



## COUNTY OF EL DORADO PLANNING COMMISSION

Building C Hearing Room  
2850 Fairlane Court, Placerville, CA 95667  
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Phone: (530) 621-5355 Fax: (530) 642-0508

Rich Stewart, Chair, District 1  
Dave Pratt, First Vice-Chair, District 4  
Brian Shinault, Second Vice-Chair, District 5  
Gary Miller, District 2  
Tom Heflin, District 3

Char Tim ..... Clerk of the Planning Commission

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### MINUTES

**Regular Meeting**  
**January 14, 2016 – 8:30 A.M.**

#### CALL TO ORDER

Meeting was called to order at 8:30 a.m. Present: Commissioners Stewart, Miller, Heflin, Pratt, and Shinault; David Livingston-County Counsel; and Char Tim-Clerk of the Planning Commission.

#### ADOPTION OF AGENDA

Chair Stewart stated that since the applicant for agenda item #3 was requesting a continuance, he would like that item to be the first agenda item.

**Motion: Commissioner Heflin moved, seconded by Commissioner Pratt, and carried (5-0), to approve the agenda as amended.**

**AYES:** Miller, Shinault, Pratt, Heflin, Stewart  
**NOES:** None

#### PLEDGE OF ALLEGIANCE

**CONSENT CALENDAR** (All items on the Consent Calendar are to be approved by one motion unless a Commission member requests separate action on a specific item.)

**Motion: Commissioner Heflin moved, seconded by Commissioner Pratt, and carried (4-0), to approve the Consent Calendar.**

**AYES:** Miller, Pratt, Heflin, Stewart  
**NOES:** None  
**ABSTAIN:** Shinault

1. **15-1468** Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of December 10, 2015.

**This was Approved on Consent Calendar.**

**END OF CONSENT CALENDAR**

**DEPARTMENTAL REPORTS AND COMMUNICATIONS** – None  
(Development Services, Transportation, County Counsel)

**COMMISSIONERS' REPORTS**

Chair Stewart stated that Fire Station #84 was now open. It also appeared that the Silva Valley interchange was getting very close to completion.

**PUBLIC FORUM/PUBLIC COMMENT** – None

**AGENDA ITEMS**

2. **15-1409** Hearing to consider a request submitted by Dennis Smith appealing the approval of Design Review DR14-0005-S/Dollar General Georgetown to permit a new 9,000 square foot commercial building on property identified by Assessor's Parcel Numbers 061-362-01, 061-362-02, and 061-362-04. The property totals 1.2 acres and is located on the southeast side of Main Street between the intersections with Orleans Street and Harkness Street, in the Georgetown area; and staff recommending the Planning Commission 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 as presented; and
  - 3) Deny the appeal, thereby upholding the approval of Design Review DR14-0005-S by the Development Services Division Director on October 28, 2015, based on the Findings (Attachment C) and subject to the Conditions of Approval (Attachment D).(Supervisory District 4) (cont. 12/10/15, Item #3)

Commissioner Shinault stated that although he was absent when this item was first heard, he has reviewed the project and feels that he can participate in today's discussion.

Rob Peters stated that additional public comments have since been received since the last hearing, in addition to the applicant's response to comments, and, therefore, staff would like to recommend amending conditions of approval in regards to the proposed crosswalk on Orleans Street.

Commissioner Heflin disclosed that he had conducted a site visit and had met with both sides of the issue.

Sabrina Teller, applicant's agent, discussed the revised designs submitted for the Commission's consideration.

Chair Stewart inquired on the new maximum height and septic.

Leon Alevantis, nearby resident, made the following comments:

- They are the most affected by the project as they live directly across the street;
- Project will change the character and feel forever;
- Opposed project;
- Submitted letter summarizing their concerns;
- Thanked Commissioners Heflin and Stewart for listening to them and discussing their concerns;
- Community is opposed to project due to location and size;
- Independently, he worked with a local realtor to attempt to locate alternate locations for the project;
- Applicant has tried to make the project fit with the downtown area, but it is still larger than the current largest building, which is the post office; and
- If the project is approved, would like the placement of the building to be moved far from Main Street.

Tara Gauthier, resident across the street from project, made the following comments:

- Opposed project;
- Inappropriate location as it is a historic location;
- Building size is inconsistent with surrounding buildings;
- Opposed to moving the building closer to Main Street;
- Small box store is not a pedestrian-friendly store;
- Sidewalk doesn't connect with the sidewalk that is used for other businesses located further down; and
- Spoke on trash enclosure location.

Mary Louise Cann stated she lived a couple of blocks away from proposed site and the current traffic levels are already significant. She opposed the proposed location.

Will Collin made the following comments:

- Owner of the American River Inn for 33 years;
- Restored the 162 year old historic building and converted it to a Bed and Breakfast Inn with 14 guest rooms;
- He will be the most affected by the project and is opposed to it;
- Questioned the real need for this type of business in a historic district;
- Has 7 rooms that will look directly at this project site;
- Understood the need for tax base, but this project would destroy his business; and
- Spoke on noise and traffic.

Cheryl Langley distributed a handout to the Commission, spoke on septic systems, and opposed the project.

Sue Taylor made the following comments:

- Owner of the Hangman building in Placerville;
- Understood Mr. Collin's comments on the hard work required to restore an old historic building;
- Doesn't feel that box stores on a historic Main Street should be allowed;
- Applicant is being allowed to merge 3 lots which is why it is a large size building and, perhaps, the merge should not be allowed;
- Inquired what would happen if the box store went out of business;
- Wrong location for this project; and
- Commission should enforce that the look of the building match the surrounding area.

Jeff Worton, Worton's Market, made the following comments:

- Area is small and quiet;
- There is no compromise;
- Project doesn't fit the area;
- Spoke about the Main Street atmosphere;
- Spoke on creek located in area; and
- Spoke on traffic in regards to the logging trucks that travel the area.

Chair Stewart closed public comment.

Fred Sanford, Environmental Management Division, made the following comments:

- Spoke on septic regulations and policies;
- Spoke on the details for this project;
- Confirmed that State law is not being violated;
- Spoke on the type of system that will be used for this project; and
- Spoke on the setbacks for seasonal creeks.

Ms. Teller made the following rebuttal comments:

- Spoke on the new maximum height;
- Respected the public's views that oppose the project, but the County zoned that area as Commercial; and
- Spoke on the water use for the project.

Commissioner Heflin requested a discussion on the "substantial conformity" to historic guidelines as stated on page 4 of the Staff Report.

Commissioner Pratt made the following comments:

- Understood the difference between "shall" and "should";
- Researched other areas where Dollar General stores have been approved or denied;

- Stands by his comments from the last hearing;
- This is a superior design compared to other Dollar General stores he has been in;
- The size of the building is too big for this parcel and encouraged the applicant to find another location; and
- His opinion has not changed from the last hearing.

Commissioner Shinault made the following comments:

- The general design and project are good;
- The design needs to be orientated to Main Street;
- Considers the project being right up to Main Street because the parking lot asphalt extends to the street;
- Buffer is needed to Main Street;
- Loading dock needs to be re-located;
- Not happy with the site plan; and
- Arches do make it look like 3 different structures tied together.

Commissioner Miller made the following comments:

- It would not be the only business in town that has trash enclosures in the front;
- Thinks it will look fine;
- Inquired what types of businesses would locate into the 3 separate vacant lots that would be viable; and
- Likes project.

Commissioner Heflin made the following comments:

- Hasn't changed his opinion from the last hearing;
- Project is out of character for the historic downtown area of Georgetown;
- Project doesn't fit as it is too big; and
- Doesn't want this to be a "pink elephant".

Chair Stewart made the following comments:

- Applicant has made strides to resolve the concerns;
- No issue with the height or the trash enclosure being located in the front;
- Sign doesn't seem consistent and looks out of place;
- Project is consistent with zoning;
- Understood the issue of the building location on the site; and
- Could see some more tweaks architecturally.

Commissioner Miller made a motion and prior to a second, Mr. Peters read into the record recommended actions that included revised exhibits, a new exhibit (P), amended Conditions of Approval and a new Condition (#50).

Commissioner Shinault indicated that he would prefer to see an alternate design oriented more to Main Street, with the roofs of the two corners being more consistent with Main Street.

County Counsel David Livingston stated that there was a motion on the table that needed to be addressed and provided other options for the Commission to consider once that procedural option was handled.

There was no further discussion.

**Motion #1**

**Motion: Commissioner Miller moved, seconded by Commissioner Stewart, and failed (2-3), to 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 as presented; and 3) Deny the appeal, thereby upholding the approval of Design Review DR14-0005-S by the Development Services Division Director on October 28, 2015, based on the Findings and subject to the Conditions of Approval as amended: (a) Amendments, as identified, to the building and crosswalk. MOTION FAILED.**

**AYES: Miller, Stewart**  
**NOES: Heflin, Pratt, Shinault**

Commissioner Shinault stated the design was very close but the applicant needed to come back with some small revisions.

Chair Stewart asked the applicant's agent if they would prefer a continuance off-calendar or have an action taken today with the option to appeal to the Board of Supervisors.

Ms. Teller indicated their preference would be to continue to a date certain meeting and requested the February 25, 2016 meeting.

**Motion #2**

**Motion: Commissioner Shinault moved, seconded by Commissioner Miller, and carried (3-2), to continue the item to the February 25, 2016 meeting.**

**AYES: Miller, Shinault, Stewart**  
**NOES: Heflin, Pratt**

*[Clerk's Note: Agenda item #3 was moved to the beginning of the agenda, as amended in the approval of the agenda.]*

**3. 15-1469** Hearing to consider the Westmont Living Assisted Living-Memory Care Facility project [Special Use Permit S14-0010]\*\* to allow a two-story 120,213 square foot residential care facility to be built in two phases, with a total of 134 units, on property identified by Assessor's Parcel Number 117-580-17, consisting of 4.072 acres, located in the El Dorado Hills area, submitted by Lennar Homes; and staff recommending the Planning Commission take the following actions:

- 1) Find the project is exempt from CEQA pursuant to State CEQA Guidelines Section 15182; and
- 2) Conditionally approve Special Use Permit S14-0010 based on the Findings and subject to the Conditions of Approval as presented.  
(Supervisory District 2)

Aaron Mount stated that there had been a last minute issue regarding the CEQA exemption and the applicant was requesting a continuance to the next meeting.

Don Barnett, applicant's agent, requested a continuance to the January 28, 2016 meeting.

Chair Stewart closed public comment on the continuance request.

There was no further discussion.

**Motion: Commissioner Heflin moved, seconded by Commissioner Shinault, and carried (5-0), to continue the item to the January 28, 2016 meeting.**

**AYES: Miller, Pratt, Shinault, Heflin, Stewart**  
**NOES: None**

**4. 15-1470** Hearing to consider the Piedmont Oak Estates Phase 1 project [General Plan Amendment A15-0001/Rezone Z12-0010/Planned Development PD12-0002/Tentative Subdivision Map TM12-1510]\* to request the following: 1) Amend the land use designations within Assessor's Parcel Number 051-550-47; 2) Rezone request; 3) Tentative Subdivision Map creating a Class I subdivision consisting of 62 clustered residential lots, 20 detached single residential lots, and one commercial lot; 4) Development Plan to include 8.01 acres of open space land and modifications to One-Family (R1) Residential Zone District standards; and 5) Design waivers of the Design and Improvement Standards Manual on property identified by Assessor's Parcel Numbers 051-550-40, 051-550-47, 051-550-48 and 051-550-51, consisting of 25.89 acres, located in the Diamond Springs area, submitted by Jim Davies and Terri Chang; and staff recommending the Planning Commission recommend the Board of Supervisors take the following actions:

- 1) Adopt the Mitigated Negative Declaration based on the Initial Study;
- 2) Adopt the Mitigation Monitoring Reporting Program in accordance with CEQA 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 Phase 1 of Piedmont Oak Estates Tentative Subdivision Map under Planned Development PD12-0002 as the official Development Plan based on the Findings and subject to the Conditions of Approval as presented;
- 6) Approve Phase 1 of Piedmont Oak Estates Tentative Subdivision Map under Tentative Map TM12-1510 based on the Findings and subject to the Conditions of Approval as presented; and

- A) Construction of reduced sidewalk from 6 feet to 4 feet in width; and
  - B) Construction of a sidewalk on one side only, "A" Street from Tentative Map point A-3 to point A-4.
- (Supervisory District 3)

Mel Pabalinas presented the item to the Commission with a recommendation for approval. He conducted a PowerPoint presentation. Mr. Pabalinas requested amending Condition of Approval #13, Table 1, last row to change the road width from 18 feet to 20 feet. He spoke on the public comments received prior to the hearing and referenced the one that was received today and provided to the Commission prior to the start of the item.

Jim Davies, applicant, made the following comments:

- Thanked staff for their assistance with working on the project;
- Project is a nice blend of rural and urban feel;
- Has worked on the project for 25 years;
- Has been to 200+ meetings on this and looked forward to retiring to the project location;
- Since 1986, property was zoned as Planned Development and this project is a very thoroughly planned development;
- Has adapted the project throughout the years based on input received;
- Knew that neighbors are resistant to the small lots, so they were placed in the center of the project with the larger lots on the outside of the development;
- Community garden will be placed in the development based on input received from the public;
- Spoke on need for the rezone request;
- Currently has issues with squatters since the property is vacant;
- Addressed public comment that he did illegal grading, which was in fact brush clearing through a company;
- Has annexed with the Fire Department;
- Cluster lots will largely be two-storied, with the ability to have a one-story, but will be dependent on market demand;
- Price point is \$250,000 - \$300,000 with the larger lots being higher;
- There will be walking trails around the entire development;
- There will be a Design Committee and an HOA;
- Has 3 to 4 traffic reports that were submitted to Transportation and they are within the guidelines with mitigation; and
- All infrastructure will be built prior to the construction of homes for Phase 1, including the secondary access.

Dr. Richard Boylan, Diamond Spring resident, made the following comments:

- Has worked with other Diamond Springs citizens on a Vision Statement;
- Spoke on his opposition to the project;
- Mitigated Negative Declaration is woefully flawed and appears to be written by the developer;
- Project should have an Environmental Impact Report prepared;

- Property has oak woodlands that slope to Weber Creek, which runs into the American River, and it would be impacted by the project;
- General Plan Amendment and Rezone are required for this project;
- Urged denial
- Reducing sidewalk widths are inconsistent with ADA;
- Caltrans letter was not part of the County's analysis as it was just received a few days ago;
- Spoke on the items listed in the Caltrans letter;
- The application is premature as permits identified in the Caltrans letter have not been received;
- Project needs to be re-designed; and
- Agreed to comments listed in Guy and Karen Charlton's letter.

Guy Charlton made the following comments:

- Not opposed to some development, but High Density Residential is inconsistent and incompatible with the area;
- Properties that border the project area are 5+ acres;
- Developer has no concern for the neighbors bordering this project;
- Why cluster homes?
- Number of people living in that area will be significant due to the cluster of homes;
- Questioned the availability of water;
- Drainage off the project property is already a concern;
- Loss of wildlife habitat due to cluster homes;
- Urged Commission to remove the cluster lots; and
- Doesn't fit in the area.

Richard Krek, Diamond Springs-El Dorado Fire Department, made the following comments:

- Road to cluster homes can't be driveway and must be a street that is named and identified as such;
- Infrastructure must be completed, including the fire access road, prior to construction; and
- Has been making comments since 2005 on this project.

Brad Baker made the following comments:

- Bought property that adjoins the project and it had been disclosed to them that homes would be built on the vacant property but that no plans were available and no mention of cluster homes;
- Notification of today's meeting was the first time he has ever heard of the project;
- Was not invited to the Parks & Recreation meeting in November that discussed this project;
- Echoed comments already stated;
- Concerned on noise, traffic and crime;
- After the brush removal done on project's location, there are now a lot of trespassers building fires and going to the creek;

- Have had two meetings with Sheriff D'Agostini as house has been broken into 4-5 times; and
- Project site is listed for sale on the internet for \$5 million and now questions the intent of the developer.

Katy Elder made the following comments:

- Owned property north of project;
- Environmental and planning process is to inform the public of impacts and this process didn't do that;
- Project description is flawed;
- Discrepancies throughout Planning documents regarding the number of lots;
- Small winding road has no ability to be widened yet traffic will increase due to project;
- No traffic mitigation and this area is already at LOS F;
- Since brush removal conducted, there have been two fires with one being 50 feet from her house;
- Referred to letter that she submitted today;
- Will have a wall of homes only 40 feet from her house;
- Area is predominately rural with only 7 homes located on 59 acres;
- Homes will be 10 feet from her boundary line yet fire safe regulations state the distance should be 20 feet;
- Spoke on fire access road;
- Aesthetics: Views from their property will now be homes;
- Drainage: Run-off will go on the neighbors' properties which are located below the project, but issue was not addressed;
- Prior to brush removal, cultural resources recommended to not disturb area due to involvement in Gold Rush area, but after the brush removal, there was now no comment from them;
- Spoke on economic concerns;
- An Environmental Impact Report needs to be done, particularly since property is for sale; and
- Deny project.

Sue Taylor made the following comments:

- Reason project hasn't been approved the last 25 years is because it can't be allowed or accepted as proposed;
- Spoke on fire safe break concerns between the development and surrounding property owners;
- Project would be in the middle of RE-5 property and would be incompatible;
- Caltrans identified a lot of concerns that couldn't be researched due to the late arrival of the letter;
- Need to ensure that the Conditions of Approval can be met;
- Property is already on the market with statements that the Tentative Map is expected to have approval in 2016;
- A lot of fragmenting in this project;

- Spoke on the concerns regarding clustered lots;
- Secondary road is not on applicant's property so can the applicant improve the road?
- Cost of a traffic signal that is conditioned in the project may be cost prohibitive;
- There is not an adequate sewage system for the project; and
- Environmental Impact Report is needed.

Lori Parlin made the following comments:

- Big concerns are being brought up in public testimony;
- Applicant should be working with the public not the County staff;
- Opposed project; and
- Environmental Impact Report is needed.

Ellen Van Dyke made the following comments:

- Great points have been discussed;
- Disagreed with applicant's statement that the project is buffered; and
- Would hope that staff would stand up for the neighbors being impacted by this high density project.

Mr. Davies made the following rebuttal comments:

- Open to working something out with the 7 lots that Ms. Elder spoke about;
- Spoke on existing structure that is also near the development;
- Only rezoning the Open Space lots as the other lots are the same zoning they were when it was bought in 1990;
- Notification of meetings that he attended were done by those committees;
- Spoke on the Black Rice Road Association;
- Listed property on a free commercial website when they couldn't afford the property but there has never been a listing with a broker;
- Property was not developable up to two years ago when Caltrans and Transportation began resolving some of the issues;
- Has unlimited use easement on the road;
- Density of project is limited to 5 units/acre but could increase it if he did affordable housing, but current proposal is for 4 units/acre;
- Other side of project has existing apartments and the project would be a blend to the rural homes;
- Property had not been cleared since 1986 and it had to be done; and
- Trespassers were an issue even before the brush clearing was done.

Chair Stewart closed public comment.

In response to Commissioner Miller's inquiry on how to address the concern on the buffer to the existing homes, Mr. Davies responded that he would remove that row of homes if it was deal killer.

Commissioner Pratt made the following comments:

- Remembered seeing a version of the project years ago;
- Certain spots make sense in the buffering, but not in others;
- No problem with the multi-tier price point but glad there is a Planned Development overlay on the project;
- Row of clustered lots on the south side needs to be moved to the inside of the development;
- Good concept to place cluster lots inside the development with the larger lots on the outside;
- Spoke on sidewalks;
- Need to address traffic and the submitted agency letters; and
- The size of the Negative Declaration was so substantial that it needs to be broken into separate files.

Commissioner Miller stated there were drainage issues and that he was inclined to see an Environmental Impact Report prepared.

Commissioner Heflin spoke on the buffering and the setback problem with cluster lots. He felt the drainage issue could be mitigated.

Commissioner Shinault made the following comments:

- Spoke on buffering and clustered lots;
- Planning needs to determine if an Environmental Impact Report is needed; and
- Going in the right direction but not close.

Chair Stewart made the following comments:

- Concern on the compatibility of land uses and zoning of adjacent land;
- Felt that even 100 feet is too close for buffering;
- Affordable housing is desperately needed for the County, but unsure if it can be done on this property;
- Significant traffic issues that aren't being addressed;
- Water still perplexes him;
- Increase of wetland run-off is an issue; and
- Lot of re-design is needed.

There was no further discussion.

