Map recordation with the submittal of EID meter award letter.

Drainage: The subdivision would be served by a network of a drainage system that utilizes the natural topographical and drainage features of the project site (Exhibit J). Storm runoff would drain into 12 to 18” underground storm drain lines along the road that further conveys runoff into the proposed detention pond within Open Space Lot C and existing drainage swales adjacent the project site into the Weber Creek to the north.

Phase 2 Development: With the anticipated construction of the subdivision backbone infrastructure (e.g. road, sewer, and water) in Phase 1, Phase 2 of Piedmont Oak Estates could develop the balance of 22 detached single family residential lots and one commercial lot within the remaining 4.62 acres of the project area (Exhibits I, I.1, J and K). This phase is anticipated to remove approximately 2.51 acres of the canopy. Given the inconsistency with the oak canopy retention policy, only Phase 1 is being considered under this application. To implement Phase 2, a separate tentative map and planned development application would be required for the analysis of this phase.

General Plan: The project is consistent with the applicable policies of the General Plan. The project is located is within Community Region of Diamond Springs where this type of development and density is anticipated to occur. With the General Plan Amendment and Rezone, the configuration of the project would be established and the density and intensity of the development would be consistent with High Density Residential designation.

The project meets the requirements of a Planned Development highlighted by the preservation of over 30% of the site as open space and on-site natural resources. The project would be compatible with the existing residential development in the area and would utilize existing public utility services and infrastructures. Natural resources, including oak canopy and ephemeral drainage areas, shall be preserved as part of residential development design.

Affordable Housing: As offered by the applicant and conditioned of the project, at least 10% of the residential units shall be designated as affordable housing for families of moderate to low income, which is defined as households earning 50 to 120 percent of the median family income as established in the county. Prior to Final Map approval, an Affordable Housing Plan, which specifies the financing arrangements, monitoring program, and the specific lots to be deed restricted as affordable housing, shall be established subject to review and approval by the County.

Traffic and Circulation Element Policies

The Piedmont Oak Estates Tentative Subdivision Map application was deemed Complete for processing on March 15, 2013 prior to the effective date of Measure E (July 29, 2016). Pursuant to the Subdivision Map Act Section 66474.2, the project is only subject to the rules and regulations in effect at that time. Although Measure E does not apply, the project is required to comply with the General Plan policies in effect at that time. The following is a summary of how the project complies with the applicable Transportation Policies of the General Plan. A more detailed narrative of the applicable Transportation and Circulation policies are included in the *Findings* section of the staff report.

General Plan Policies TC-Xa.1 to 3 and TC-Xf (Development of Projects of Five Parcels or more): Piedmont Oaks Estates Phase 1 would result in the creation of 85 residential lots. As analyzed, the project, under Existing Plus Approved Project (2019 Plus Project) Scenario, is anticipated to worsen the Level of Service (LOS) at two intersections: Pleasant Valley Road/Racquet Way and Missouri Flat Road/China Garden Road.

Mitigation Measure Trans-1, which requires the installation of a traffic signal at Pleasant Valley Road/Racquet Way intersection, has been identified as the appropriate mitigation to reduce the impact to less than significant. This measure, incorporated as Condition of Approval No. 13, identifies the appropriate timing and requirement for supplemental traffic analysis verifying the need of the improvement submitted at each Final Map for the subdivision.

Mitigation Measure Trans-2, incorporated as Condition of Approval No. 14, has been identified as an appropriate mitigation measure improvement requiring either: construction of a traffic signal at the intersection, or; a raised median restricting left turn from China Garden Road into Missouri Flat Road. Implementation of this condition is dependent on the coordinated timing of improvements required for approved projects in the area including the Phase 1B of the County's Diamond Springs Parkway project (CIP Project No. 72334) and/or construction of a traffic signal at the intersection of Missouri Flat Road/Industrial Road required for the approved El Dorado County's Sheriff Facility. Payment of Traffic Impact Mitigation (TIM) fees shall be applied which mitigates the project cumulative impacts. Construction of the Diamond Springs Parkway, Phase 1B project is currently programmed to start in Fiscal Year 2019/20.