**Motion: Commissioner Pratt moved, seconded by Commissioner Heflin, and carried (5-0), to continue the item off-calendar.**

**AYES: Miller, Shinault, Heflin, Pratt, Stewart**  
**NOES: None**

- 5. 14-1617** Hearing to consider the Dixon Ranch project [General Plan Amendment A11-0006/Rezone Z11-0008/Planned Development PD11-0006/Tentative Map TM11-1505/Development Agreement DA14-0001] for the following requests: 1) Certification of Environmental Impact Report and adoption of the Mitigation Monitoring and Reporting Program; 2) General Plan Amendment amending the land use designations from Low Density Residential and Open Space to High Density Residential, Medium Density Residential, Low Density Residential, and Open Space; 3) Zone Amendments amending the existing zones from Exclusive Agriculture and Estate Residential Five-Acre to an overall Planned Development Zone District combined with the following six base zone districts: One-Family Residential, One-Acre Residential, Single-Family Three-Acre Residential, Estate-Residential Five-Acre, Recreation Facility, and Open Space; 4) Development Plan for Phase 1 of the project to allow efficient use of the land and flexibility of development under the proposed tentative subdivision map to include gated private roads, and a Conceptual Development Plan for Phase 2; 5) Tentative Subdivision Map consisting of: A) Large Lot Tentative Subdivision Map (Phase 0) creating 33 large lots for financing and phasing purposes; B) Small Lot Tentative Subdivision Map for Phase 1 creating a total of 411 single family residential lots, one public park lot, one clubhouse lot, eight open space lots, 10 landscape lots, six road lots, and one sewer lift station lot; and C) Conceptual approval of the Small Lot Tentative Subdivision Map for Phase 2 creating the remaining 194 single family residential lots, one neighborhood park, and the remaining open space, landscape, and road lots, and 6) Design waivers from Standard Plan 101B on property identified by Assessor's Parcel Numbers 126-020-01, 126-020-02, 126-020-03, 126-020-04 and 126-150-23, consisting of 280.27 acres, located in the Community Region of El Dorado Hills, submitted by Dixon Ranch Ventures, LLC; and staff recommending the Planning Commission make the following recommendation to the Board of Supervisors:
- 1) Adopt Resolution 2016-xxx certifying the Environmental Impact Report (EIR) (SCH No. 2012062023) for the proposed Dixon Ranch Residential Subdivision, subject to CEQA Findings and Statement of Overriding Considerations;
  - 2) Adopt the Mitigation Monitoring Reporting Program (MMRP), in compliance with CEQA Guidelines Section 15097(a), (Exhibit F);
  - 3) Adopt Resolution 2016-xxx amending the General Plan from Low Density Residential (LDR, 278.99 acres) and Open Space (OS, 1.28 acres) to High Density Residential (HDR, 186.26 acres), Medium Density Residential (MDR, 21.40 acres), Low Density Residential (LDR, 5.02 acres), and Open Space (OS, 67.59 acres) (General Plan Amendment A11-0006), based on the Findings;
  - 4) Adopt Ordinance No. XXX rezoning property from Exclusive Agriculture (AE, 279.95 acres) and Estate Residential Five-acres (RE-5, 0.32 acres) to One-family Residential (R1-PD, 177.04 acres); One-acre Residential (R1A-PD, 5.52 acres); Single-family Three-acre Residential (R3A-PD, 15.88 acres); Estate-residential Five-acre (RE-5-PD, 5.02 acres); Recreation Facility (RF-PD, 9.22 acres); and Open Space (OS-PD, 67.59 acres) (Zoning Ordinance Amendment Z11-0008), based on the Findings;
  - 5) Approve the Phase 1 Development Plan containing several residential lot types, including age-restricted units. Residences will be served by gated private roads. The development will provide a public park, open space, and landscape areas totaling 62.84 acres; internal pedestrian/bicycle circulation consisting of sidewalks, pedestrian pathways, open space trails, and multi-use trails; and a public Class 2 bike lane from Green Valley Road to the on-site public park. (Exhibits G1-2) (Development Plan PD11-0006), based on the Findings and Conditions of Approval;

- 6) Approve the Large-Lot Tentative Subdivision Map creating 33 large lots for financing and phasing purposes (TM11-1505) (Exhibit H1);
  - 7) Approve the Phase 1 Tentative Map consisting of 411 residential lots, one public park lot, eight open space lots, 10 landscape lots, six road lots, and one public utility lot (TM11-1505) (Exhibits H1,2,and 3), based on the Findings and subject to the MMRP and Conditions of Approval;
  - 8) Approve Design Waivers 1 through 12 based on the Findings and subject to the Conditions of Approval;
  - 9) Conceptually approve Phase 2 of Development Plan PD11-0006 in compliance with Zoning Ordinance Section 130.040.010.A (Exhibit I); and
  - 10) Adopt Ordinance No. XXX approving the Dixon Ranch Development Agreement (DA14-0001) (Exhibit J).
- (Supervisory District 1) (cont. 12/10/15, Item #4)

Prior to the start of the item, Chair Stewart recused himself and left the meeting.

Roger Trout provided a brief background on the General Plan and summarized the Development Agreement request.

Lillian MacLeod presented the item and provided clarification language that will be added to the request. She also referenced the two Staff Memos dated December 14, 2015 (HYD-1 revision) and January 12, 2016 (Revisions to Project Documents).

Joel Korotkin, applicant's agent, introduced his team members who each would provide a small presentation.

Matt Weir, Kimbly Horn & Associates, spoke on the traffic study.

Chelsea Richardson, applicant's agent, spoke on the following items:

- Demographics of the County;
- Creating a community to encompass all types of demographics;
- Multi-generational park being created in partnership with El Dorado Hills CSD;
- Community design guidelines; and
- Partnership with Eskaton's "Livable Design".

Sherry Pfeiffer, Eskaton, stated that the 55+ demographics is exploding and requires innovative solutions. She explained that Eskaton's concierge service would be expanded to include multi-generations.

Ellen Van Dyke distributed a handout and spoke on the concerns listed in it.

Tenley Martinez distributed a letter and spoke the concerns listed in it.

Glen Gillum, Executive Director of an assisted living in Cameron Park, urged approval for this innovative progressive project that would be a great value to the community.

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Janna Buwalda, General Manager of Hickok Road CSD, read into the record a letter from their president, John O'Conner, and also made her own comments on traffic and water and requested a reduction of the project.

Terri Henning made the following comments:

- Long-time resident;
- Needs of her mother-in-law, a long-time County resident, have greatly changed;
- Supports the project because of the livable design; and
- Project would be a huge asset to the County.

Russell Mathis, resident of the Cottages of Eskaton, would not move from his current location to the proposed development.

Cheryl Langley distributed a handout and spoke on the items listed in it.

Dave Goldenberg, President of the Highland View HOA, made the following comments:

- There are 258 homes in the Highland View subdivision;
- Voiced concern on speeding issues, which had also been discussed with their residents, and have had discussions with the developers and Sterlingshire HOA to resolve concerns on traffic passing through their communities to the project;
- Has worked closely with the Fire Marshall on the emergency vehicle access road and are in support of that; and
- Developers met all of their concerns and also had ensured that there were multiple public meetings so many of the residents would be able to attend.

Cathy Keil, Green Springs Ranch resident, made the following comments:

- Requested clarification on the General Plan element of the project;
- Spoke on traffic on Green Valley Road during rush hour in the morning and afternoon, in addition to when accidents occur on that road;
- Rattlesnakes would start migrating away from the construction site area; and
- Welcomed projects, but wants a reduction.

Lenny Patini stated that although he doesn't live near the project, he doesn't like the request to amend the General Plan. He stated that the zoning is done for logic and order.

Carly Ambrose-Smith is a Recreation Therapist in Cameron Park and sees the benefits of multi-generations and supports the project.

Dave Guyer is a 20-year County resident and supports the project. He stated that the project would do road improvements on Green Valley Road and provide tax dollars.

Kirsten Klinghammer made the following comments:

- An 18-year Green Springs Ranch resident;
- Description of project is appealing;
- Concerned on traffic;
- Spoke on bike lanes on Green Valley Road;
- Green Springs Ranch has 5 acre minimum parcel sizes;
- Parcels near their border need to be the larger parcels;
- Buffer is needed;
- If this moves forward, needs to be done in a sensible fashion; and
- Concerned on water availability.

Doug Wiele read his letter into the record.

Betty Peterson, Green Springs Ranch resident, stated that three-fourths of the project is surrounded by large parcels and recommended denial of the project as submitted.

Sarah Woldanski made the following comments:

- County resident but doesn't live in project area;
- General Plan gets manipulated time and time again;
- Green Springs Ranch residents would be impacted;
- Not enough water to support project; and
- Multi-generational community is good but not at this location.

Dave Comstock thanked everyone on the hard work on the Aberdeen Way emergency vehicle access and that it would be a great asset. He spoke on bike lanes and the need to change them to Class 1.

Jason Downey lives and works in El Dorado Hills and supported the project. He looked forward to growth in the community and applauded the efforts of the project's team.

Mary Williams made the following comments:

- Lives off of West Green Springs Road and there are 15 homes located there;
- 37-year resident;
- Voiced frustration that her rights to have a rural area surrounded by 5-acre parcels is being taken away from her;
- Nice project but doesn't belong smack in the middle of a 5-acre rural setting;
- Urged Commission to not approve the project as it stands;
- If approved, it needs to be changed to one acre minimum lots with larger lots on the outside of the development; and
- Spoke on senior citizens housing and safety concerns on Green Valley Road.

John Hidal, El Dorado Hills APAC member, made the following comments on behalf of the group:

- They reviewed project in 2012 and are pleased that the developer had made substantial compromises by modifying the project since then;

- Referenced letter submitted in February 2015; and
- Green Valley Road is a problem area.

John Hidal made the following personal comments:

- Development Agreement is somewhat nebulous and is undefined as to where the monies would be spent;
- Affordable housing is an oxymoron in El Dorado County; and
- There are some big “TBD” in this project.

Sue McClurg made the following comments:

- 5-year resident of Green Springs Ranch;
- Moved there for the 5-acre parcels;
- Project is too much for the area;
- Concerned on traffic and how Green Valley Road was significantly impacted by the fire on Hwy 50 a few years back; and
- Currently, Green Valley Road doesn’t have the capacity to handle residents fleeing a fire.

Dale Gretzinger made the following comments:

- 20-year El Dorado Hills resident;
- Inquired how a project can be approved if the Development Agreement is not signed;
- His property butts up to Green Valley Road and the current noise level from traffic already significantly impacts him;
- Spoke on traffic concerns; and
- Density is beyond what the General Plan currently dictates and it needs to stay that way.

Mel Kowardy made the following comments:

- Green Springs Ranch resident;
- Concerned on water availability;
- Spoke on traffic concerns;
- Significant mitigation is needed to address all the concerns; and
- This is a nice development that needs to be relocated to an area that is a better fit.

Don Van Dyke distributed a handout and referenced the document. He stated that the project doesn’t belong in the area.

Alison Bailey made the following comments:

- Property borders the project;
- Born and raised in El Dorado County;
- Schools will not provide bus service as they are too close and she won’t allow her children to walk on Green Valley Road to the schools; and
- Well went dry.

Sue Taylor made the following comments:

- Huge issue is the transition;

- Inquired as to what was allowed for Low-Density Residential General Plan land use designation;
- Real information needs to be used and not people just voicing concern over drivers who are 55+ in age;
- Public is voicing concerns on health and safety;
- Project has intense density and we need to look past the “bling”; and
- “Age in place” is not for those living here but is a marketing scheme to bring others here.

Commissioner Pratt closed public comment.

Mr. Korotkin made the following rebuttal comments:

- Traffic:
  - Hired consultants that worked with County and did multiple studies and the project is conditioned for mitigation;
  - Green Valley Corridor Study was done by the County and it identified important problems;
  - Project is assisting in addressing those issues and even accelerating some of the identified improvements; and
  - Traffic would be enhanced by the project.
- Impact on water:
  - Project would be under EID and would be bringing EID into an area where it currently isn't available.
- Buffering and fitting in with community:
  - Project site is fairly unusual due to topography;
  - Addressing impacts to some of the neighboring parcels;
  - This is a different style of development that embraces the clustering effect; and
  - To a significant extent, oak canopy cover will remain.
- Spoke on General Plan designation;
- This type of project is needed in the El Dorado Hills area of the County;
- Has done what they needed to do to make the project fit in;
- Project would advance Trans-5 improvements (\$425,000) in order to solve the problems now; and
- Discussed in detail the Green Valley Corridor Study and identified the road improvements that the project would be willing to do.

At the request of the Commission, Mr. Weir discussed CEQA traffic mitigation.

Commissioner Pratt stated that he was not a big fan of bike lanes on fast track roads.

Commissioner Miller wanted everyone to keep in mind that people traveling on Green Valley Road would be impacted by the project due to the new traffic signals.

Dave Spiegelberg, Transportation, spoke on the Bikeway Master Plan.

In response to Commissioner Miller's comment that although the project centers around age-restricted homes, public transportation had not been addressed, Mrs. MacLeod stated that El Dorado Transit indicated that they had no plans to add bus stops to that area. Mr. Korotkin said that they have been in discussion with the CSD regarding using their vans for events and that there is also a Dial-A-Ride program in the County.

In response to Commissioner Pratt's inquiry on price points, Mr. Trout stated that on page 94 of Exhibit V, the financial analysis indicated \$488,000 for age-restricted and \$873,000 for estate-size lots.

Commissioner Miller was concerned about the length of time for construction noise, which is allowed on the weekends, if the project goes out to 20 years. He also didn't like approving sub-standard housing by granting design waivers. Brian Allen, CTA Engineering, spoke on the reasons for the Design Waiver requests. Mr. Korotkin disagreed with the term "sub-standard" and stated it was more of a "non-standard".

Mr. Trout responded to the noise concerns brought up by Commissioner Miller during the construction phase.

There was no further discussion.

**Motion: Commissioner Heflin moved, seconded by Commissioner Shinault, and carried (3-1), to recommend the Board of Supervisors take the following actions: 1) Adopt Resolution 2016-xxx certifying the Environmental Impact Report (EIR) (SCH No. 2012062023) for the proposed Dixon Ranch Residential Subdivision, subject to CEQA Findings and Statement of Overriding Considerations; 2) Adopt the Mitigation Monitoring Reporting Program (MMRP), in compliance with CEQA Guidelines Section 15097(a), (Exhibit F); 3) Adopt Resolution 2016-xxx amending the General Plan from Low Density Residential (LDR, 278.99 acres) and Open Space (OS, 1.28 acres) to High Density Residential (HDR, 186.26 acres), Medium Density Residential (MDR, 21.40 acres), Low Density Residential (LDR, 5.02 acres), and Open Space (OS, 67.59 acres) (General Plan Amendment A11-0006), based on the Findings; 4) Adopt Ordinance No. XXX rezoning property from Exclusive Agriculture (AE, 279.95 acres) and Estate Residential Five-acres (RE-5, 0.32 acres) to One-family Residential (R1-PD, 177.04 acres); One-acre Residential (R1A-PD, 5.52 acres); Single-family Three-acre Residential (R3A-PD, 15.88 acres); Estate-residential Five-acre (RE-5-PD, 5.02 acres); Recreation Facility (RF-PD, 9.22 acres); and Open Space (OS-PD, 67.59 acres) (Zoning Ordinance Amendment Z11-0008), based on the Findings; 5) Approve the Phase 1 Development Plan containing several residential lot types, including age-restricted units. Residences will be served by gated private roads. The development will provide a public park, open space, and landscape areas totaling 62.84 acres; internal pedestrian/bicycle circulation consisting of sidewalks, pedestrian pathways, open space trails, and multi-use trails; and a public Class 2 bike lane from Green Valley Road to the on-site public park. (Exhibits G1-2) (Development Plan PD11-0006), based on the Findings and Conditions of Approval as amended; 6) Approve the Large-Lot Tentative Subdivision Map creating 33 large lots for financing and phasing purposes (TM11-1505) (Exhibit H1); 7) Approve the Phase 1 Tentative Map consisting of 411 residential lots, one public park**

lot, eight open space lots, 10 landscape lots, six road lots, and one public utility lot (TM11-1505) (Exhibits H1,2,and 3), based on the Findings and subject to the MMRP and Conditions of Approval amended as follows: (a) Include recommended changes as identified in the Staff Memos dated December 14, 2015 and January 12, 2016; 8) Approve Design Waivers 1 through 12 based on the Findings and subject to the Conditions of Approval as amended; 9) Conceptually approve Phase 2 of Development Plan PD11-0006 in compliance with Zoning Ordinance Section 130.040.010.A (Exhibit I); and 10) Adopt Ordinance No. XXX approving the Dixon Ranch Development Agreement (DA14-0001) (Exhibit J).

AYES: Shinault, Heflin, Pratt  
NOES: Miller  
RECUSED: Stewart

### **Findings**

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*:

### **FINDINGS**

#### **1.0 GENERAL PLAN FINDINGS**

- 1.1 The proposed HDR, MDR, OS, and LDR designations are consistent with the General Plan's planning concept for the El Dorado Hills Community Region (Table 2-1). The proposed R1-PD, R1A-PD, R3A-PD, RE5-PD, RF-PD, and OS-PD zoning are consistent with the proposed land use designations.
- 1.2 The project has been reviewed in accordance with General Plan Policy 2.2.5.2 and has been found to be consistent with all applicable policies of the General Plan. As conditioned and mitigated, the proposal is consistent with the intent of the following policies:
  - 1.2.1 Policy 2.1.1.1 (Community Regions defined) because the project is in the El Dorado Hills Community Region.
  - 1.2.2 Policy 2.1.1.7 (consideration of General Plan policies) because proposed development has been considered in view of General Plan policies, as described in this section.
  - 1.2.3 Policy 2.2.1.2 (land use designations and densities) because the project's proposed land use designations and densities [3.2 du/ac (HDR); 1 to 3.2 du/ac (MDR); 1 du/5ac (LDR)] are consistent with General Plan Table 2-2, and the proposed zoning and density is consistent with General Plan Table 2-4.

- 1.2.4 Policy 2.2.3.1 (open space and natural topography) because 84 acres of open space would be provided within the Planned Development, which meets the 30 percent requirement of the policy, and the proposed development pattern would conform to topography by clustering the smallest lots where topography is relative flat and siting the larger lots where topography is steeper.
- 1.2.5 Policy 2.2.3.2 (density calculation) because the development density conforms to the density permitted by the underlying zone districts.
- 1.2.6 Policy 2.2.3.3 (Planned Development Combining District) because infrastructure is available or can be feasibly provided to serve the project without adverse impact to existing or approved development, and the project has been designed to account for physical and topographic conditions.
- 1.2.7 Policy 2.2.5.3 (rezone criteria) because the project has been evaluated for the 19 criteria set forth in the policy. The results of that evaluation indicate: there are adequate utilities and services to support the project density; the project is within a Community Region; erosion will be controlled through adherence to County grading requirements; the project would not adversely affect agricultural, timber, or mineral resource areas and biological resources will be protected through EIR mitigation measures; the project would be required to improve affected roadways or pay fair-share impact fees; the project would be consistent with the adjacent existing high-density land use pattern to the west and would provide adequate buffers and transitions for other locations; perennial water courses would be protected through compliance with required programs; there are no known historic/archaeological sites that would be affected; there are no active faults; and there are no applicable CC&Rs.
- 1.2.8 Policy 2.2.5.4 (Planned Development Combining District) because the project complies with this requirement and zone amendment requirements under Chapter 130.04 of the Zoning Ordinance with submittal of PD11-0006.
- 1.2.9 Policy 2.2.5.21 (compatibility with surroundings) because the development density would be visually and physically compatible with the high density residential development within the Highland View neighborhood to the west and the area to the south in the El Dorado Hills Specific Plan that is identified for high-density residential development. Larger lots would generally be along the perimeter thereby providing adequate buffering and transitions to smaller lots toward the center of the proposed development. The proposed design allows for the perimeter to be maintained as open space, preserving a natural buffer between existing residential areas of similar and lower residential densities.
- 1.2.10 Policy 2.5.1.1 (low intensity land uses) because the project provides 84 acres of open space, including parks, landscaping, open spaces and trails. Natural drainages and

landscape features have been incorporated into project design. The project provides transitional development densities with lots sizes and locations that conform to natural topography.

- 1.2.11 Policy 2.8.1.1 (light and glare) because the project, as conditioned, will be required to include measures in project design to control exterior sources of nighttime lighting in accordance with Section 130.14.170 of the County Ordinance Code.
- 1.2.12 Policies TC-Xd, TC-Xe, TC-Xf, TC-Xg, and TC-Xh (roadway levels of service concurrency) because impacts of the project were evaluated and verified by the CDA Transportation Division, and the project, as mitigated and conditioned, is required by the County to either construct the identified improvements (in which case the applicant may seek reimbursement) or, if the identified improvement is included in the County's 10-year Capital Improvement Plan (CIP) when the need for the improvement is triggered, pay the County's TIM fees.
- 1.2.13 Policies TC-4g and TC-4i (bikeways and pedestrian facilities) because the project will be conditioned to construct on-site bicycle facilities to ensure connectivity within the project and adjacent developments, and the on-site bicycle facilities would connect the project with the future adjacent Class II Bike Lanes along Green Valley Road. The project, as mitigated and conditioned, will include a pedestrian access network that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the project site.
- 1.2.14 TC-5a (sidewalks and curbs) because the project design includes sidewalks for those lots 10,000 square feet or less.
- 1.2.15 Policy HO-1.2 (adequate supply of suitable housing sites) because the project provides 604 new units in the El Dorado Hills Community Region where adequate community facilities and public services are available, and the project has been designed to accommodate the environmental conditions of the site. The project also includes housing and facilities for the County's growing active adult (ages 55 +) population.
- 1.2.16 Policy HO-1.5 (higher density in Community Regions) because the project is within the El Dorado Hills Community Region.
- 1.2.17 Policy 5.1.3.1 (efficient development pattern) because the project is within a Community Region where public services are available.
- 1.2.18 Policies 5.2.1.2, 5.2.1.3, 5.2.1.4, 5.2.1.9, and 5.2.1.11 (water supply) because the project is in a Community Region, where El Dorado Irrigation District (EID) water supply and conveyance facilities are available to serve the project. In accordance with Policy 5.2.1.9, a water supply assessment (WSA) for the project was prepared in accordance with Water

Code Section 10910. The WSA, which was approved by EID, concluded there will be sufficient water to meet the demands of the proposed project and other EID service area demands for the 20-year water supply planning horizon during normal, single-dry, and multiple-dry years. Prior to approval of any final subdivision map for the proposed project, the applicant is required to secure a “will serve” letter or equivalent written verification from EID demonstrating the availability of sufficient water supply for the project. The project, as mitigated and conditioned, will construct water line extensions to connect to EID facilities. A Facility Plan Report (FPR) will be required prior to development.

- 1.2.19 Policies 5.3.1.1 and 5.3.1.7 (wastewater capacity) because the project will connect to EID wastewater facilities, and will be conditioned to construct one of three design options that have been identified and evaluated for purposes of accommodating highest possible demand. An FPR will be required prior to development and a commitment to serve from EID will be required prior to final map approval for each phase of the project.
- 1.2.20 Policies 5.4.1.1 and 5.4.1.2 (drainage) because the project includes storm drain facilities, the preliminary design of which was determined through a site-specific drainage study, to ensure post-development flows do not exceed pre-development flows. The final design of the system must comply with the County’s Design and Improvement Standards Manual. This will ensure the project would not increase off-site flood potential. The project incorporates natural features in open space areas, which maintains the aesthetic qualities of drainages. Further, as mitigated and conditioned, the project will be required to implement low impact development (LID) measures, which will help protect wetlands and riparian areas. Best management practices and LID measures are required in accordance with the County’s Storm Water Management Plan and the NPDES Small MS4 Permit. The project must also implement best management practices as required under the State NPDES Construction General Permit and County Grading, Erosion, and Sediment Control Ordinance to minimize erosion on-site and off-site.
- 1.2.21 Policy 5.5.2.1 (solid waste disposal capacity) because the project’s solid waste generation was evaluated, and it was determined it would not adversely affect the permitted capacities of the Transfer Station and Material Recovery Facility in Placerville and the Potrero Hills Landfill.
- 1.2.22 Policy 5.6.2.1 (energy-conserving landscaping) because the project, as mitigated and conditioned, will be required to use water-efficient landscaping and irrigation systems.
- 1.2.23 Policy 5.6.2.2 (energy-efficient heating and cooling) because the project, including the proposed tentative map and improvements, are subject to Title 24 of the California Building Code that requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. As mitigated and conditioned,

the project sponsor will be required to provide the option of roof-mounted photovoltaic energy systems on new homes.

- 1.2.24 Policies 5.7.1.1 and 5.7.4.1 (fire protection and emergency medical services) because the El Dorado Hills Fire Department (EDHFD) provided a letter to the County outlining requirements to provide fire and emergency medical services to the project site, and all of the provisions identified by the EDHFD requiring compliance with their fire standards including, but not limited to: location of and specifications for fire hydrants; emergency vehicle access including roadway widths and turning radii; fire flow and sprinkler requirements; and defensible space and wildland fire-safe plans will be conditioned on the project.
- 1.2.25 Policy 5.7.3.1 (law enforcement) because the increase in demand is expected to be incremental, and would not require construction of a new police station to serve the project. According to the Sheriff's Office, funding considerations to supply increased police protection services would be addressed by the County Board of Supervisors.
- 1.2.26 Policy 5.8.1.1 (school capacity) because the two affected school districts (Rescue Union School District and El Dorado Union High School District) were consulted and indicated new school facilities would likely not be needed to accommodate anticipated increases in student enrollment resulting from the proposed project. The project, as conditioned, will be required to pay applicable school impact fees in accordance State law.
- 1.2.27 Policy 6.2.1.1 (fire safe requirements) because a Wildland Fire Safe Plan has been prepared for the project and implementation is required as a condition of approval.
- 1.2.28 Policies 6.2.2.1 and 6.2.2.2 (fire hazard severity zones) because the project is in an area designated as a moderate fire hazard zone and not in high or very high fire hazard area.
- 1.2.29 Policies 6.2.3.1 and 6.2.3.2 (adequate fire protection and ingress/egress) because the project must adhere to the approved Wildland Fire Safe Plan, and conditions have been added as recommended by the El Dorado Hills Fire Department to assure adequate emergency vehicle ingress/egress.
- 1.2.30 Policy 6.3.1.1 (naturally occurring asbestos) because the project site may have areas with naturally occurring asbestos, based on a review of County mapping, and an Asbestos Dust Mitigation Plan would be required for the project, the implementation of which is required as an EIR mitigation measure and condition of approval.
- 1.2.31 Policy 6.3.2.5 (erosion and slope stability hazards) a preliminary geotechnical investigation was prepared for the project site, which identified recommendations for addressing potential soils conditions requiring mitigation, the implementation of which is required as a condition of approval.

- 1.2.32 Policies 6.5.1.1, 6.5.1.6, 6.5.1.8, 6.5.1.12, 6.5.1.13 (noise analysis and mitigation) because a noise assessment was prepared for the project and identified where noise permanent mitigation would be required to meet County standards, the locations of which are indicated in the project design and are required as a condition of approval. The project will also be conditioned to adhere to County standards for construction noise control.
- 1.2.33 Policy 6.7.4.4 (bicycle connections) because the County has reviewed the project site plan, and the project will be required to construct on-site bicycle facilities to ensure connectivity with the onsite clubhouse and the parks and adjacent developments, and the on-site bicycle facilities would connect the project with the future adjacent Class II Bike Lanes along Green Valley Road.
- 1.2.34 Policy 6.7.4.6 (wood-burning fireplaces and stoves) because the project, as mitigated and conditioned, will only be allowed to have natural gas fireplaces.
- 1.2.35 Policy 6.7.6.2 (air pollution-sensitive land uses) because the project's residential and park uses would not be located near high-volume roadways or toxic air contaminant emissions sources.
- 1.2.36 Policy 6.7.7.1 (air emissions) because the project's air quality impacts were evaluated based on the significance criteria and recommendations in the El Dorado County Air Quality Management District's Guide to Air Quality Assessment, and the project will be conditioned to implement mitigation measures to reduce emissions.
- 1.2.37 Policy 6.9.1.3 (new roadway connections) because the primary access roads into the project from Green Valley Road will be constructed in accordance with County standards.
- 1.2.38 Policy 7.1.2.1 (development on steep slopes) because approximately 98 percent of the site's topography contains less than 30 percent slopes. Those lots on the western boundary where slopes are over 30 percent shall be subject to development restrictions in compliance with the Hillside Design Standards adopted by the Board of Supervisors (Resolution 322-92) and the Interim Interpretive Guidelines.
- 1.2.39 Policies 7.1.2.2, and 7.1.2.3 (erosion/sedimentation) because the project, as mitigated and conditioned, will be required to implement best management practices as required under the State NPDES Construction General Permit and County Grading, Erosion, and Sediment Control Ordinance to minimize erosion and sedimentation. The project conforms to natural contours and maintains natural drainages and includes LID measures such as minimizing disturbed areas and impervious surfaces. Approximately 30 percent of the site will be open space, which provides opportunities to retain natural vegetation.

- 1.2.40 Policy 7.3.3.1 (wetlands) because a wetland delineation was prepared for the project in accordance with U.S. Army Corps of Engineers' Wetland Delineation Manual.
- 1.2.41 Policies 7.3.3.4, 7.3.3.5, 7.3.4.1, and 7.3.4.2 (wetland and riparian areas and natural drainage patterns) because wetland features, stream corridors, and riparian areas have been incorporated into project design, and the project will be conditioned to obtain all necessary permits and approvals from regulatory agencies prior to any work that could affect these features and to implement best management practices during construction to protect these features.
- 1.2.42 Policies 5.2.1.1, 5.2.1.2, and 5.2.1.3 (concurrency) because the public services and utilities demands of the project have been determined, and applicable service/utility purveyors were consulted with regard to project demand. The project, as mitigated and conditioned, will not result in a reduction of service below minimum standards to current users. Fair-share funding for infrastructure improvements is collected at time of final map (water and sewer) and building permit (school, fire, parks, and roads).
- ~~1.2.43 Policy 7.3.5.1 (drought-tolerant landscaping) because the project, as mitigated and conditioned, will be required to use water-efficient landscaping and irrigation systems.~~
- 1.2.44 Policy 7.4.1.5 (rare, threatened, and endangered species) because the project site was evaluated for the presence of listed animal and plant species. As mitigated and conditioned, the project will be required to protect burrowing owl and migratory bird and raptor species' nesting habitat during construction. The project will also be conditioned to avoid elderberry bushes that could provide habitat for Valley elderberry longhorn beetle.
- 1.2.45 Policy 7.4.1.6 (habitat fragmentation) because the project is not within or adjacent to an Important Biological Corridor or rare plant preserve. Approximately 84 acres of the site (or about 30 percent) would remain in open space parks and landscaping, and no migratory wildlife corridors or wildlife nursery sites would be blocked or impeded. Wildlife can continue to move through the area using the open space lands that would remain undeveloped.
- 1.2.46 Policy 7.4.4.4 (oak woodland resources) because Phase 1 of the proposed project, as mitigated and conditioned to implement an Oak Tree Removal Mitigation Plan, would replace oak trees consistent with Option A. Phase 2 of the proposed project is not allowed to develop unless consistent with Option A or until such time that additional oak tree removal policies are adopted by the County, and a Phase 2 Tentative Map specifically addressing the additional requested oak tree removal is processed and approved by the County. Phase 2 development will be subject to the requirements of Option A under Policy 7.4.4.4. If in the future, Option B becomes available, the project will undergo additional CEQA review as necessary, and must adhere to all provisions and mitigations

outlined in the Option B adopted policy amendments, associated CEQA clearance document, and Oak Tree Removal Mitigation Plan.

- 1.2.47 Policy 7.5.1.3 (cultural resources studies) because the project site was evaluated for historic, prehistoric, and archaeological resources, which included record searches and field surveys. While there are no resources on-site that were considered significant under CEQA, the project will be conditioned to implement measures to protect known features and the potential for discovering previously unknown resources.
- 1.2.48 Policy 7.6.1.2.E (open space lands) because approximately 30 percent of the 280-acre project site (84 acres) will be open space.
- 1.2.49 Policy 8.1.4.1 (consideration of agricultural uses) because the Agricultural Commission reviewed the project and recommended findings consistent those required under the policy, and voted to recommend approval of the rezone from AE to residential zoning.
- 1.2.50 Policy 9.1.1.5 (parkland dedication) because the project includes two active park facilities (village park and neighborhood park) meeting required park dedication requirements.
- 1.2.51 Policy 9.2.2.2 (park maintenance) because the parks would be dedicated to the El Dorado Hills Community Services District, which would assume responsibility for maintenance.
- 1.2.52 Policies 10.2.1.3, 10.2.1.4, and 10.2.1.5 (cost of infrastructure improvements) because a Development Agreement and Public Facilities Finance Plan will be adopted for the project that identifies the applicant's responsibilities for contributing to the cost of infrastructure improvements.
- 1.2.53 Policy 10.2.1.6 (coordination of new infrastructure with existing) because the project has identified locations for connecting to existing EID water and wastewater facilities and County roadway facilities that are available to the project site.

## **2.0 ZONING FINDINGS**

- 2.1 The PD zone request is consistent with the General Plan. The proposed R1-PD, R1A-PD, R3A-PD, RE5-PD, RF-PD, and OS-PD zoning is consistent with the proposed HDR, MDR, LDR, and OS land use designations.
- 2.2 The project provides a broad range of residential product types, open space, and a range of passive and active recreational amenities for its residents. A series of pedestrian and bicycle paths and trails would be located within the project site, including a multi-use trail. Incorporation of existing natural elements into project design as proposed by the project is typical of residential subdivisions in El Dorado Hills, and the project has been designed to incorporate existing wetlands and woodland areas.

- 2.3 The proposed development is consistent with the requirements of the newly adopted zone regulations, with one exception. Chapter 130.68 of the Zoning Ordinance Open Space standards require a minimum 10-acre lot size unless used as an easement for pedestrian trails or paths, links between recreation or scenic areas and populations centers, or areas adjacent to water bodies or streams for scenic or recreation uses. All but two of the open space lots would be smaller than the 10-acre minimum, but the smaller lots would qualify for the size standard waiver due to the uses proposed for them, as well as by the flexibility allowed under the development plan.
- 2.4 The site is physically suitable for the proposed uses. The proposed development pattern would conform to the natural topography by clustering the smallest lots in the central, southern, and southeast portions of the site where topography is relatively flat. Larger lots would be situated along the western portion of the site where slopes are the steepest. The proposed design allows for the perimeter to be predominantly maintained as open space, preserving a natural buffer between existing residential subdivisions of similar and lower residential densities. The 280-acre site is large enough to provide approximately 30 percent (84 acres) as open space, which would include parks, landscaping, open spaces, and trails. The proposed tentative map maximizes the use of parcel areas not constrained by oak trees and retains trees, particularly on the perimeter areas and existing drainages where there are contiguous portions of oak canopy that connect to offsite oak woodland corridor community. The project includes oak tree planting mitigation. The proposed residential development would not create a physical barrier to travel around or within the project site or remove existing means of access to and through existing nearby neighborhoods by way of Green Valley Road, which provides direct access to the site.
- 2.5 Adequate wet and dry utilities are available or can be feasibly provided to serve the project. The project's primary access would be from a new internal roadway connecting directly to Green Valley Road. Emergency vehicle access roads will be constructed providing fire and emergency services to the project.
- 2.6 The project would not significantly detract from the natural land and scenic values of the site. The General Plan does not identify the site as a scenic resource. However, existing topographical and landscape features would be maintained and enhanced where feasible. Approximately 55 percent of the existing tree canopy would be preserved. Oak tree removal and replacement would be consistent with Policy 7.4.4.4 Option A in Phase 1. Wetlands and natural drainage features have been incorporated into project design.

**3.0 TENTATIVE SUBDIVISION MAP FINDINGS**  
**(Subdivision Map Act and Title 120)**

- 3.1 The proposed tentative map and the design of improvements of the subdivision are consistent with the General Plan. The proposed tentative map directs development to the

El Dorado Hills Community Region and provides lot types consistent with the land uses, densities, and intensities consistent with the El Dorado County General Plan's policies for the County's Community Regions. The proposed project includes a General Plan Amendment to change the existing land use designations from Low Density Residential (LDR) and Open Space (OS) to a combination of LDR, High Density Residential (HDR), Medium Density Residential (MDR), and OS. With the General Plan Amendment, the proposed tentative map will be consistent with the General Plan land use designations and densities of the LDR, HDR, MDR, and OS land use designations. The development density would be similar to the high-density residential development within the Highland View neighborhood to the west, the area to the south in the El Dorado Hills Specific Plan which is identified for high density residential development, and other areas within the El Dorado Hills Community Region boundary. There are no specific plans applicable to the project site.

- 3.2 The site is physically suitable for both the type and density of the Phase 1 development. The proposed development pattern would conform to the natural topography by clustering the smallest lots in the central, southern, and southeast portions of the site where topography is relatively flat. Larger lots would be situated along the western portion of the site where slopes are the steepest. The proposed design allows for the perimeter to be predominantly maintained as open space, preserving a natural buffer between existing residential subdivisions of similar and lower residential densities. The 193.15-acre site is large enough to provide approximately 30 percent (58 acres) as open space, which would include a park, landscaping, open spaces, and trails. The proposed tentative map maximizes the use of parcel areas not constrained by oak trees and retains trees, particularly on the perimeter areas and existing drainages where there are contiguous portions of oak canopy that connect to offsite oak woodland corridor community. The project includes oak tree planting mitigation. The proposed residential development would not create a physical barrier to travel around or within the project site or remove existing means of access to and through existing nearby neighborhoods by way of Green Valley Road, which provides direct access to the site.
- 3.3 The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. Project parcels are not within or adjacent to the Important Biological Corridor or rare plant preserve. The project parcels contain suitable foraging and nesting habitat for special-status bird, mammal, and insect species that may inhabit the site. Impacts were evaluated and mitigation measures would be implemented to protect these species from potentially adverse effects as a result of the project (EIR Mitigation Measures BIO-1 and BIO-2). Loss of oak woodland, which provides habitat for some wildlife species, would be mitigated in accordance with EIR Mitigation Measure BIO-2a. Mitigation measures, which are required as conditions of approval, will be implemented

ensuring that the proposed subdivision would not cause substantial environmental damage and would not substantially and unavoidably injure fish or wildlife or their habitat.

- 3.4 The design of the subdivision or the type of improvements would not create serious public health and safety problems or unacceptable fire risks to occupants or adjoining properties. The project site is not located within a mapped Alquist-Priolo Earthquake Fault Zone, and all new structures to be built in accordance with the California Building Code (CBC) to ensure public safety from the possibility of ground shaking hazards. The project will be conditioned to comply with the geotechnical report's recommendations for seismic and soils hazards. An Asbestos Dust Mitigation Plan is required, which would reduce potential naturally occurring asbestos emissions and risk to nearby residents. The project, as mitigated and conditioned, will be required to control diesel particulate matter emissions during construction. With implementation of traffic mitigation measures and Transportation Division conditions, the project would neither introduce dangerous road design features, nor generate traffic that is incompatible with existing traffic patterns. The project site is located in an area of moderate wildfire hazard risk. A Wildland Fire Safe Plan has been prepared for the proposed project. As conditioned, the proposed project is required to comply with all El Dorado Hills Fire Department fire standards, including, but not limited to: location of and specifications for fire hydrants; emergency vehicle access including roadway widths and turning radii; fire flow and sprinkler requirements; and defensible space and wildland fire-safe plans.
- 3.5 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. There are no easements, acquired by the public at large, for access through or use of, property within the subdivision. The project is designed to avoid the Sacramento Municipal Utility District utility line easement located on the southeast corner of the site.
- 3.6 A sufficient water supply is available to serve the subdivision. (Government Code Section 66473.7). A Water Supply Assessment (WSA) was prepared for the project in accordance with Section 10910 of the California Water Code. The WSA considered the ability of the El Dorado Irrigation District (EID) to supply water to the project in all water year types, including multiple-dry years (i.e., drought years). After accounting for water demand projections for the next 20 years, EID anticipates that it will have sufficient water to meet the demands of the proposed project and other service area demands for at least the next 20 years. The WSA was approved by the EID Board of Directors on August 26, 2013. A Facilities Improvement Letter from EID was submitted by the applicant and updated in August 2014. The letter states that while annexation into the EID service area would be required prior to obtaining service, as of January 2013

there were approximately 4,687 equivalent dwelling units (EDUs) available to serve the project's requirement for 632 EDUs of water supply. EID's latest Water Resources and Service Reliability Report (2015) indicates there 4,088 EDUs available. Prior to final map approval for each phase of the project, a Meter Award Letter or similar commitment to serve that phase would be required from EID.

- 3.7 An environmental impact report was prepared with respect to the project and a finding was made pursuant to paragraph (3) of subdivision (a) of Section 21081 of the Public Resources Code that specific economic, social, or other considerations make infeasible project alternatives identified in the environmental impact report. (Government Code Section 66474.01).

The Final EIR identified significant environmental impacts that will result from implementation of the project. The EIR identified ~~10~~ nine significant impacts for which no feasible mitigation measures are available that would reduce the impacts to less-than-significant levels. ~~Four~~ Three of these are transportation impacts; mitigation measures have been identified that would reduce the impact to a less-than-significant level, but the mitigation measures may be implemented after project construction, so the EIR identified the impact as temporarily significant and unavoidable until each measure is constructed, at which time the impact would be less-than-significant. In concluding the temporary impacts are significant and unavoidable, the EIR exceeded the requirements of CEQA.

The construction and operation of the project will result in two significant air quality impacts. While mitigation measures are identified to substantially lessen construction and operation related emissions, these impacts would still be considered significant and unavoidable. The project would also result in a significant and unavoidable cumulative air quality impact. Construction and operation of the project would result in a significant and unavoidable greenhouse gas emissions impact, even with implementation of the identified mitigation measures. The project would also result in a significant and unavoidable impact with a plan adopted for the purposes of reducing greenhouse gas emissions. Finally, even with implementation of the construction noise mitigation measures, the project would result in a significant and unavoidable impact related to construction noise.