The project has been identified to have cumulative impacts at the US 50 Ramps/Missouri Flat Road. In accordance with General Plan Policy TC-Xb, the County will annually monitor the Traffic and LOS at these intersections and update the County's CIP and TIM Fee programs as necessary. The cumulative analysis includes planned roadway improvements, growth consistent with the 2004 General Plan, and with approved and reasonably foreseeable projects within the study area. This is found to be an impact in the cumulative scenario without the project for the Missouri Flat Road/WB US 50 Ramps, which includes other foreseeable but unapproved projects. Therefore, the project is responsible for its proportional share of the proposed mitigation under cumulative conditions. Since the impact is identified under the cumulative scenario, the timing of the improvement is a function of the rate of population and employment growth. The County's traffic impact mitigation fee program provides a mechanism for collecting fair share

contributions for improvements in the 2015 CIP. Additionally, the County's Missouri Flat Area Master Circulation and Funding Plan (MC&FP) Phase 2 is currently planned to evaluate the ultimate configuration of the US 50 Interchange at Missouri Flat Road. The ultimate configuration project will be incorporated into the County's CIP and TIM Fee programs as necessary. Payment of Traffic Impact Mitigation fee based on the project's fair share of the improvement remitted prior to issuance of a building permit has been identified as sufficient mitigation of the impact.

Policy TC-Xg: A Traffic Impact Analysis has been performed analyzing the project's potential traffic and circulation impacts. Impacts identified shall be mitigated to a less than significant level and the requirement for payment of Traffic Impact Mitigation fee.

Zoning: The project would be consistent with the Single Unit Residential (R1) Zone District of the Zoning Ordinance. As a Planned Development, the modified development standards for Piedmont Oak Estates have been verified to be necessary for the implementation of the project and achieve the objectives of the Planned Development including resource preservation, design flexibility, and reservation of open space area.

Subdivision Ordinance: The tentative subdivision map conforms to the applicable policies of the General Plan involving density, neighborhood compatibility, resource protection, and suitability. The design of the subdivision is suitable for the site and public infrastructure that would serve the development is already in place. With the exception of the two requested Design Waivers, the project shall be required to implement applicable standards of the Design and Improvement Standards Manual (DISM) and specific conditions of approval to ensure public health, safety, and welfare, and minimize effects to resources on the site. Conditions of approval are recommended to ensure the orderly and safe implementation of the project.

As discussed in the *Findings*, staff concludes that the required findings can be made to support the proposed Piedmont Oak Estates subdivision.

Environmental Review

In accordance with the California Environmental Quality Act (CEQA), a revised Initial Study has been prepared to determine if the proposed project would have a significant effect on the environment (Exhibit L). Supporting technical studies, including Air Quality Analysis/Greenhouse Gas Analysis, Traffic Impact Analysis, Biological Resources Assessment, Geotechnical Engineering Study, Cultural Resources Inventory and Evaluation, and Environmental Noise Assessment, are referenced in this Initial Study. Based on the Initial Study, a Mitigated Negative Declaration has been prepared as specific impacts on Air Quality, Biological Resources, and Traffic/Circulation have been identified requiring mitigation measures to reduce the effects to a less than significant level. These measures would be implemented and enforced through the Mitigation Monitoring Reporting Program (MMRP), in accordance with CEQA Guideline Section 15074(d). These measures are included as project conditions of approval.

Note: This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and

endangered plants or animals, etc.). In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$2,216.25 after approval, but prior to the County filing the Notice of Determination on the project. This fee plus a \$50.00 administration fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,216.25 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

Attachments to Staff Report:

- Findings
- Conditions of Approval

- Exhibit A.....Location Map
- Exhibit B.....Assessor's Parcel Map
- Exhibit C.....General Plan Map
- Exhibit D.....Zoning Map
- Exhibit E.....Previous Version of Piedmont Oak Estates
Tentative Map; February 2013
- Exhibit F.....Slope Map
- Exhibit G.....Aerial Map with Land Use Information
- Exhibit H.....Zoning and Land Use Exhibit
- Exhibit I.....Piedmont Oak Estates Tentative Map and
Development Plan; March 2016
- Exhibit I.1.....Piedmont Oak Estates Phasing Plan; March
2016
- Exhibit I.2.....Planned Development Modified Standards for
Residential Lots
- Exhibit J.....Piedmont Oak Estates Preliminary Grading
and Drainage Plan; March 2016
- Exhibit K.....Piedmont Oak Estates Preliminary Water and
Sewer Plan; March 2016
- Exhibit K.1.....Facilities Improvement Letter, Piedmont Oak
Estates-Extension; May 23, 2016
- Exhibit L.....Proposed Mitigated Negative Declaration and
Revised Initial Study