For each of these ~~10~~ nine significant and unavoidable effects, the County finds that specific economic, legal, social, recreational, and environmental benefits override and outweigh the project's significant unavoidable impacts. The CEQA Findings document contains a Statement of Overriding Considerations for the significant and unavoidable impacts pursuant to paragraph (3) of subdivision (a) of Section 21081 of the Public Resources Code.

- 3.8 Approval of tentative maps for a state responsibility area or high fire hazard zone. The Dixon Ranch tentative map is in area designated as a moderate fire hazard zone. Therefore, the project is consistent with this finding.

#### 4.0 DESIGN WAIVER FINDINGS

*Chapter 120.08.020 of the El Dorado County Subdivisions Ordinance requires that the following four findings are met for each design waiver in order to justify their approval:*

4.1 **Reduced right-of-way (ROW) and roadway width for 'A' Drive and 'B' Circle to a 50 foot ROW with a 36 foot width from curb face to curb face, with reduced width of 26 feet from curb face to curb face on 'B' Circle near the intersection of 'A' Drive and 'B' Circle only.**

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

Reduced right of way and roadway width will better conform to the existing topography and natural features on the site and will assist in facilitating creation of quality linear open space corridors along the roadway. The increased right of way and road width would require more extensive grading work, increasing tree removals, increasing the potential for wetland impacts, increasing impervious area and would decrease the quality of the open spaces created or preserved by the project.

Specifically as a result of this design waiver, the grading extents and retaining walls needed along the 'A' Drive and 'B' Circle corridors on both sides of the roads are reduced along natural areas and parks, allowing for preservation of existing trees and natural areas which would otherwise be impacted to a greater extent. Additionally, the crossing of Green Springs Creek and other tributary crossings by both 'A' Drive and 'B' Circle are reduced in width as a result of this design waiver. The 'B' Circle corridor is proposed to be improved to accommodate the inclusion of a 10-foot multi-use trail and associated landscape area as identified on the project plans. Creation of a portion of the space within the project to accommodate this pedestrian and bicycling amenity is a direct result of this design waiver. The specific request to narrow to 26 feet curb face to curb face of 'B' Circle near the intersection with 'A' Drive is specifically intended to accommodate the preservation of existing oak trees located on both sides of the roadway at this location.

2. *Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.*

Wider road rights of way and roadway width will increase the landform disturbance, tree removal, and the potential for wetland impacts and will decrease the quality of open spaces. Without this design waiver, the quality and character of the primary project entrance/exit, associated natural and park spaces, and primary circulation and

multi-use trail loops within the project would be significantly reduced. The project may also then require impact to or fill of existing wetland features on the site.

3. *An adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.*

The minimum right of way and roadway width as proposed are 50 foot ROW and 36 feet curb face to curb face, respectively with a reduced width of 26 feet curb face to curb face on 'B' Circle near the intersection of 'A' Drive and 'B' Circle only. A combination of trails and sidewalks will accommodate pedestrian/bicycle circulation. (See Exhibit G1). The proposed roadway width is consistent with County adopted fire regulations and it is unlikely that this request will be detrimental to health, safety, convenience, and welfare of the public.

4. *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

Properties within the project would be provided with safe, adequate access and circulation with or without implementation of the requested Design Waiver. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

#### 4.2 **Reduced roadway width for 'C' Drive to 24 feet from curb face to curb face in the vicinity of the Green Springs Creek crossing.**

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

Reduced roadway width will better conform to the existing topography and natural features on the site and will assist in reducing grading impacts in the vicinity of the existing ponds and creek crossing. The increased road width would require more extensive grading work, increasing the potential for wetland impacts, increasing impervious area and would decrease the quality of the open spaces created or preserved by the project.

2. *Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.*

Wider roadway width will increase the landform disturbance, increase the potential for wetland impacts and decrease the quality of open spaces.

3. *An adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.*

The minimum roadway width as proposed is 24 feet curb face to curb face in a limited area only. The proposed roadway width is consistent with County adopted

fire regulations and it is unlikely that this request will be detrimental to health, safety, convenience, and welfare of the public.

4. *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

Properties within the project would be provided with safe, adequate access and circulation with or without implementation of the requested Design Waiver. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

**4.3 Reduced ROW and roadway width for 'D' Drive through 'N' Drive and 'P' Drive through 'Y' Drive to a 40 foot ROW with a 30 foot width from curb face to curb face.**

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

Reduced right of way and roadway width will better conform to the existing topography and natural features on the site and will assist in facilitating creation of quality open space corridors. This waiver will also aid in creating a more efficient clustering of housing within the developed portions of the project. The increased right of way and road width would require more extensive grading work, increasing tree removals, increasing the potential for wetland impacts, increasing impervious area and would decrease the quality of the open spaces created or preserved by the project as well as decrease the effective lot areas by increasing setbacks from the roadways.

2. *Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.*

Wider road rights of way and roadway width will increase the landform disturbance, tree removal, and the potential for wetland impacts, and will decrease the quality of open spaces.

3. *An adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.*

The proposed minimum ROW and roadway width are a 40 foot ROW and 30 feet from curb face to curb face. A combination of trails and sidewalks will accommodate pedestrian/bicycle circulation. (See Exhibit G1). The proposed roadway width is consistent with County adopted fire regulations and will not be detrimental to health, safety, convenience, and welfare of the public.

4. *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

Properties within the project would be provided with safe, adequate access and circulation with or without implementation of the requested Design Waiver. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

**4.4 Reduced roadway width for dead-end roads in excess of 500 feet to 30 feet from curb face to curb face.**

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

Reduced roadway width will better conform to the existing topography and natural features on the site and will assist in facilitating creation of quality open space corridors. This waiver will also aid in creating a more efficient clustering of housing within the developed portions of the project. The increased road width would require more extensive grading work, increasing tree removals, increasing impervious area and would decrease the quality of the open spaces preserved by the project.

2. *Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.*

Wider roadway width will increase the landform disturbance, tree removal, and decrease the quality of preserved open spaces.

3. *An adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.*

The minimum roadway width as proposed is 30 feet curb face to curb face. A combination of trails and sidewalks will accommodate pedestrian/bicycle circulation. (See Exhibit G1). It is unlikely that this request will be detrimental to health, safety, convenience, and welfare of the public.

4. *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

Properties within the project would be provided with safe, adequate access and circulation with or without implementation of the requested Design Waiver. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

**4.5 Modification of Standard Plan 103A-1 to:**

- A. **Allow driveway to be within 25 feet from a radius return;**
- B. **Reduce minimum driveway widths from 16 feet to 10 feet wide for secondary single car garages where a larger driveway for the same property is also proposed; and**
- C. **Eliminate 4 foot taper to back of curb.**

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

Application of this waiver will provide for more flexibility and creative design opportunities related to major physical constraints of the site such as existing topography and natural features, and provide for a more unique overall subdivision appearance while reducing project impervious area. The application of this waiver will reduce overall grading necessary to complete the project, will reduce the need for retaining walls, and will reduce proposed impervious area.

2. *Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.*

Strict application will impede the ability of the applicant/developer to better accomplish reduced impacts to major physical conditions of the site, reduced impervious areas, reduced impacts to oak canopy, minimized grading, and would limit final product choices creating unnecessary hardship. These waivers are routinely applied to other projects in the County without approval of an actual design waiver.

3. *The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.*

The application of this waiver will be subject to the judgement of the design professional and County staff review for appropriate application. The project is proposing a community of internally focused private streets. Design speeds for the internal project roadways are low. With low volume, low design speed, internally focused streets, it is unlikely that this request will be detrimental to health, safety, convenience, and welfare of the public.

4. *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

Properties within the project would be provided with safe, adequate access and circulation, with or without implementation of the requested Design Waiver. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

#### **4.6 Reduced sidewalk width to 5 feet (4.5 feet from back of curb to back of walk).**

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

Narrow sidewalks will better conform to the existing topography and features of the site and will contribute to a reduction in project impervious area.

2. *Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.*

Strict application of this standard will increase landform disturbance, tree removal, the potential for wetland impacts, impervious area and decrease the quality of created/preserved open spaces.

3. *The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.*

The El Dorado County Department of Transportation has indicated in previous approvals that reduced sidewalk width will not be detrimental to health, safety, convenience, and welfare of the public.

4. *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

An overall planning effort for pedestrian circulation within the project has been prepared. (See Exhibit G1 for pedestrian circulation). Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

**4.7 Reduced gutter pan width for both vertical and rolled curb and gutter to 10 inches and 8 inches, respectively.**

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

Reduced curb and gutter width will provide a more aesthetically pleasing solution to surface drainage control without compromising the ability of the project to accomplish satisfactory drainage conveyance. The reduced visual impact of the concrete will be more visually compatible within a project containing substantial corridors of open space adjacent to roadway frontages.

2. *Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.*

Strict application of this standard will create an aesthetic conflict between the remaining and created open spaces and the roadway improvements.

3. *The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.*

It is unlikely that this request will be detrimental to health, safety, convenience, and welfare of the public.

4. *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

The project is required to provide for drainage design in accordance with the County's Drainage Manual. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

**4.8 Sidewalks on one side of roads, as delineated on Exhibit G1 (Phase 1 Development Plan).**

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

All sidewalks are appropriately related to on-street parking locations when provided. Fewer sidewalks will reduce the visual impact of the concrete and will be more visually compatible within a project containing substantial corridors of open space adjacent to roadway frontages. Fewer sidewalks will contribute to a reduction in project impervious area.

2. *Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.*

Strict application of this standard will create an aesthetic conflict between the remaining and created open spaces and the roadway improvements, and will increase project impervious area.

3. *The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.*

It is unlikely that this request will be detrimental to health, safety, convenience, and welfare of the public.

4. *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

An overall planning effort for pedestrian circulation within the project has been prepared. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

**4.9 Reverse horizontal curves without a 100 foot tangent.**

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

Elimination of the 100 foot tangent will allow roadways to better conform to the existing topography and natural features on the site and will assist in facilitating

creation of quality linear open space corridors along the roadway. Elimination of the tangent requirement would reduce the overall grading necessary to complete the project, may reduce the amount of disturbed area, reduce project tree removals and reduce the potential for wetland impacts.

2. *Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.*

Retention of a tangent requirement will increase the landform disturbance, tree removal, and the potential for wetland impacts. Strict application will impede the ability of the applicant/developer to better accomplish reduced impacts to major physical conditions of the site, reduced impacts to oak canopy, minimized grading, and would create unnecessary hardship.

3. *An adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.*

The application of this waiver will be subject to the judgement of the design professional for appropriate application. The project is proposing a community of internally focused private streets. Design speeds for the internal project roadways are low. With low volume, low design speed, internally focused streets allowing for drivers to safely traverse reverse curves, it is unlikely that this request will be detrimental to health, safety, convenience, and welfare of the public.

4. *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

The project is required to provide a roadway design under the direction of a licensed civil engineer, and in accordance with generally recognized engineering standard practice. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

#### **4.10 Reduce ROW and roadway width for hammerhead and Wye turnarounds.**

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

The reduced ROW and roadway width will minimize landform disturbance and better conform to the existing topography and natural features on the site. This waiver will also aid in creating a more efficient clustering of housing within the developed portions of the project.

2. *Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.*

A larger ROW and roadway will increase the landform disturbance, tree removals, impervious area potential for wetland impacts, and decrease the quality of preserved open spaces.

3. *The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.*

It is unlikely that this request will be detrimental to health, safety, convenience, and welfare of the public.

4. *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

Properties within the project would be provided with safe, adequate access and circulation with or without implementation of the requested Design Waiver. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

#### **4.11 Maximum centerline grade for 'A' Drive to be 12 percent.**

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

Increased gradient will allow 'A' Drive to better conform to the existing topography and natural features on the site. The lower gradient would require larger cuts and fills and more extensive grading work, additional or higher retaining walls along 'A' Drive, additional tree removals, and decreased quality of the preserved areas. 'A' Drive is a special circumstance in that it does not provide an opportunity for through trips or full time access to other areas outside of the project.

2. *Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.*

The lower gradient would increase the landform disturbance and require more extensive grading work, additional or higher retaining walls along 'A' Drive, additional tree removals, decreased quality of the preserved areas, and would impede the ability of the applicant or developer to better accomplish reduced impacts to major physical conditions of the site.

3. *An adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.*

The application of this waiver will be subject to the judgement of the design professional for appropriate application. The project is proposing a community of internally focused streets. 'A' Drive is a special circumstance in that it does not provide an opportunity for through trips or full time access to other areas outside of

the project. Design speeds for the internal project roadways are low. With low volume, low design speed, internally focused streets without through traffic, it is unlikely that this request will be detrimental to health, safety, convenience, and welfare of the public.

4. *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

It should be noted that 'A' Drive is expected to carry approximately 3,100+/- ADT (Average Daily Traffic). The Design and Improvement Standards Manual (DISM) states that roadways exceeding 2,000 ADT are generally classified as collectors, and it further indicates on page 24 Item 9 that a minor collector roadway gradient should not exceed 10 percent. However, Standard Plan 101B clearly allows for roadways up to 5,000 ADT to be 12 percent maximum gradient. This waiver is requested in compliance with Standard Plan 101B for clarification since it is arguably a possible design waiver. The proposed roadway gradient is in conformance with County Standard Plan 101B, and the properties within the project would be provided with safe, adequate access and circulation, with or without implementation of the requested Design Waiver. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

**4.12 Reduce intersection spacing to less than 300 feet between the intersections of 'B' Circle/'A' Drive and 'B' Circle/'E' Drive.**

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

Reduced intersection spacing between these two intersections will allow roadways to better conform to the existing topography and natural features on the site and will assist in facilitating creation of quality linear open space corridors along the roadway. The increased spacing requirement would require more extensive grading work increasing tree removals and the potential for wetland impacts.

2. *Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property*

The spacing requirement will increase the landform disturbance, tree removals, and the potential for wetland impacts.

3. *An adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.*

It is unlikely that this request will be detrimental to health, welfare, convenience, and safety of the public.

4. *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

Properties within the project would be provided with safe, adequate access and circulation with or without implementation of the requested Design Waiver. Therefore, the waiver would not have the effect of nullifying the objectives of this article or other laws.

### **Conditions of Approval**

#### **Planning Services:**

1. The Development Plan, Tentative Subdivision Map, and Design Waivers, are based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits F through H1-3, M, O through S, U, and W, and the conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project consists of the following:

- A. Development Plan for the proposed subdivision with modifications to One-family Residential (R1), One-acre Residential (R1A), Single Family-Three acre (R3A), Estate Residential-Five acre (RE-5), Recreational Facilities (RF), and Open Space (OS) Zone District development standards including minimum lot size/parcel area, minimum parcel width, maximum building coverage, setbacks, and building height consistent with Exhibits G1-2;

The Village Park will be approved as part of the development plan and will be subject to approval by the El Dorado Hills CSD (Exhibit M).

- B. Tentative Subdivision Map of the 280.27 acre property consisting of:
  - 1) Large-Lot Tentative Subdivision Map (Phase 0) creating 33 large lots for financing and phasing purposes, ranging in size from approximately 0.27 acres to 62.25 acres. Lot 1, the Dixon Residence, will be created with the Large-Lot Final Map (Exhibit H1;
  - 2) Small-Lot Tentative Subdivision Map for Phase 1 of the project creating a total of 411 single family residential lots ranging in size from approximately 4,725 square feet to 5 acres on 193.15 acres of the project site; one public park lot on approximately 9.22 acres; one clubhouse lot on approximately 0.87 acres; eight open space lots totaling approximately 47.91 acres; 10 landscape lots totaling approximately 6.36 acres; six road

lots totaling approximately 28.14 acres; and one sewer lift station lot on approximately 0.27 acres. (Exhibits H1-3).

3. Design waivers from the El Dorado County Design and Improvement Standards Manual road improvement standards are requested from Standard Plan 101B, or as indicated, to allow the following:
  - 1) Reduced right-of-way (ROW) and roadway width for 'A' Drive and 'B' Circle to a 50 foot ROW with a 36 foot width from curb face to curb face, with reduced width of 26 feet curb face to curb face on 'B' Circle near the intersection of 'A' Drive and 'B' Circle only.
  - 2) Reduced roadway width for 'C' Drive to 24 feet from curb face to curb face in the vicinity of the Green Springs Creek crossing.
  - 3) Reduced ROW and roadway width for 'D' Drive through 'N' Drive and 'P' Drive through 'Y' Drive to a 40 foot ROW with a 30 foot width from curb face to curb face.
  - 4) Reduced roadway width for dead-end roads in excess of 500 feet to 30 feet from curb face to curb face.
  - 5) Modification of Standard Plan 103A-1 to:
    - a. allow driveway to be within 25 feet from a radius return;
    - b. reduce minimum driveway widths from 16 feet to 10 feet wide for secondary single car garages where a larger driveway for the same property is also proposed; and
    - c. eliminate 4 foot taper to back of curb.
  - 6) Reduced sidewalk width to 5 feet (4.5 feet from back of curb to back of walk).
  - 7) Reduced gutter pan width for both vertical and rolled curb and gutter to 10 inches and 8 inches, respectively.
  - 8) Sidewalks on one side of roads, as delineated on Exhibit G1 (Phase 1 Development Plan).
  - 9) Reverse horizontal curves without a 100 foot tangent.
  - 10) Reduced ROW and roadway width for hammerhead and Wye turnarounds.
  - 11) Maximum centerline grade for 'A' Drive to be 12 percent.
  - 12) Reduced intersection spacing to less than 300 feet between the intersections of 'B' Drive/'A' Drive and 'B' Circle/'E' Drive.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto.

2. **Mitigation Monitoring and Reporting Program:** The mitigation measures certified in the Dixon Ranch EIR and adopted in Resolution \_\_\_\_\_ are required as conditions of approval to reduce potential significant environmental effects. The Mitigation Measures shall be completed as identified in the adopted Mitigation Monitoring and Reporting Program (MMRP) (Exhibit F) prior to each Small-Lot final map.
3. **Oak Tree Replacement:** The required Oak Tree Removal Mitigation Plan shall demonstrate replacement of oak trees in the same ratio as the species being removed.
4. **Existing Wells:** The existing Dixon Residence (Lot 1) shall continue to utilize its existing well and septic system. The two other existing wells shall not be used and shall be abandoned, following proper County procedures, prior to recordation of the Small-Lot final map(s) that contain either or both of the two wells. No groundwater shall be used for pond maintenance, construction watering, or irrigation for common open space, landscaping, or for park areas within the project site.
5. **Green Springs Ranch EVA:** The Developer shall construct an emergency vehicle access (“EVA”), together with a water line if required by the El Dorado Irrigation District, at the southern boundary of the property at the location as shown on the tentative map and labeled as EVA Alt #1 on the “Emergency Vehicle Access Alternatives for Green Springs Ranch” (Exhibit W). If the Developer determines that EVA Alt #1 is not the preferred alignment for an EVA, the Developer may construct an EVA and/or water line as approximately depicted as EVA Alt #2 in Exhibit W. Construction of EVA Alt #2 may result in an increase in oak canopy removal exceeding the allowable canopy removal in Phase 1 of the Project. In that event, Developer shall reduce the number of lots in Phase 1, as necessary, and defer the development of such lots to Phase 2 of the Project. Prior to such construction of either alternative, Developer shall provide evidence to the County of sufficient access rights for the construction and use of the alignment as an EVA and utility easement if applicable.
6. **Design Guidelines:** The Dixon Ranch Design Guidelines dated August 2015 shall be incorporated into and become a part of the covenants, conditions and restrictions (CC&R’s), which shall be recorded on the property prior to the sale of any lot to the home buying public. The CC&R’s shall provide for the creation of a design review committee, together with a procedure for the review and approval of proposed construction within the project, which shall be responsible for the enforcement of the Design Guidelines (Exhibit U).
7. **Lighting:** Street lights shall be shown on the Final Improvement Plans and be located at a minimum at major intersections, mid-block pedestrian crossings, along roads where needed to establish adequate sight distance and to ensure public safety. Safety and security lighting shall also be shown at park sites, entry gates, the clubhouse area, parking and play areas, and walkways where appropriate. All street lights and outdoor lighting shall conform to Section 130.14.170, and be fully shielded pursuant to the Illumination Engineering Society of North America’s (IESNA) full cut-off designation. Should

- installed lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of the Planning Division. A lighting and landscaping district shall be formed to provide for the maintenance of those lights.
8. **CSD Annexation:** The subdivision area shall be annexed to the El Dorado Hills CSD prior to recordation of the recordation of the first Small-Lot final map.
  9. **Parkland Dedication:** Prior to approval of the first Small-Lot final map, the applicant shall provide a letter from the El Dorado Hills Community Services District verifying that Quimby Act requirements as to the parkland dedication have been satisfied. (The Large-Lot Phasing map does not require implementation of this condition.)
  10. **Village Park:** Development of the Village Park (Lot A), shown in Exhibit M, will require subsequent approval of its final design by the El Dorado Hills CSD prior to issuance of the first grading permit for the park site.
  11. **Open Space Maintenance:** A funding mechanism shall be in place for the maintenance of all open space and common areas, and their related improvements and facilities, prior to recordation of the first Small-Lot final map. An open space management plan shall be approved by the Planning Director prior to recordation of the first Small-Lot final map. The open space management plan shall include a comprehensive funding plan for all open space within the Phase 1 development.
  12. **Age-Restricted Designation:** The subdivision CC&Rs shall require that the portion of the development designated to be an age-restricted, senior citizen housing development comply with the meaning of California Civil Code Section 51.3. Section 51.3 provides that qualifying residents for senior communities are those who are 55 years of age or older.
  13. **CC&Rs:** The CC&Rs shall contain a provision that states that any condition that is implemented through the CC&Rs cannot be changed without formal approval by El Dorado County and any affected agency.
  14. **Mitigation Monitoring/Improvement Plans:** A Mitigation Monitoring Report shall be submitted with the Improvement Plans addressing the applicable mitigation measures of the Dixon Ranch Residential Project Environmental Impact Report. The applicable mitigation measures shall be included on the improvement plans, shown on the final map, contained in the CC&R's, or otherwise completed prior to recordation of each final map.
  15. **Meter Award Letter:** A water and sewer meter award letter or similar document shall be provided by the water and sewer purveyor prior to filing the final map, except for large lot phasing maps, consistent with Board of Supervisors Resolution 118-92.
  16. **Zone Boundaries:** Zone boundaries shall be finalized prior to recordation of each Small-Lot final map.

17. **Final Map Recordation:** Prior to final map recordation, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval.
18. **Liens and Bonds:** Prior to filing a final map, if the subject property is subject to liens for assessment or bonds, pursuant to the provisions of Government Code Section 66493, the owner or subdivider shall either: (a) Pay the assessment or bond in full, or (b) File security with the Clerk of the Board of Supervisors, or (c) File with the Clerk of the Board of Supervisors the necessary certificate indicating provisions have been made for segregation of bond assessment responsibility pursuant to Government Code Section 66493(d).
19. **Tentative Map Expiration:** This tentative map shall expire 36 months from the date of approval unless a timely extension is filed.
20. **Hold Harmless:** In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the California Government Code.

The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

El Dorado County shall notify the applicant of any claim, action, or proceeding and shall cooperate fully in the defense.

**Transportation Division (EDCTD):**

21. **Road Design Standards:** The applicant shall construct all roads in conformance with the County Design and Improvements Standard Manual (DISM) as shown on Table 1 and approved Design Waivers. The improvements shall be completed to the satisfaction of the EDCTD or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map: (Table 1 serves to outline the requirements).

<b>Table 1</b>					
<b>ROAD NAME</b>	<b>DESIGN STANDARD PLAN</b>	<b>ROAD WIDTH*</b>	<b>RIGHT OF WAY</b>	<b>DESIGN SPEED</b>	<b>EXCEPTIONS/ NOTES</b>
A-DR and C-DR (from Green Valley Rd to B-CR)	Modified Std Plan 101B	36 ft	50 ft	35 mph	Tentative Map Section I and Green Valley Road Exhibit (August 2011), six foot pedestrian path on one side from the Village Park to Green Valley Road. **
C-DR (through wetland crossing)	Modified Std Plan 101B	24 ft	50 ft	35 mph	Tentative Map Section II (parking not allowed) <b>Modified Type 2 Vertical Curb &amp; Gutter</b>
B-CR (E-DR to X-DR)	Modified Std Plan 101B	36 ft	50 ft	25 mph	Tentative Map Section I
B-CR (A-DR to X-DR)	Modified Std Plan 101B	26 ft	50 ft	25 mph	Tentative Map Section VI. Multi-Use Trail on one side.
B-CR (A-DR to E-DR)	Modified Std Plan 101B	31 ft	50 ft	25 mph	Tentative Map Section VII.
D-DR, E-DR, F-DR G-DR, H-DR, I-DR J-DR, J-CT, K-DR L-DR, M-DR, N-DR P-DR, R-DR, S-DR T-DR, T-CT, U-CT V-DR, W-DR, X-DR	Modified Std Plan 101B	30 ft	40 ft	25 mph	Tentative Map Sections III, IV and V ***  Modified Type 1 rolled curb and gutter

\* 1) Road widths are measured from curb face to curb face or edge of pavement to edge of pavement if no curb (traveled way). Curb face for rolled curb and gutter is 6" from the back of the curb.

\*\* 2) Pedestrian path shall be compacted and stabilized decomposed granite, or portland cement concrete.

\*\*\* 3) Modified Type 1 Rolled Curb and Gutter to be used next to residential lots. Modified Type 2 Vertical Curb and Gutter to be used adjacent to parks and open space.

4) Curb & Gutter details may be modified to protect existing oak trees.

22. **Access at "A" Drive:** Access at "A" Drive, including turn pocket improvements to Green Valley Road shall be constructed with the first Small-Lot final map. A traffic signal shall be installed at the Green Valley Road / "A" Drive intersection.

In order to ensure proper timing for the installation of traffic signal controls, the applicant shall be responsible to perform traffic signal warrants with each final map at the Green Valley Road / "A" Drive Intersection in accordance with the Manual on Uniform Traffic Control Devices (version in effect at the time of application).

If traffic signal warrants are met at the time of application for final map (including the lots proposed by that final map), the applicant shall construct the improvements prior to issuance of the first certificate of occupancy for any lot within that final map.

If traffic signal warrants are not met upon application for the last final map within the project, the project applicant shall pay its TIM fees toward the installation of a traffic signal control at this intersection. In which case, payment of TIM fees is considered to be the project's proportionate fair share towards this improvement.

If the traffic signal control at this intersection is constructed by the County or others prior to triggering warrants by the project, payment of TIM fees is considered to be the project's proportionate fair share towards this improvement."

23. **Offer of Dedication, Interior Roads:** Developer shall irrevocably offer to dedicate in fee, as noted in Table 1, right of way and public utility easements as determined by EDCTD, and for all other onsite roadways, prior to the filing of the applicable Small-Lot final map. Slope easements shall be included as necessary. The offers for interior roads will be rejected by the County, and the roads will be maintained by the Homeowner's Association. Offers for public utilities will be accepted on behalf of those Utility Companies providing service.
24. **Offer of Dedication, Green Valley Road:** The applicant shall irrevocably offer to dedicate, in fee, the necessary rights of way to measure 50 feet from the center line south for the on-site portion of Green Valley Road along the entire frontage as shown on the tentative map along lot 2, prior to filing the applicable Small-Lot final map. This offer will be accepted by the County.
25. **Off-Site Improvements:** All necessary off-site roadway improvements are identified in the project mitigation measures (MM). Where timing of mitigation is specified in the Development Agreement, the terms of the Development Agreement shall take precedence over these Conditions of Approval.

In order to ensure timely implementation of off-site roadway improvements, the project shall prepare a Design Traffic Study for each Small-Lot final map. The Design Traffic

Studies shall identify implementation timing for each mitigation measure identified in the EIR, which is required by the level of development in each Small-Lot final map.

The improvement plans for each Small-Lot final map shall contain within the plans, or by separate plan set, the off-site roadway improvements identified in the Design Traffic Study, and such improvements shall be completed in accordance with a Subdivision Improvement Agreement or Road Improvement Agreement between the applicant and County. Alternatively, if the mitigating off-site roadway improvements are included in the County's CIP, and construction of such improvements are scheduled to commence within the 10-year CIP, the project shall pay its Traffic Impact Mitigation Fees in place at the time a building permit is issued.

The project may be eligible for reimbursement for any off-site improvements where such improvements are funded by the County's Traffic Impact Mitigation (TIM) Fee. Reimbursement, or the terms of reimbursement, is subject to the County's TIM Fee Reimbursement Policy, and to specific approval by the Board of Supervisors unless otherwise specified in the Development Agreement.

26. **Encroachment Permit Green Valley Road and "A" Drive:** The applicant shall obtain an encroachment permit from EDCTD and construct the roadway encroachment from "A" Drive onto Green Valley Rd to the provisions of County Standard Plan **103E**. This work shall be consistent with the *Green Valley Road / A-Drive Exhibit* included in the project description, and in accordance with the latest version of *A Policy on Geometric Design of Highways and Streets*, published by the American Association of State Highway and Transportation Officials (AASHTO).
27. **Encroachment Permit Green Valley Road and "C" Drive:** The applicant shall obtain an encroachment permit from EDCTD and shall construct the roadway encroachment from "C" Drive onto Green Valley Rd to the provision of County Standard Plan **103E**. This work shall be consistent with the *Green Valley Road / C-Drive Exhibit* included in the project description, and in accordance with the latest version of *A Policy on Geometric Design of Highways and Streets*, published by the American Association of State Highway and Transportation Officials (AASHTO).
28. **Class II Bike Lane:** Pursuant to the Bicycle Transportation Plan, a Class II Bike Lane is planned along both sides of Green Valley Road. The project shall construct a Class II Bike Lane within the limits of work required for "A" Drive and "C" Drive access improvements to Green Valley Road.
29. **Access to Lots 2 and 3:** Access to Lot 2 and Lot 3 shall be provided for from "C" Drive. An access easement across Lot 3 to the benefit of Lot 2 shall be recorded with the appropriate Small-Lot final map.
30. **Off-site Easements:** The applicant shall provide all necessary recorded easements for drainage, slopes and road improvements crossing the property line prior to approval of the improvement plans.

31. **Road Improvement Agreement & Security:** The developer shall enter into a Road Improvement Agreement (RIA) with the EDCTD for all roadway, frontage, and intersection improvements within the County right of way. The developer shall complete the improvements to the satisfaction of EDCTD or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the applicable Small-Lot final map.

**EDCTD STANDARD CONDITIONS**

32. **TIM Fees:** Prior to issuance of building permits for the lots created by the project, the building permit applicant shall pay the traffic impact mitigation fees in effect at the time the building permit application is deemed complete.
33. **Signing and Striping:** The project improvement plans shall include all necessary signing and striping as required by the EDCTD. Signing and striping shall conform to the latest version of the California Manual on Uniform Traffic Control Devices (MUTCD).
34. **Curb Returns:** All public streets where pedestrian facilities are provided shall be provided with pedestrian ramps conforming to the latest accessibility standards. Caltrans Standard Plan or Revised Standard Plan A88A is recommended.
35. **Road Turnarounds:** The applicant shall provide turnarounds as shown on the Tentative Map or as otherwise required by local fire district.
36. **Maintenance Entity:** The proposed project must form an entity for the maintenance of the proposed roads. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads of the current project. The EDCTD shall review the document forming the entity to ensure the provisions are adequate prior to filing of the first Small-Lot final map.
37. **Common Fence/Wall Maintenance:** The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).
38. **Consistency with County Codes and Standards:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (as may be modified by these Conditions of Approval or by approved Design Waivers) from the EDCTD and pay all applicable fees prior to filing of the applicable Small-Lot final map.

Additionally, the project improvement plans and grading plans shall conform to the County Grading, Erosion and Sediment Control Ordinance, Grading Design Manual, the Drainage Manual, Off-Street Parking and Loading Ordinance, all applicable State of California Water Quality Orders, the State of California Handicapped Accessibility Standards, and the California Manual on Uniform Traffic Control Devices (MUTCD).

39. **Subdivision Improvement Agreement & Security:** The developer shall enter into a Subdivision Improvement Agreement (SIA) with the County for all roadway, grading, drainage, and other support infrastructure as required by the County Subdivision Ordinance, prior to filing of the applicable Small-Lot final map.

For improvements not completed at the time of recordation of the applicable Small-Lot final map, the subdivider shall provide a 100 percent performance surety and a 50 percent labor and materialmen's surety by separate bond, cash deposit, assignment, or letter of credit from a financial institution. For improvements which have been completed, the subdivider shall provide a ten percent maintenance surety in any of the above-mentioned forms.

The developer's Engineer of Record shall prepare a "Certificate of Partial Completion" as an attachment to the SIA, which sets forth the total cost of the project, percent complete, and the estimated remaining cost of the work to complete the project. Verification of the Certificate of Partial Completion shall be determined by the County.

40. **Easements:** All existing and proposed easements shall be shown on the project grading plans, improvement plans, and on the Small-Lot final maps.
41. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
42. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the EDCTD. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the EDCTD shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project during construction. Grading plans shall incorporate appropriate erosion control measures during construction as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented during construction to control siltation, and the potential discharge of pollutants into drainages.
43. **RCD Coordination:** The timing of construction and method of re-vegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September 30 each year, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the EDCTD. The EDCTD shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15 each year.

44. **Water Quality Stamp:** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.
45. **Drainage Study / NPDES Compliance:** The applicant shall provide a Drainage Report with the project grading plans and project improvement plans, consistent with the Drainage Manual. The Drainage Report shall address storm water runoff increase, and impacts to downstream facilities and properties. The Drainage Report must demonstrate the subject property has adequate existing and proposed storm drainage facilities.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. A Scoping Meeting for the required Drainage Report between County staff and the engineer shall occur prior to the first submittal of improvement plans. The engineer shall bring a watershed map and any other existing drainage system information to the Scoping Meeting.

46. **Drainage (Cross-Lot):** Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or open channel, to either a natural drainage course of adequate size or an appropriately sized storm drain system. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the applicable Small-Lot final map.
47. **Off-site Improvements (Security):** Prior to the filing of an applicable Small-Lot final map, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required offsite improvements, including the full cost of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in the amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.
48. **Off-site Improvements (Acquisition):** As specified in the conditions of approval, the applicant is required to perform off-site improvements. If it is determined that the applicant does not have or cannot secure sufficient title or interest of such property where said off-site improvements are required, the County may, at the applicant's expense and within 120 days of filing the applicable Small Lot final map, acquire by negotiation or commence proceedings to acquire an interest in the property which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of the applicable Small Lot final map, the applicant shall submit the following to the EDCTD, Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable

security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20 percent contingency.

- A. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
- B. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
- C. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements.

In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.

49. **NPDES Construction Permit:** The project proposes to disturb more than one acre of land and therefore, is required to obtain coverage under the California State Water Resources Control Board (SWRCB) Construction General Permit Order No. 2009-0009-DWQ (CGP), including any and all amendments or revised orders issued by the SWRCB.

The applicant shall demonstrate compliance with the CGP, or equivalent permit issued by the SWRCB, prior to issuance of grading permits by the County.

50. **Electronic Documentation:** Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the applicant will provide a CD to the EDCTD with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.

#### **Air Quality Management District (AQMD)**

51. **Construction Emissions:** See Mitigation Measure AIR-2. The full text of the Air Resources Board (ARB) regulation can be found at ARB's website here: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>. An applicability flow chart can be found here: [http://www.arb.ca.gov/msprog/ordiesel/faq/applicability\\_flow\\_chart.pdf](http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf). Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation.
52. **Land Clearing:** Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only vegetative waste materials may be disposed of using an open outdoor fire (AQMD Rule 300 Open Burning).
53. **Paving:** Project construction will involve roadway development and must adhere to AQMD Rule 224 Cutback and Emulsified Asphalt Paving Materials.

54. **Coatings:** The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
55. **District Permit(s):** Prior to construction/installation of any new point source emission units or non-permitted emission units (e.g., gasoline dispensing facility, emergency standby engine, etc.), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors. (AQMD Rule 501.3.A)

#### **El Dorado Hills Fire Department**

56. **Annexation:** Prior to approval of the first Small-Lot final map, the applicant shall be required to annex into the El Dorado Hills County Water District (El Dorado Hills Fire Department) and pay associated fees with annexation/parcel creation.
57. **Fire Flow Requirements:** The potable water system with the purpose of fire protection for this residential development shall provide a minimum fire flow of 1,000 gallons per minute with a minimum residual pressure of 20 psi for two-hour duration. This requirement is based on a single family dwelling 6,200 square feet or less in size. All homes shall be fire sprinklered in accordance with NFPA 13D and Fire Department requirements. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval.
58. **Hydrant Placement:** This project shall install Mueller Dry Barrel fire hydrants, or any other type of hydrant which conforms to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 500 feet. The exact location of each hydrant shall be determined by the Fire Department; however, the following specific locations shall have a hydrant added:
  - A. Corner of B Circle and C Drive
  - B. Corner of B Circle and A Drive
  - C. On A Drive at entrance to the Lot A Village Park
59. **Hydrant Visibility:** In order to enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and State Fire Safe Regulations.
60. **Hydrant Installation:** In order to provide this project with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems for the applicable phase shall be installed and in service prior to combustibles being brought onto the site as specified by the Fire Department, Standard B-003.

61. **Wildland Fire Safe Plan:** The Wildland Fire Safe Plan approved according to State Fire Safe Regulations on July 22, 2013 (Exhibit P) shall be implemented and maintained. This shall address development of those homes that back up to the surrounding open wildland areas to include, but not be limited to the requirement for non-combustible type fencing.
62. **Wildland Fire Safe Plan Amendment:** The wildland fire safe plan for the project shall be amended to include the narrowing of 'B' Circle to 26 feet and 31 feet of curb face to curb face from 'E' Drive to 'X' Drive, as depicted on the Tentative Map Dixon Ranch – Phase 1 (Exhibit H2). Conformance with this condition shall be verified prior to approval of improvement plans for the affected segment of 'B' Circle.
63. **Traffic Calming Devices:** This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump/dip section of roadway.
64. **Gate Requirements:** The total number of vehicle access control gates or systems through which emergency equipment must pass to reach any address within the project shall not exceed one, in compliance with El Dorado Hills Fire Department Gate Standard B-002.
65. **On-street Parking:** All parking restrictions as stated in the El Dorado Hills County Water District Ordinance 36 shall be in effect for the following roads within each section (X), as delineated on Exhibits (H2-3), as follows:
  - A. Parking on A-Drive, B Circle (I), and C-Drive (I): Parking on both sides
  - B. Parking on B Circle (VI & VII) and C-Drive (II): No parking on both sides
  - C. Parking on D-Drive thru L-Drive and R-Drive thru Y-Drive (III): Parking on one side only on the side OPPOSITE the sidewalk
  - D. Parking on I-Drive (IV): Parking on one side only on the side OPPOSITE the sidewalk
  - E. Parking on I-Drive and M-Drive thru Q-Drive (V): Parking on one side only
  - F. All EVA's shall have no parking.

Changes may be made to these restrictions subject to approval of the Fire Department and El Dorado County Transportation.
66. **Red Curbing:** All streets with parking restrictions will be signed or marked with red curbs as described in the El Dorado County Regional Fire Protection Standard B-0004 titled "No Parking-Fire Lane."
67. **Secondary Egress:** A secondary means of egress shall be provided prior to issuance of the first residential building permit or the project can be phased. Dead end roads may not exceed 800 feet or 24 parcels; whichever comes first.
68. **Emergency Vehicle Access:** The applicant shall provide the Lima Way, Green Springs Road and Marden Lane emergency vehicle access connections as follows:

- A. Only the clubhouse, Lots 7-98, 114-155, and 167-210, as identified on Exhibits H-1, 2, and 3, shall be allowed prior to construction of the 20 foot wide and all-weather surfaced (capable of supporting 75,000 lbs.) EVA connecting to Lima Way (with electronic gate as described in the Wildland Fire Safe Plan);
  - B. The full EVA connecting to Green Springs Road, (20 foot wide and all-weather surfaced, capable of supporting 75,000 lbs.), with electronic gate as described in the Wildland Fire Safe Plan, shall be constructed with a phase that does not include a residential lot identified in section A above. Determination of the appropriate phase to include this work shall be at the sole discretion of the El Dorado Hills Fire Department, based on actual phasing of project construction. Off-site improvements may be required so that this stubbed EVA fully connects to the existing East Green Springs Road; and
  - C. The Marden Lane EVA connection shall be constructed in the future as part of the Phase 2 tentative map and development plan approval.
69. Any parcels greater than one acre shall conform to Title 14 SRA Fire Safe Regulations requirements for a minimum setback of 30 feet from all property lines for buildings and accessory buildings, except as noted on the development plan (Exhibit G1).
70. Prior to June 1 each year, vegetation clearance shall be required around the EVA connections to Lima Way and near Green Springs Road in compliance with the Wildland Fire Safe Plan.
71. When designing the access points to the project's open space trail system, consideration shall be given to allow for emergency vehicle access, specifically for a smaller vehicle such as an ambulance. Gates or removable bollards may be installed and locked with a low priority KNOX lock. The street curbs adjacent to the trail access point shall be painted red.

**Sacramento Municipal Utility District (SMUD)**

72. The on-site portion of the SMUD transmission line easement shall be labeled "Restricted Building and Use Area", prior to recordation of any applicable Small-Lot final map.
73. Prior to the start of any construction, the applicant shall submit to SMUD all grading, landscape, or any other plans that demonstrate changes to the areas within the transmission line easement, subject to review and written approval of SMUD. This condition shall be made a part of the Covenant, Codes and Restrictions (CC&Rs).

**Surveyor's Office**

74. All survey monuments must be set prior to the filing of any final map or the applicant shall have surety of work to be done by bond or cash deposit. Verification of set survey

monuments, or the amount of bond or deposit shall be coordinated with the County Surveyor's Office prior to the filing of the any final map with the County.

75. The roads serving the development shall be named by submitting a completed Road Name Petition to the County Surveyors Office prior to filing any Small-Lot final map with the County. Proof of any signage required by the Surveyor's Office must also be provided prior to filing any final map with the County. All associated fees will be the responsibility of the applicant.

**CEQA Findings and Statement of Overriding Considerations**

Document, as recommended by the Planning Commission, is attached to the end of the minutes in its entirety.

**Mitigation Monitoring Reporting Program**

Document, as recommended by the Planning Commission, is attached to the end of the minutes in its entirety.

**Revised Exhibit G** – As approved by the Planning Commission, is attached to the end of the minutes.

**ADJOURNMENT**

Meeting adjourned at 5:48 p.m.

APPROVED BY THE COMMISSION

Authenticated and Certified:

 2/25/16

Rich Stewart, Chair

## **DIXON RANCH RESIDENTIAL PROJECT**

### **CEQA FINDINGS**

#### **Pursuant to Section 15091 and 15093 of the State CEQA Guidelines and Section 21081 of the Public Resources Code**

November 17, 2015

The Final Environmental Impact Report (Final EIR) prepared by El Dorado County (County) for the Dixon Ranch Residential Project (project) consists of the Draft EIR and Response to Comments Document on the Draft EIR, including text changes to the Draft EIR identified in the Response to Comments Document. The Final EIR identifies significant environmental impacts that will result from implementation of the project. The Final EIR identified a total of 29 significant impacts; implementation of the identified mitigation measures would reduce 20 of these impacts to less-than-significant levels. The Final EIR identified 9 significant and unavoidable environmental impacts. For several of these significant and unavoidable impacts, feasible mitigation measures have been identified that will reduce these impacts to less-than-significant levels.

Three of these are transportation impacts; mitigation measures have been identified which would reduce the impact to a less-than-significant level, but the mitigation measures may be implemented after project construction, so the Final EIR identified the impact as temporarily significant and unavoidable until each measure is constructed, at which time the impact would be less than significant. Notably, if an improvement is not included in the 10-year Capital Improvement Program (CIP) at the time the first building permit is issued for the project, the project applicant is required to construct the improvement, thereby ensuring that the required improvements will be constructed in a timely fashion. If the improvement is included in the 10-year CIP there may be a temporary period of approximately 10 years or less, during which time the impact is significant and unavoidable. The EIR's conclusion that such temporary impacts are significant and unavoidable (until the improvement is constructed) is extremely conservative. Fair-share contributions to a mitigation fund are adequate mitigation if they "are part of a reasonable plan of actual mitigation that the relevant agency commits itself to implementing." (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1187.) The County's Capital Improvement Plan is such a program. There is no requirement in CEQA that an EIR must include a time-specific schedule for the agency to complete the specified road improvements. (*Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 140–411 [upholding fee-based mitigation even though there may be temporary impacts while improvements are constructed.] All that is required by CEQA is a *reasonable plan* for mitigation. (*Sacramento Old City Association v. City Council* (1991) 229 Cal.App.3d 1011, 1032.) Thus, in concluding the temporary impacts are significant and unavoidable, the EIR *exceeded* the requirements of CEQA.

The construction and operation of the project will result in significant air quality impacts. While mitigation measures are identified to substantially lessen construction and operation related emissions, these impacts would still be considered significant and unavoidable. The project would also result in a significant and unavoidable cumulative air quality impact. Construction and operation of the project would result in a significant and unavoidable greenhouse gas emissions impact, even

with implementation of the identified mitigation measures. The project would also result in a significant and unavoidable impact with a plan adopted for the purposes of reducing greenhouse gas emissions. Finally, even with implementation of the construction noise mitigation measures, the project would result in a significant and unavoidable impact related to construction noise.

For each of these significant and unavoidable effects, the County finds that specific economic, legal, social, recreational, and environmental benefits override and outweigh the project's significant unavoidable impacts. The CEQA Findings document contains a Statement of Overriding Considerations for the significant and unavoidable impacts.

As required by CEQA, the County Board of Supervisors, in adopting these CEQA Findings and Statement of Overriding Considerations, also adopts a Mitigation Monitoring and Reporting Program (MMRP) for the project. The Board of Supervisors finds that the MMRP, which is incorporated by reference, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project. Implementation of the MMRP is required as a condition of approval for the project.

In accordance with CEQA and the *CEQA Guidelines*, the Board of Supervisors of El Dorado County adopts these findings as part of the certification of the Final EIR for the project. Pursuant to Public Resources Code Section 21082.1(c)(3), the Board of Supervisors of El Dorado County also finds that the Final EIR reflects the County's independent judgment as the lead agency for the project.

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## SECTION 1.0 INTRODUCTION

### 1.1 STATUTORY REQUIREMENTS FOR FINDINGS

The California Environmental Quality Act (CEQA), (Cal. Pub. Res. Code, Section 21080) and the *CEQA Guidelines* (Cal. Code Regs., Title 14, Section 15063) state that if it has been determined that a project may or will have significant impacts on the environment then an Environmental Impact Report (EIR) must be prepared. Accordingly, an EIR has been prepared by El Dorado County (hereafter referred to as “the County”) to evaluate potential environmental effects that may result from implementation of the proposed Dixon Ranch Residential Project (project). The EIR has been prepared in accordance with the California Environmental Quality Act of 1970, as amended (Cal. Pub. Res. Code, Section 21000 et seq.), and implementing State *CEQA Guidelines* (Cal. Code Regs., Title 14, Section 15000 et seq.).

In accordance with *CEQA Guidelines* Section 15090, the Board of Supervisors of El Dorado County (hereafter referred to as the “Board of Supervisors”), as the decision-making body for the Dixon Ranch Residential Project (hereafter referred to as the “project” or “proposed project”), certifies that:

- a) The Final EIR for the proposed project has been completed and processed in compliance with the requirements of CEQA;
- b) The Final EIR was presented to the Board of Supervisors, as the decision-making body for the proposed project, and the Board of Supervisors reviewed and considered the information contained in the Final EIR prior to adopting the proposed project; and
- c) The Final EIR reflects El Dorado County’s independent judgment and analysis. The County has exercised independent judgment in accordance with Public Resources Code Section 21082.1(c) in retaining its own environmental consultant directing the consultant in the preparation of the EIR as well as reviewing, analyzing, and revising material prepared by the consultant.

These CEQA Findings of Fact (hereafter referred to as “Findings”), and Mitigation Monitoring and Reporting Program (MMRP) have been prepared in accordance with CEQA and the *CEQA Guidelines*. The purpose of these Findings is to satisfy the requirements of Public Resources Code Section 21081 and Sections 15090, 15091, 15092, 15093, and 15097 of the *CEQA Guidelines*, in connection with the adoption of the proposed project. Before approving a project an EIR must be certified pursuant to Section 15090 of the *CEQA Guidelines*. Prior to approving a project for which an EIR has been certified, and for which the EIR identifies one or more significant environmental impacts, the approving agency must make one or more of the following findings, accompanied by a brief explanation of the rationale, pursuant to Public Resources Code Section 21081 and Section 15091 of the *CEQA Guidelines*, for each identified significant impact:

- 1) Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- 2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

- 3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

In other words, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to avoid or substantially lessen the significant environmental impacts that will otherwise occur with implementation of the project.

The *CEQA Guidelines* do not define the difference between “avoiding” a significant environmental effect and “substantially lessening” such an effect. The County must therefore glean the meaning of these terms from other contexts in which the terms are used. Public Resources Code Section 21081, on which *CEQA Guidelines* Section 15091 is based, uses the term “mitigate” rather than “substantially lessen.” The *CEQA Guidelines* therefore equate “mitigating” with “substantially lessening.” Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that “...public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects...”<sup>1</sup>

For purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less-than-significant level under CEQA. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowners Assn. v. City Council* (1978) 83 Cal.App.3d 515, 519-521, in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question less than significant.

Although *CEQA Guidelines* Section 15091 requires only that approving agencies specify that a particular significant effect is “avoid(ed) or substantially lessen(ed),” for purposes of clarity, in each case these Findings will specify whether the effect in question has been reduced to a less-than-significant level, or has simply been substantially lessened but remains significant.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project mitigation or alternatives are not required, however, where they are infeasible or where the responsibility for modifying the project lies with some other agency.<sup>2</sup> The concept of “feasibility” also encompasses the question whether a particular mitigation measure promotes the underlying goals and objectives of the project.<sup>3</sup> “Feasibility” under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant, environmental, social, and technological factors.”<sup>4</sup>

<sup>1</sup> Public Resources Code Section 21002.

<sup>2</sup> *CEQA Guidelines*, Section 15091 (a), (b).

<sup>3</sup> *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001.

<sup>4</sup> *City of Del Mar v. City of San Diego* (1982) 123 Cal.App.3d 410, 417; see also *Sequoiah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

With respect to significant effects that cannot be mitigated to a less-than-significant level, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found the project's "benefits" outweigh its "unavoidable adverse environmental effects," and on that basis consider the unavoidable significant effects "acceptable" under CEQA.<sup>5</sup> The public agency must find, based on substantial evidence in light of the whole record, that specific economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.<sup>6</sup>

The *CEQA Guidelines* state in Section 15093(a) that:

*"If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"*

The California Supreme Court has stated, "(t)he wisdom of approving...any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore, balanced."<sup>7</sup>

The County's Findings with respect to the project's significant effects and mitigation measures are set forth below. The discussion below does not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Instead, the discussion provides a summary description of each potentially significant impact, describes the applicable mitigation measures identified in the Draft EIR or Final EIR and adopted by the County, and states the County's Findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the Draft EIR and Final EIR, and these findings hereby incorporate by reference the discussion and analysis in those documents supporting the Final EIR's determinations regarding mitigation measures and the project's impacts and mitigation measures designed to address those impacts. In making these Findings, the County ratifies, adopts, and incorporates into these Findings the analysis and explanations in the Draft EIR and Final EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the Draft EIR and Final EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these Findings.

## 1.2 RECORD OF PROCEEDINGS

For purposes of CEQA and the Findings set forth herein, the record of proceedings for the County's decision on the project consists of: a) matters of common knowledge to the County, including, but not limited to, federal, State and local laws and regulations; and b) the following documents which are in the custody of the County:

- Dixon Ranch Residential Project Application materials;

<sup>5</sup> *CEQA Guidelines* Section 15091(a) and (b).

<sup>6</sup> Public Resources Code Section 21081(b).

<sup>7</sup> *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 559, 576.

- Notice of Preparation and all other public notices issued by the County in conjunction with the project (see Appendix A of the Draft EIR for the Notice of Preparation);
- The Public Review Draft EIR and supporting documentation prepared for the proposed project (Appendix A through G and the Draft EIR), dated November 2014 (State Clearinghouse # 2012062023);
- All written comments submitted by agencies, organizations and members of the public during the public comment period on the Draft EIR, and responses to those comments (see Response to Comments Document, dated November 2015) (State Clearinghouse # 2012062023);
- The Mitigation Monitoring and Reporting Program (MMRP) for the project;
- The Staff Report for the December 10, 2015, Planning Commission meeting;
- The Staff Report for the January 12, 2016, Board of Supervisors meeting;
- All findings and resolutions adopted by the County in connection with the project, and all documents cited or referred therein;
- All final reports, studies, memoranda, maps, correspondence, and all planning documents prepared by the County, or the consultants, or responsible or trustee agencies with respect to: a) the County's compliance with CEQA; b) development of the project; or c) the County's action on the project;
- All documents submitted to the County by agencies or members of the public in connection with development of the project; and
- Any other materials required for the record of proceedings by Public Resources Code Section 21167.6 (e).

The official custodian of the record is the County Clerk located at 370 Fair Lane, Placerville, California.

### 1.3 ORGANIZATION/FORMAT OF FINDINGS

Section 2 of these Findings contains a summary description of the project, sets forth the objectives of the project, and briefly describes alternatives evaluated in the Draft EIR. Section 3 identifies the potentially significant effects of the project which were determined to be mitigated to a less-than-significant level. All numbered references identifying specific mitigation measures refer to numbered mitigation measures found in the Draft EIR, the Initial Study and Response to Comments Document. Section 4 identifies the project's potential environmental effects that were determined not to be significant, and do not require mitigation. Section 5 identifies the significant impacts of the project, including cumulative impacts, that cannot be mitigated to a less-than-significant level even though all feasible mitigation measures have been identified and incorporated into the project. Section 6 discusses the feasibility of project alternatives. Section 7 is the Statement of Overriding Consideration.

## **SECTION 2.0 DIXON RANCH RESIDENTIAL PROJECT**

This section lists the objectives of the proposed project, provides a brief description of the project, and lists the project alternatives evaluated in the Draft EIR.

### **2.1 PROJECT OBJECTIVES**

The objectives of the proposed project are as follows:

- Implement the County's General Plan by directing growth within those areas with moderate topography, located amongst already developed lands, with access to services, schools and transportation systems.
- Implement the County's General Plan by providing urban/suburban type development within lands designated as Community Region in order to ensure the preservation of large expanses of open space and agricultural lands within the County.
- Create an economically viable project that provides a fair-share contribution of infrastructure to the community through the payment of fees and/or construction of required capital improvements, including transportation improvements in accordance with the County's General Plan.
- Provide a broad range of residential product types.
- Offer a range of designs and amenities to meet the needs of the changing demographics of the County, including families, empty nesters and active adults.
- Protect the highest quality natural features and resources of the site while being sensitive to the character of adjacent land uses.
- Provide a residential community containing open space and a range of passive and active recreational amenities for its residents and the community.
- Provide a comprehensively planned project that is sensitive to environmental issues including wetland and tree preservation.
- Improve emergency access and circulation via existing road termini.
- Implement the General Plan strategies and methods for achieving its vision and goals of sustainable growth and economic development.

### **2.2 PROJECT DESCRIPTION**

The project site comprises four parcels which include APNs: 126-020-01, 126-020-02, 126-020-03, 126-020-04, and 126-150-23. The project site is south of Green Valley Road, near its intersection with Malcolm Dixon Road. The project is generally surrounded by residential uses. Existing or approved adjacent subdivisions include Green Springs Ranch to the east and southeast, Serrano to the southwest, and Highland View to the west.

The proposed project would subdivide approximately 280 acres, creating 605 residential lots. One existing vacant and dilapidated residence on the project site would be demolished. One 5-acre lot would be created, which would include the existing Dixon Residence; other than the creation of the 5-acre parcel, no changes to the Dixon Residence are proposed as part of the project. The proposed project would result in the creation of 605 residential parcels containing 604 new single-family detached residential units and the retention of the Dixon Residence. Approximately 160 of these units

would be age restricted to older adults. The project includes approximately 84 acres (30 percent) of open space, including parks, trails, landscaped lots, and native open spaces. The project includes on-site and off-site infrastructure to serve the development. Construction of a clubhouse for the age restricted units is also proposed. The project would be divided into two phases that relate to resolution of issues associated with the County's Oak Woodland Management Plan.

Required project approvals would include: a General Plan Amendment (File No. A11-0006); Zone Change (File No. Z11-0008); Planned Development (File No. PD11-0006); Tentative Map (File No. TM11-1505); Development Agreement (File No. DA14-0001); annexation into the El Dorado Irrigation District; annexation into the El Dorado Hills Community Service District; and annexation into the El Dorado Hills County Water District (El Dorado Hills Fire Department).

## 2.3 ALTERNATIVES

The following four alternatives to the proposed project were considered in this Draft EIR:

- The CEQA-required No Project alternative. This alternative assumes that the project site would be developed under the existing General Plan and Zoning designations.
- The Small Lot Clustered Development alternative. This alternative assumes that the project would include 605 lots, but that the lots would be smaller to allow for more preservation of open space (with the exception of the Dixon Residence lot).
- The Reduced Build alternative. This alternative assumes that the project site would include 192 units under a Medium Density General Plan Amendment.
- The Non-Gated Development Alternative variant. The non-gated development project variant assumes that the project site would be developed as currently proposed, except that the proposed EVA on Lima Way would be an open public roadway with travel lanes in each direction.

A more detailed description of these alternatives, and required findings, are set forth in Section 5: Feasibility of Project Alternatives.

## SECTION 3.0 EFFECTS DETERMINED TO BE MITIGATED TO LESS-THAN-SIGNIFICANT LEVELS

The Draft EIR identified certain potentially significant effects that could result from the project. However, the County finds for each of the significant or potentially significant impacts identified in this section that, based upon substantial evidence in light of the whole record, changes or alterations have been required or incorporated into the project which will reduce these significant or potentially significant effects to less-than-significant levels. Adoption of the recommended mitigation measures will effectively make the mitigation measures part of the project.

### 3.1 TRANSPORTATION AND CIRCULATION

**Impact TRANS-1: Intersection #2, Green Valley Road/El Dorado Hills Boulevard/Salmon Falls Road, would operate at LOS F during the AM peak hour with the proposed project under the Existing (2013) Plus Proposed Project scenario. This is a significant impact.**

Mitigation Measure TRANS-1: The project applicant shall be responsible for either: (1) paying appropriate TIM fees for the improvements as identified by the County; or (2) modifying the lane configuration on the southbound approach to result in one left-turn lane, one through lane, and one right-turn lane. These improvements are subject to review and approval by the Community Development Agency, Transportation Division.

Findings for Impact TRANS-1: Mitigation Measure TRANS-1 requires that the project applicant be responsible for payment of TIM fees to the County for the identified improvements or to construct the modifications to Intersection #2, Green Valley Road/El Dorado Hills Boulevard/Salmon Falls Road. As shown in Table IV.C-4 of the Draft EIR, modifying the lane configuration on the southbound approach to one left-turn lane, one through lane, and one right-turn lane results in the intersection operating at LOS D during the AM peak hour, and LOS E is acceptable within Community Regions. As of November 2015, the County anticipates this improvement to be constructed by the County within 2015, as identified in the County's CIP Project #73151. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure TRANS-1 will be incorporated into the project via conditions of approval, and will reduce Impact TRANS-1 to a less-than-significant level.

**Impact TRANS-2: Intersection #12, El Dorado Hills Boulevard/Francisco Drive, would operate at LOS F during the AM and PM peak hours without the project, and the project contributes more than 10 peak hour trips to the intersection during both peak hours under the Existing (2013) Plus Proposed Project scenario. This is a significant impact.**

Mitigation Measure TRANS-2: The project applicant shall pay TIM fees for the project consistent with the County's CIP program. Improvements to this intersection include the addition of an eastbound channelized right-turn lane on Francisco Drive and southbound receiving lane on El Dorado Hills Boulevard as identified in the County's CIP Project #71358 (Francisco Drive Right Turn Pocket). Completion is scheduled within the County's 10-year CIP. (SU [until the improvements are constructed] / LTS [after the improvements are constructed])

Finding for Impact TRANS-2: The County finds that with implementation of Mitigation Measure TRANS-2, Impact TRANS-2 would be considered less-than-significant. This identified improvement has been constructed as of Fall 2015. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that the improvements identified in Mitigation Measure TRANS-2 have already been constructed, reducing Impact TRANS-2 to a less-than-significant level. Mitigation Measure TRANS-2 will be incorporated into the project via conditions of approval.

**Impact TRANS-4: Intersection #4, Green Valley Road/Loch Way operates at LOS F during the PM peak hour with the project under the Existing Plus Approved Projects (2018) Plus Proposed Project scenario. This is a significant impact.**

Mitigation Measure TRANS-4: The project applicant shall be responsible for the addition of a two-way left-turn lane along Green Valley Road in the immediate vicinity of the intersection with Loch Way. This improvement would provide a left-turn lane for westbound traffic on Green Valley Road to turn left onto Loch Way and would allow for vehicles making a

northbound left-turn movement from Loch Way onto Green Valley Road to clear eastbound traffic and wait for a gap in westbound traffic to merge onto westbound Green Valley Road.

Findings for Impact TRANS-4: Mitigation Measure TRANS-4 requires the applicant be responsible for modifications to Intersection #4, Green Valley Road/Loch Way. As shown in Table IV.C-6, the addition of a two-way left-turn lane along Green Valley Road in the immediate vicinity of the intersection with Loch Way results in the intersection operating at LOS C during the PM peak hour in the Existing Plus Approved Projects (2018) Plus Proposed Project scenario. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure TRANS-4 will be incorporated into the project via conditions of approval, and will reduce Impact TRANS-4 to a less-than-significant level.

**Impact TRANS-6: Intersection #4, Green Valley Road/Loch Way, would operate at LOS F during the PM peak hour with the project under the Cumulative (2025) Plus Proposed Project scenario. This is a significant impact.**

Mitigation Measure TRANS-6: Implement Mitigation Measure TRANS-4.

Findings for Impact TRANS-6: Mitigation Measure TRANS-6 requires the applicant be responsible for modifications to Intersection #4, Green Valley Road/Loch Way. As shown in Table IV.C-10, the addition of a two-way left-turn lane along Green Valley Road in the immediate vicinity of the intersection with Loch Way results in the intersection operating at LOS C during the PM peak hour in the Cumulative (2025) Plus Proposed Project scenario. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure TRANS-6 will be incorporated into the project via conditions of approval, and will reduce Impact TRANS-6 to a less-than-significant level.

**Impact TRANS-7: Intersection #7, Green Valley Road/Deer Valley Road, operates at LOS E during the PM peak hour without the project, and the project contributes more than 10 peak hour trips to the intersection during the PM peak hour under the Cumulative (2025) Plus Proposed Project scenario. This is a potentially significant impact.**

Mitigation Measure TRANS-7: In order to ensure proper timing for the installation of the traffic signal control, the applicant shall be responsible to perform traffic signal warrants and LOS analysis at this intersection with each final map in accordance with the Manual on Uniform Traffic Control Devices (version in effect at the time of application). If traffic signal warrants are met, or LOS E reached at the intersection at the time of application for final map (including the lots proposed by that final map), the applicant shall construct the improvements prior to issuance of the first certificate of occupancy for any lot within that final map.

If traffic signal warrants are not met or LOS E is not reached upon application for the last final map within the project, the project applicant shall pay its TIM fees toward the installation of a traffic signal control at this intersection. Payment of TIM fees is considered to be the project's proportionate fair share towards mitigation of this impact.

If the traffic signal control at this intersection is constructed by the County or others prior to triggering of mitigation by the project, payment of TIM fees is considered to be the project's proportionate fair share towards mitigation of this impact.

Traffic signal controls constructed by the project applicant may be eligible for reimbursement of costs in excess of the project's fair share, subject to a reimbursement agreement with the County.

Findings for Impact TRANS-7: Mitigation Measure TRANS-7 requires the project applicant to perform traffic signal warrants and LOS analysis at Intersection #7, Green Valley Road/Deer Valley Road with each final map in accordance with the Manual on Uniform Traffic Control Devices (version in effect at the time of application). If traffic signal warrants are met, or LOS E reached at the intersection at the time of application for final map (including the lots proposed by that final map), the applicant shall construct the improvements. If traffic signal warrants are not met or LOS E is not reached upon application for the last final map within the project, the project applicant shall pay its TIM fees toward the installation of a traffic signal control at this intersection. As shown in Table IV.C-10 of the Draft EIR, this mitigation measure results in the intersection operating at LOS A during the PM peak hour. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure TRANS-7 will be incorporated into the project via conditions of approval, and will reduce Impact TRANS-7 to a less-than-significant level.

**Impact TRANS-8: Intersection #24, Silva Valley Parkway/Appian Way, operates at LOS F during the PM peak hour without the project, and the project contributes more than 10 peak hour trips to the intersection during the PM peak hour and results in LOS F during the AM peak hour under the Cumulative (2025) Plus Proposed Project scenario. This is a significant impact.**

Mitigation Measure TRANS-8: In order to ensure proper timing for the installation of the traffic signal control, the applicant shall be responsible to perform traffic signal warrants and LOS analysis at this intersection with each final map in accordance with the Manual on Uniform Traffic Control Devices (version in effect at the time of application). If traffic signal warrants are met, or LOS F reached at the intersection at the time of application for final map (including the lots proposed by that final map), the applicant shall construct the improvements prior to issuance of the first certificate of occupancy for any lot within that final map.

If traffic signal warrants are not met or LOS F is not reached upon application for the last final map within the project, the project shall pay its TIM fees toward the installation of a traffic signal control at this intersection. Payment of TIM fees is considered to be the project's proportionate fair share towards mitigation of this impact.

If the traffic signal control at this intersection is constructed by the County or others prior to triggering of mitigation by the project, payment of TIM fees is considered to be the projects proportionate fair share towards mitigation of this impact.

Traffic signal controls constructed by the project may be eligible for reimbursement of costs in excess of the project's fair share, subject to a reimbursement agreement with the County.

Findings for Impact TRANS-8: Mitigation Measure TRANS-8 requires the project applicant to perform traffic signal warrants and LOS analysis at Intersection #24, Silva Valley Parkway/ Appian Way with each final map in accordance with the Manual on Uniform Traffic Control Devices (version in effect at the time of application). If traffic signal warrants are met, or LOS F reached at the intersection at the time of application for final map (including the lots proposed by that final map), the applicant shall construct the improvements. If traffic signal warrants are not met or LOS F is not reached upon application for the last final map within the project, the project applicant shall pay its TIM fees toward the installation of a traffic signal control at this intersection. As shown in Table IV.C-10 of the Draft EIR, this mitigation measure results in the intersection operating at LOS B and LOS A during the AM and PM peak hours, respectively. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure TRANS-8 will be incorporated into the project via conditions of approval, and will reduce Impact TRANS-8 to a less-than-significant level.

### 3.2 AIR QUALITY

#### **Impact AIR-1: Construction activities could result in increased airborne asbestos.**

Mitigation Measures AIR-1: The project applicant shall comply with El Dorado County AQMD Rule 223-2 Fugitive Dust – Asbestos Hazard Mitigation. The project sponsor shall prepare an Asbestos Dust Mitigation Plan Application, including an outline of the areas of disturbance that are located in the area designated “more likely to contain asbestos or fault line”, which shall be submitted to and approved by the El Dorado County AQMD prior to the start of project construction.

Findings for Impact AIR-1: Mitigation Measure AIR-1 requires the project applicant to comply with El Dorado County AQMD Rule 223-2 Fugitive Dust – Asbestos Hazard Mitigation. The purpose of this Rule is reduce the amount of asbestos particulate matter in the ambient air as a result of any construction or construction related activities by requiring actions to prevent, reduce or mitigate asbestos emissions. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure AIR-1 will be incorporated into the project via conditions of approval, and will reduce Impact AIR-1 to a less-than-significant level.

### 3.3 NOISE

#### **Impact NOI-2: Implementation of the project could result in traffic noise levels experienced at proposed on-site sensitive land uses in excess of normally acceptable standards for new residential development on Lots 2, 3, and 4.**

Mitigation Measure NOI-2: If residential structures are proposed within 294 feet as measured from the Centerline of Green Valley Road, prior to issuance of a grading permit for Lots 2, 3, or 4, the project applicant shall prepare a site specific noise analysis demonstrating that measures have been incorporated into the lot site plan that reduce traffic noise to below the County’s normally acceptable standard of 60 dBA  $L_{dn}$ .

Measures to reduce impacts could include the following to achieve the County's noise standard:

- The developer shall construct a berm, or soundwall, or berm/soundwall combination. This berm/soundwall shall extend 100 feet southward from the Lot Z property line along the proposed Lot 2 western property line. This berm/soundwall shall also extend along the eastern property line of the proposed Lot 3 all the way to the project entrance. In addition, for any provision of direct access to Lot 2 or Lot 3 from Green Valley Road, the berm/soundwall shall include a wrap-around design along the entrance drive to this lot in such a manner as to completely block the line-of-sight from the roadway to the outdoor use areas of Lot 2 or Lot 3. The required height of the soundwall/berm shall be determined based on the placement of the residential structure.
- The developer shall also construct a berm, or soundwall, or berm/soundwall along the entire length of the eastern property line of the proposed Lot 4 (facing Green Valley Road). The berm/soundwall shall wrap-around the northwestern property line of Lot 4, along the project's northern entrance roadway, for an additional 100 feet. The required height of the soundwall/berm shall be determined based on the placement of the residential structure.

Implementation of Mitigation Measure NOI-2 will ensure that on-site project-related traffic noise impacts will be reduced to less-than-significant.

Findings for Impact NOI-2: Mitigation Measure NOI-2 requires the project applicant to demonstrate that the project achieves the County noise standards. These standards can be met by locating residential structures on Lots 2, 3 and 4 so that they meet the traffic noise standards, or by installing a berm, soundwall, or berm/soundwall combination to meet the traffic noise standards. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure NOI-2 will be incorporated into the project via conditions of approval, and will reduce Impact NOI-2 to a less-than-significant level.

### 3.4 BIOLOGICAL RESOURCES

**Impact BIO-1: The proposed project may result in the destruction or abandonment of nests or burrows occupied by special-status, species of special concern, or non-special-status bird species that are protected under the Migratory Bird Treaty Act and Fish and Game Code. (S)**

Mitigation Measure BIO-1a: A qualified biologist shall conduct site surveys and a review of the CNDDB occurrences of eagle nests, prior to tree pruning, tree removal, transplantation, ground disturbing activities, or construction activities on the site to locate active nests containing either viable eggs or young birds. Preconstruction surveys are not required for tree removal, tree pruning, or construction activities outside the nesting period. If construction would occur during the nesting season (February 1 to August 31), preconstruction surveys shall be conducted no more than 14 days prior to the start of pruning, construction, or ground disturbing activities. Preconstruction surveys shall be repeated at 143-day intervals until construction has been initiated in the area after which surveys can be stopped. Locations of active nests containing viable eggs or young birds shall be described and protective measures implemented until the nests no longer contain eggs or young birds. Protective measures shall include establishment of clearly delineated exclusion zones (i.e., demarcated by uniquely identifiable fencing, such as orange construction fencing or equivalent) around each nest site as determined by a qualified

wildlife biologist, taking into account the species of birds nesting on-site and their tolerance for disturbance. In general, exclusion zones shall be a minimum of 300 feet from the drip line of the nest tree or nest for raptors and 50 feet for passerines and other species. The active nest sites within an exclusion zone shall be monitored on a weekly basis throughout the nesting season to identify signs of disturbance or to determine if each nest no longer contains eggs or young birds. The radius of an exclusion zone may be increased by the project biologist if project activities are determined to be adversely affecting the nesting birds. Exclusion zones may be reduced by the project biologist only in consultation with CDFW. The protection measures shall remain in effect until the young have left the nest and are foraging independently or the nest is no longer active. For any project-related activities involving the removal of trees during the nesting season, a report shall be submitted to the County of El Dorado and CDFW once per year documenting the observations and actions implemented to comply with this mitigation measure.

**Mitigation Measure BIO-1b:** A qualified biologist shall conduct a survey for burrowing owl (*Athene cunicularia*) no less than 3 days prior to initiating ground-disturbing activities. The survey shall be conducted utilizing the recommended methods in the Staff Report on *Burrowing Owl Mitigation, March 7, 2012*, by the State of California, Natural Resources Agency, Department of Fish and Wildlife. The entire project area shall be surveyed, as well as adjoining areas within 150 meters of the project boundaries. For adjoining areas where access is not available, the survey can be conducted utilizing a spotting scope or other methods. If owls are detected on the site, avoidance and minimization measures shall be implemented in coordination with CDFW. If owls are not detected, a final survey shall be conducted within 24 hours prior to ground-disturbing activities to ensure that owls have not moved into the project area.

**Findings for Impact BIO-1:** Mitigation Measures BIO-1a and BIO-1b require surveys for nesting birds prior to the beginning of ground-disturbing activities. If nesting birds are present, exclusion zones and additional protection measures, in consultation with CDFW, will be identified and implemented based on the specific species identified. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measures BIO-1a and BIO-1b will be incorporated into the project via conditions of approval, and will reduce Impact BIO-1 to a less-than-significant level.

**Impact BIO-2:** Implementation of the proposed project would require the removal of oak woodlands that are protected under County guidelines and General Plan Policy 7.4.4.4 and which would be a significant impact.

**Mitigation Measures BIO-2:** The project applicant shall implement the following two-part measure:

**BIO-2a:** The project applicant shall comply with County oak tree mitigation requirements to the satisfaction of the Development Services Division, in compliance with the requirements of Option A under Policy 7.4.4.4. As a condition of approval, prior to providing any permits for the project, the project applicant shall prepare and submit an Oak Tree Removal Mitigation Plan to the satisfaction of and approval by the County. Pursuant to the Arborist Report for Phase 1 of the project, mitigation for oak tree removal will consist of planting up to 4.48 acres of oak canopy area at a 1:1 ratio for the acres actually removed, up to the allowable 10 percent canopy removal area. The Mitigation Plan shall

identify the locations for all on-site and off-site planting areas as well as all conditions associated with the planting. At a minimum, all tree planting for this mitigation measure will comply with the County's target density of 200 trees per acre and other guidelines set forth under Option A, as well as the project tree planting specifications summarized in the Dixon Ranch Oak Site Assessment Report and further detailed in the Oak Tree Removal Mitigation Plan. The Mitigation Plan shall also identify measures to protect oak trees adjacent to the construction areas that will not be removed.

BIO-2b: Phase 2 development shall be subject to the requirements of Option A under Policy 7.4.4.4. If in the future, Option B becomes available, the project will undergo additional CEQA review as necessary, and must adhere to all provisions and mitigations outlined in the Option B adopted policy amendments, associated CEQA clearance document, and Oak Tree Removal Mitigation Plan. Option B mitigations and measures may include the following: preparation of an Oak Tree Removal Mitigation Plan, to the satisfaction of and approval by the County; payment of a mitigation fee to the County, for offsite permanent preservation and/or dedication towards an easement of oak woodlands; inclusion and permanent protection of additional oak woodlands as part of the project to offset woodland removals; or other feasible measures identified by and to the satisfaction of and approval of the County. Because it is not known at this time what the updated General Plan will require, at a minimum, the Oak Tree Removal Mitigation Plan shall require oak woodland of comparable quality is conserved, created, or restored at a ratio of two acres of oak woodland canopy area conserved for every one acre of oak canopy area removed (2:1)

Findings for Impact BIO-2: Mitigation Measures BIO-2a and BIO-2b requires the project applicant to comply with County oak tree mitigation requirements to the satisfaction of the Development Services Division, Policy 7.4.4.4. Compliance will involve development and implementation of an Oak Tree Removal Mitigation Plan to the satisfaction of and approval by the County. In addition, Phase 2 of the development shall be subject to the requirements of Option A under Policy 7.4.4.4. If in the future Option B becomes available, the project will undergo additional CEQA review as necessary, and must adhere to all provisions and mitigations outlined in the Option B adopted policy amendments, associated CEQA clearance document, and Oak Tree Removal Mitigation Plan. Because it is not known at this time what the updated General Plan will require, at a minimum, the Oak Tree Removal Mitigation Plan shall require oak woodland of comparable quality is conserved, created, or restored at a ratio of two acres of oak woodland canopy area conserved for every one acre of oak canopy area removed (2:1). Implementation of the identified mitigation measures would reduce the impact to a less-than-significant level. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measures BIO-2a and BIO-2b will be incorporated into the project via conditions of approval, and will reduce Impact BIO-2 to a less-than-significant level.

### 3.5 CULTURAL RESOURCES

**Impact CULT-1**: Ground disturbing activities associated with site preparation and the construction of the proposed project could result in the destruction of historic and prehistoric artifacts on the project site.

Mitigation Measure CULT-1: Protective fencing shall be placed around the Dixon Ranch Stone Corral, Bedrock Mortars, and Dry Laid Rock Walls during construction of the proposed project. Protection and preservation of these features should be considered for incorporation into the site plan. If ground disturbance will occur within 20 meters of the bedrock mortars, an archaeological monitor should be present, to ensure protection of these resources. If these features need to be removed for construction of the project, the following activities are recommended:

- Undertake photo-documentation and prepare scaled drawings of the corral and dry-laid rock walls, and bedrock mortar.
- Consult with tribal leaders to consider the possible removal of the bedrock mortars to a location where they can be preserved and interpreted, such as the Shingle Springs Rancheria, 5281 Honpie Rd, Placerville, CA 95667.

Findings for Impact CULT-1: Mitigation Measure CULT-1 requires the applicant to provide protection and documentation measures to avoid or substantially lessen cultural resources impacts. The County finds that requiring artifact protection measures will reduce impacts to a less-than-significant level. If these artifacts need to be removed, documentation of the artifacts, in addition to consultation with tribal leaders to consider the possible removal of the bedrock mortars to a location where they can be preserved and interpreted, would reduce the potential impact. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure CULT-1 will be incorporated into the project via conditions of approval, and will reduce Impact CULT-1 to a less-than-significant level.

**Impact CULT-2: Ground-disturbing construction associated with the project may result in impacts to unidentified historical archaeological deposits that may qualify as historical or archaeological resources under CEQA.**

Mitigation Measure CULT-2: A qualified archaeologist shall monitor ground-disturbing project activities at the project site and along the off-site sewer alignment. Archaeological monitors must be empowered to halt construction activities at the location of the discovery to review possible archaeological materials and to protect the resource while the finds are being evaluated. Monitoring shall continue until, in the archaeologist's judgment, archaeological deposits are not likely to be encountered.

If archaeological deposits are discovered during project activities, all work within 100 feet of the discovery shall be redirected until the archaeological monitor assesses the situation, consults with agencies as appropriate, and provides recommendations for the treatment of the discovery. Adverse effects to archaeological deposits should be avoided by project activities. If such deposits cannot be avoided, they shall be evaluated for their California Register of Historical Resources eligibility. If the deposits are not eligible, a determination shall be made as to whether it qualifies as a "unique archaeological resource" under CEQA. If the deposits are neither a historical nor unique archaeological resource, avoidance is not necessary. Adverse effects to significant sites that cannot be avoided, or sites that cannot be preserved, must be mitigated. Mitigation can include, but is not necessarily limited to, excavation of the deposit in accordance with a data recovery plan (see *CEQA Guidelines* Section 15126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; preparation of a report detailing the methods, findings, and

significance of the archaeological site and associated materials; and accessioning of archaeological materials and a technical data recovery report at a curation facility.

- Upon completion of the monitoring, the archaeologist should prepare a report that describes the results of the monitoring, including any measures that may have been implemented for mitigation of impacts to significant archaeological deposits identified during monitoring. The report should be submitted to the El Dorado County Planning Division and the Northwest Information Center.

Findings for Impact CULT-2: Mitigation Measure CULT-2 requires monitoring of ground-disturbing project activities at the project site and along the off-site sewer alignment. If archaeological deposits are discovered during project activities, all work within 100 feet of the discovery shall be redirected until the archaeological monitor assesses the situation, consults with agencies as appropriate, and provides recommendations for the treatment of the discovery. These measures will mitigate potential impacts should archaeological deposits be discovered during construction. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure CULT-2 will be incorporated into the project via conditions of approval, and will reduce Impact CULT-2 to a less-than-significant level.

**Impact CULT-3: Project ground-disturbing activities may disturb human remains, including those interred outside of formal cemeteries, and may result in impacts to cultural resources under CEQA.**

Mitigation Measure CULT-3: If human remains are encountered, these remains shall be treated in accordance with Health and Safety Code Section 7050.5 and *CEQA Guidelines* Section 15064.5(e). The project applicant shall inform its contractor(s) of the appropriate protocols in the event that human remains are unearthed by including the following directive in contract documents:

If human remains are encountered during project activities, work within 100 feet of the discovery shall be redirected and the El Dorado County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

The County shall verify that the language has been included in the contract documents before issuing a grading permit.

Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report should be submitted to the El Dorado County Planning Services Division and the North Central Information Center.

Findings for Impact CULT-3: Mitigation Measure CULT-3 requires that if human remains are encountered during project activities, work within 100 feet of the discovery shall be redirected and the El Dorado County Coroner notified immediately. At the same time, an archaeologist

shall be contacted to assess the situation and consult with agencies as appropriate. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. The County finds that requiring adherence to established protocol regarding the treatment of identified human remains is feasible, and will adequately protect such remains. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure CULT-3 will be incorporated into the project via conditions of approval, and will reduce Impact CULT-3 to a less-than-significant level.

**Impact CULT-4: Ground disturbing activities associated with project implementation may destroy unique paleontological resources.**

Mitigation Measure CULT-4: The project applicant shall include the following directive on the grading plans:

If paleontological resources are encountered during project subsurface construction, all ground-disturbing activities within 100 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any paleontological materials. Paleontological resources include fossil plants and animals, and such trace fossil evidence of past life as tracks. Ancient marine sediments may contain invertebrate fossils such as snails, clam and oyster shells, sponges, and protozoa; and vertebrate fossils such as fish, whale, and sea lion bones. Vertebrate land mammals may include bones of mammoth, camel, saber tooth cat, horse, and bison. Paleontological resources also include plant imprints, petrified wood, and animal tracks.

The County shall verify that the language has been included in the grading plans before issuing a grading permit.

Adverse effects to such deposits shall be avoided by project activities. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, project activities shall avoid disturbing the deposits, or the adverse effects of disturbance shall be mitigated. Mitigation may include monitoring, recording the fossil locations, data recovery and analysis, a final report, and accessioning the fossil materials and technical report to a paleontological repository. Upon completion of the paleontological assessment, a report shall be prepared documenting the methods, results, and recommendations of the assessment. The report shall be submitted to the El Dorado County Planning Services Division and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.

Findings for Impact CULT-4: Mitigation Measure CULT-4 requires that if paleontological resources are encountered during project subsurface construction, all ground-disturbing activities within 100 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the

treatment of the discovery. The County finds that requiring work to stop around identified paleontological resources, and the evaluation of these resources is feasible and will adequately protect paleontological resources. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure CULT-4 will be incorporated into the project via conditions of approval, and will reduce Impact CULT-4 to a less-than-significant level.

### 3.6 GEOLOGY, SOILS AND SEISMICITY

**Impact GEO-1: In the absence of proper design, project occupants may potentially be subject to geotechnical hazards including landslide, lateral spreading, subsidence, or collapse.**

Mitigation Measure GEO-1a: Prior to the issuance of any site-specific grading or building permits, a design-level geotechnical plan review shall be prepared by a licensed professional, in compliance with County guidelines, and submitted to the County for review and approval. The plan review shall include a finding that the proposed development incorporates all recommendations of the preliminary geotechnical investigation for the project and fully complies with the CBC as well as federal, state, and County requirements. All recommendations, design criteria, and specifications set forth in the preliminary geotechnical investigation and design-level geotechnical plan review shall be implemented.

Mitigation Measure GEO-1b: As a condition of approval for grading permits, a qualified and licensed professional, or his/her representative, shall be required to be present as a construction monitor during clearing and grading of the project site to observe the stripping of deleterious material, over-excavation of existing fills, and to provide consultation as required to the grading contractor(s) in the event that previously undiscovered geotechnical issues are discovered during clearing and grading operations.

Implementation of this two-part mitigation measure will reduce this impact to a less-than-significant level.

Findings for Impact GEO-1: Mitigation Measures GEO-1a and GEO-1b requires that prior to the issuance of any site-specific grading or building permits, a design-level geotechnical plan review shall be prepared by a licensed professional, and the findings of the report incorporated into the project, in compliance with County guidelines, and submitted to the County for review and approval. As a condition of approval for grading permits, a qualified and licensed professional, or his/her representative, shall be required to be present as a construction monitor during clearing and grading of the project site to observe the stripping of deleterious material, over-excavation of existing fills, and to provide consultation as required to the grading contractor(s) in the event that previously undiscovered geotechnical issues are discovered during clearing and grading operations. The County finds that requiring the completion of a design-level final geotechnical report and associated field work, and the incorporation of recommendations from this report into the project design, and the presence of a geotechnical professional onsite during clearing and grading, will minimize hazards associated with landslides, lateral spreading, subsidence, or collapse. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the City finds that Mitigation Measures GEO-1a and GEO-1b will be incorporated into the project via conditions of approval, and will reduce Impact GEO-1 to a less-than-significant level.

### 3.7 HYDROLOGY AND WATER QUALITY

**Impact HYD-1:** The construction period and operation period of the project could result in degradation of water quality in Green Spring Creek and downstream receiving waters by reducing the quality of stormwater runoff and increasing erosion/sedimentation.

Mitigation Measure HYD-1: Implementation of the following two-part mitigation measure would reduce construction- and operation-period impacts to water quality to a less-than-significant level:

HYD-1a: Consistent with the requirements of the statewide Construction General Permit, the project applicant shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) designed to reduce potential adverse impacts to surface water quality during the project construction period. The SWPPP shall be designed to address the following: (1) all pollutants and their sources, including sources of sediment associated with construction, construction site erosion and all other activities associated with construction activity are controlled; (2) where not otherwise required to be under a Regional Water Board permit, all non-stormwater discharges are identified and either eliminated, controlled, or treated; (3) site Best Management Practices (BMPs) are effective and result in the reduction or elimination of pollutants in stormwater discharges and authorized non-stormwater discharges from construction activity; and (4) stabilization BMPs installed to reduce or eliminate pollutants after construction are completed.

The SWPPP shall be prepared by a Qualified SWPPP Developer. The SWPPP shall include the minimum BMPs required for the identified Risk Level as well as the County's West Slope Erosion and Sediment Control Requirements for active construction and site stabilization. BMP implementation shall be consistent with the BMP requirements in the most recent version of the California Stormwater Quality Association Stormwater Best Management Handbook-Construction or the Caltrans Stormwater Quality Handbook Construction Site BMPs Manual as well as the County's Erosion and Sediment Control requirements.

The SWPPP shall include a construction site monitoring program that identifies requirements for dry weather visual observations of pollutants at all discharge locations, and as appropriate, depending on the project Risk Level, sampling of site effluent and receiving waters. A Qualified SWPPP Practitioner (QSP) shall perform or supervise all inspection, maintenance, repair, and sampling activities. Although the QSP may delegate any or all of these activities to a trained employee, the QSP shall ensure that all tasks are adequately completed.

In addition to the SWPPP requirement, the project shall fully comply with El Dorado County's Storm Water Ordinance (Ordinance No. 5022), Grading, Erosion and Sediment Control Ordinance (Chapter 15.14), Design and Improvement Standards Manual, and Drainage Manual.

HYD-1b: The project sponsor shall fully comply with the requirements of the most current Phase II General Permit, as implemented by the El Dorado County West Slope Storm Water Program, Storm Water Ordinance (Ordinance No. 5022), Grading, Erosion and Sediment Control Ordinance (Chapter 15.14), Design and Improvement Standards Manual, Drainage Manual, and General Plan Goal 7.3. Responsibilities include, but are

not limited to, designing BMPs into project features and operations to reduce potential impacts to surface water quality and to manage changes in the timing and quantity of runoff associated with development of the project site. The BMPs shall include Site Design/Low Impact Development (LID) measures, such as minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, retaining, evapotranspiring, and/or biotreating stormwater runoff close to its source, to the maximum extent practicable. Hydromodification Management will also be included in the project design. Funding for the maintenance of all BMPs for the life of the proposed project shall be the responsibility of the Home Owner's Association (HOA) (as the County will not assume maintenance responsibilities for BMPs within private developments). The project sponsor shall establish a stormwater system operation and maintenance plan that specifies a regular inspection schedule of stormwater treatment facilities in accordance with the most current Phase II General Permit. The HOA shall be responsible for long term maintenance of the stormwater system, including monitoring and reporting in accordance with the Phase II General Permit. The plan shall be submitted to the County for review and approval. Maintenance Monitoring, Inspection and Reporting documents required by the plan or the SWRCB shall be submitted to County or SWRCB on demand.

Finding for Impact HYD-1: Mitigation Measures HYD-1a and HYD-1b require preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP), as well as compliance with the requirements of the most current Phase II General Permit, as implemented by the El Dorado County West Slope Storm Water Program, Storm Water Ordinance (Ordinance No. 5022), Grading, Erosion and Sediment Control Ordinance (Chapter 15.14), Design and Improvement Standards Manual, Drainage Manual, and General Plan Goal 7.3. Mitigation Measure HYD-1b also requires preparation and implementation of a stormwater system operations and maintenance plan. Implementation of these mitigation measures will substantially lessen the adverse effects of the proposed project on stormwater quality. Development and implementation of a SWPPP is considered by the Regional Water Quality Control Board (Water Board) to be an effective way to reduce the contamination of stormwater on a project site. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measures HYD-1a and HYD-1b will be incorporated into the project via conditions of approval, and will reduce Impact HYD-1 to a less-than-significant level.

### 3.8 HAZARDS AND HAZARDOUS MATERIALS

**Impact HAZ-1: Demolition of existing structures on the project site could release lead, asbestos, and/or other hazardous materials, presenting a risk to human health and the environment. (S)**

Mitigation Measure HAZ-1: A hazardous building materials survey shall be conducted by a qualified and licensed professional for all structures proposed for demolition under the project. All loose and peeling lead-based paint and asbestos-containing material (ACM) shall be abated by certified contractor(s) in accordance with local, State, and federal requirements. All other hazardous materials shall be removed from buildings prior to demolition in accordance with DOSH regulations. If required, the completion of the abatement activities shall be documented by a qualified environmental professional(s) and submitted to the County for review with applications for issuance of construction and demolition permits. (LTS)

Findings for Impact HAZ-1: Mitigation Measure HAZ-1 requires hazardous materials surveys prior to demolition or renovation. ACM, lead-based paint, and other hazardous waste located on the project site shall be removed in accordance with applicable local, State, and federal requirements. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure HAZ-1 will be incorporated into the project via conditions of approval, and will reduce Impact HAZ-1 to a less-than-significant level.

### 3.9 UTILITIES AND SERVICE SYSTEMS

**Impact UTL-1:** A degree of uncertainty is inherent in EID's ability to meet long-term cumulative water supplies, which could result in the need to construct new or expand existing water facilities, the construction of which could cause significant environmental effects, and/or could require new or expanded entitlements for water supplies (S).

Mitigation Measure UTL-1: Prior to approval of any final subdivision map for the proposed project, the applicant shall secure a "will serve" letter or equivalent written verification from EID demonstrating the availability of sufficient water supply for the project. (LTS)

Findings for UTL-1: Mitigation Measure UTL-1 requires that prior to the approval of any final subdivision map for the proposed project, the applicant shall secure a "will serve" letter (or equivalent written verification) from EID demonstrating the availability of sufficient water supply for the project. Confirmation that adequate water supplies are available to serve the project would be required, and the project will not go forward unless confirmation is provided. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure UTL-1 will be incorporated into the project via conditions of approval, and will reduce Impact UTL-1 to a less-than-significant level.

**Impact UTL-2:** Existing water infrastructure does not provide adequate pressure or capacity to serve the proposed project.

Mitigation Measures UTL-2: The applicant shall construct a looped water line extension connecting to the 12-inch water line located in Green Valley Road (near the future intersection of Silver Springs Parkway) and/or also to the 10-inch water line located at the intersection of Clarksville Road and Greenview Drive. Additionally, the project will be required to connect to the 8-inch water line located near the western project boundary. It is likely that at least one pressure reducing station will be required in order to accommodate this connection. The Facility Plan Report (FPR), which shall be prepared by the applicant, shall analyze the future storage in this region based on potential future developments and the timing of the project. At the current time, additional storage is not required in the Bass Lake Tank service area to meet current demand and fire flow requirements.

Findings for UTL-2: Mitigation Measure UTL-2 requires the applicant to construct a looped water line extension connecting to the 12-inch water line located in Green Valley Road (near the future intersection of Silver Springs Parkway) and/or also to the 10-inch water line located at the intersection of Clarksville Road and Greenview Drive. Additionally, the project will be required to connect to the 8-inch water line located near the western project boundary. The project applicant would also be required to prepare a FPR to analyze future water storage in this region. Connection to existing water infrastructure adjacent to the project site, as well as the analysis of water storage (which is currently adequate) will ensure that there is adequate pressure and capacity to serve the project site. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure UTL-2 will be incorporated into the project via conditions of approval, and will reduce Impact UTL-2 to a less-than-significant level.

**Impact UTL-3: There is currently inadequate wastewater infrastructure to serve the proposed project.**

Mitigation Measure UTL-3: The project applicant, in consultation with EID and El Dorado County, shall undertake the following actions to the satisfaction of the EID and El Dorado County:

- Prior to any construction activities within the SMUD corridor, the existing swale on site shall be marked and identified by a wetland biologist, and all construction activities shall occur outside of the marked area.
- Prior to any construction activities, botanical surveys conducted by a qualified botanist at the appropriate blooming period shall occur within the off-site sewer SMUD corridor. These surveys shall include big-scaled balsamroot, Brandegee's clarkia, Bisbee Peak rush rose, and dwarf downingia. Should these or other special-status plant species be found on the project site, a mitigation plan shall be prepared and implemented to the satisfaction of the El Dorado County Development Services Division and the California Department of Fish and Wildlife.
- Wastewater Expansion: All three alternatives include the following: (1) on-site sewer lift station, force main and gravity lines; (2) connecting to the existing gravity sewer line in Lima Way; (3) improvements to split the sewer flows near the intersection of Lima Way and Aberdeen Way; and (4) use of the existing sewer system in Highland Views to the existing Highland Hills Lift Station (HHLS).
  - **Offsite Alternative 1 (Preferred Alternative).** Under this alternative, when the existing capacity of HHLS has been reached, it would be necessary to improve the existing facility in order to serve the project. In addition to HHLS improvements, a new force main would be constructed. The proposed force main alignment would start at HHLS and run through the Highland Hills subdivision within existing streets to Silva Valley Parkway. It would then continue south along Silva Valley Parkway until reaching the SMUD corridor, where it would head west along the Stone Gate subdivision boundary, ultimately making a connection to an existing 15-inch gravity line.

The existing capacity of the gravity lines running through the streets of Highland View can adequately serve the project after the flows are split. Currently, there is capacity for

an additional 200 equivalent dwelling units (EDUs) within the existing sewer line along the EID sewer access road downstream to HHLS. Once this capacity is reached, approximately 1,600 lateral feet of existing gravity sewer line within the access road would be upsized to accommodate proposed flows.<sup>8</sup>

- **Offsite Alternative 2.** Under this alternative, when capacity is reached at HHLS, a new lift station would be constructed on APN 126-360-18. This site currently houses an existing water pump. In order to accommodate the new sewer lift station, site improvements would be made. In addition, gravity sewer improvements would be made in Aberdeen Lane in the vicinity of the new station to route the flows to the new lift station. From there, a new force main would be constructed down the sewer access road and along Appian Way to Silva Valley Parkway. Once at the SMUD corridor, the force main would then head west along the Stone Gate subdivision boundary, ultimately making a connection to the existing 15-inch gravity line.
- **Offsite Alternative 3.** Under this alternative, when capacity at HHLS is reached, a new lift station would be constructed on APN 126-390-22. A new force main would also be constructed. Two potential force main alignments have been identified:
  - Alternative A would run to Loch Way, through Highland Hills subdivision within the existing streets to Silva Valley Parkway. It would then continue south along Silva Valley Parkway until reaching the SMUD corridor, where it would then head west along the Stone Gate subdivision boundary, ultimately making a connection to an existing 15-inch gravity line.
  - Alternative B would run back up the existing sewer access road, along Appian Way to Silva Valley Parkway, until reaching the SMUD corridor, where it would then head west along the Stone Gate subdivision boundary, ultimately connecting to an existing 15-inch gravity line.

Findings for UTL-3: Mitigation Measure UTL-3 requires the applicant to construct one of three potential wastewater main alternatives to serve the project site to the satisfaction of EID and El Dorado County. Connection to existing wastewater infrastructure adjacent to the project site, in addition to other improvements included in one of the three potential wastewater alternatives identified by the applicant in consultation with EID, would ensure that the project site would have satisfactory wastewater service and infrastructure. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure UTL-3 will be incorporated into the project via conditions of approval, and will reduce Impact UTL-3 to a less-than-significant level.

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<sup>8</sup> CTA Engineering & Surveying, 2013. *Offsite Water Improvements & Offsite Sewer Alternatives for Dixon Ranch, El Dorado Hills, California*. March, Revised August 2013.

## **SECTION 4.0 EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT OR NOT SIGNIFICANT**

The County finds that, based upon substantial evidence in the record, as discussed below, the following impacts associated with the project are not significant or are less than significant, and do not require mitigation. The Draft EIR (Chapters IV and VI) provides a detailed analysis of the less-than-significant impacts of the proposed project.

### **4.1 LAND USE, AGRICULTURE AND MINERAL RESOURCES**

The proposed residential development would not create a physical barrier to travel around or within the project site or remove existing means of access to and through existing nearby neighborhoods. Therefore, the proposed project would result in a less-than-significant impact related to the physical division of an established community.

The proposed project would introduce residential, recreational and open space uses onto the primarily undeveloped project site. Residential uses on the project site would be similar in scale to existing and planned residential developments within the vicinity, particularly the high-density residential development immediately west, the high-density residential use approved for the area south of the site, and other areas within the El Dorado Hills Community Region. Open space areas would generally surround the perimeter of the site providing a buffer for surrounding land uses and a transition from adjacent communities to the proposed residential subdivision. Development of the proposed residential, recreational, and open space uses is endorsed by the El Dorado County General Plan as a logical location for these proposed uses. By directing growth to the El Dorado Hills Community Region, the proposed project would be compatible with existing and future uses and with the General Plan policies related to growth, and would provide needed housing and facilities, including housing and facilities for the County's growing active adult (ages 55 +) population. Therefore, the proposed project would be generally compatible with existing and planned land uses within the vicinity and would have a less-than-significant impact on land use compatibility.

The project site is not designated by the Farmland Mapping and Monitoring Program (FMMP) as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The FMMP designates the entire site as "Grazing Land." Furthermore, the site is not identified as "choice agricultural land" as identified in Figure AF-2, Choice Agricultural Land in the General Plan. Therefore, the proposed project would not result in the conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance (including land identified by the County as "choice agricultural land"), to a nonagricultural use.

The project site is located within the El Dorado Hills Community Region (within the urban limit line) and is primarily designated LDR in the General Plan, indicating that the General Plan anticipates residential use of the land as opposed to continued grazing use. The site is surrounded by high, medium, and low-density residential developments, which does not make it suitable for long-term grazing or agricultural production. According to the General Plan, with the extension of appropriate infrastructure, the site is envisioned as an appropriate location for residential uses. Because the General Plan anticipates the development of residential uses and associated infrastructure on the site, the loss of grazing area and the small strawberry field on the project site would not result in a significant impact. Additionally, the proposed project would not convert a substantial amount of

grazing land, as defined by the County Agricultural Commission, to a non-grazing use and would also not substantially reduce the viability of grazing resources in the County.

The project site is currently zoned AE and RE-5. The AE designation often applies to lands that are under a Williamson Act; however, the project site has not been enrolled in a Williamson Act contract since 1999. As described above, the site is currently used for grazing land, but is within the urban boundaries of El Dorado Hills, indicating the land is anticipated to be used for development as opposed to agricultural use. Therefore, development of the proposed project would not conflict with, or result in cancellation of, a Williamson Act contract.

The site does not contain forest resources and is not zoned for timber harvesting or production, and the proposed project would not result in the conversion of forestland zoned or land currently in timber production to a non-forestry use. Furthermore, the proposed project would not create an obstacle to the processing of timber resources within the County as none are located near the site. For these reasons, the project would not result in a significant impact related to conversion of existing trees or timber production land.

The project site is currently designated as LDR and OS on the General Plan Land Use Diagram and is within the Community Region (urban limit line) of El Dorado Hills. The site is also zoned AE and RE-5 and is not within or near a designated Mineral Resource (MR) District.

As defined in Chapter 17.46 of the Zoning Ordinance, the purpose of the MR District is to provide for the protection of lands containing mineral resources and to provide for the protection from encroachment of unrelated and incompatible land uses that may have adverse effects on the development or use of these lands. Areas within the County that are known to contain mineral resources are delineated on the General Plan Land Use Diagram and include lands identified within the Mineral Land Classification reports produced by the State Department of Conservation, California Geological Survey (per General Plan Policy 7.2.1.1).

Because the site is not used or zoned for mineral resource extraction, development of the proposed project would not result in the loss of availability of a known mineral resource of value to the region or the State or the loss of availability of a locally important mineral resource recovery site delineated on the General Plan Land Use Diagram. Therefore, the potential impact to mineral resources would be less than significant.

## **4.2 POPULATION AND HOUSING**

The proposed project would generate housing-related population growth by adding 604 new market-rate residential units to the County's housing stock and an associated residential population of 1,470 residents. This increase represents about 0.81 percent of the County's total estimated 2013 population (182,286) and approximately 0.98 percent of the unincorporated County's population (150,347). The estimated population generated by the project (1,470 residents) would represent approximately 0.67 percent of the County's projected 2025 population (220,384).

The proposed project is located within the El Dorado Hills Community Region and the site is identified in the General Plan for residential development. The extension of infrastructure onto the project site, including roadways and utilities, would only serve the proposed development, would not contribute to or cause additional growth to occur outside of the Community Region boundaries or

elsewhere within the vicinity of the project site, as the project site is surrounded by current or anticipated residential development.

The proposed project would not induce substantial unanticipated population growth in the County, and the population increase would fall within the increase identified in the Housing Element. Population growth assumed with implementation of the proposed project would be considered a less-than-significant impact.

The proposed project would result in the demolition of one existing vacant single-family home, retention of one existing occupied single-family home, and construction of 604 new residential units. The existing single-family home that would be demolished is currently unoccupied; therefore, demolition of this residence would not displace substantial numbers of existing housing or people, such that replacement housing would need to be constructed elsewhere. This potential impact would be considered less than significant.

#### **4.3 PUBLIC SERVICES**

The El Dorado Hills Fire Department (EDHFD) provided a letter to the County outlining requirements to provide fire and emergency medical services to the project site consistent with the El Dorado County General Plan, State Fire Safety Regulations, as adopted by the El Dorado County and the California Fire Code as amended locally. All of the provisions identified by the EDHFD requiring compliance with their fire standards including, but not limited to: location of and specifications for fire hydrants; emergency vehicle access including roadway widths and turning radii; fire flow and sprinkler requirements; and defensible space and wildland fire-safe plans will be conditioned on the project, thereby reducing wildfire risk and public service impacts to less than significant.

The proposed project would increase demand for police services due to the increased population and development at the project site. However, the increase in demand is expected to be incremental, and is not expected to require construction of a new police station to serve the project. The proposed project would result in a less-than-significant police protection impact.

The project would include 444 new units (604 new units – 160 age-restricted units = 444 units) that could generate additional students within the school district. Using student generation rates provided by Rescue Union School District (RUSD) and the El Dorado Union High School District (EDUHSD), the project site could generate approximately 319 students (247 elementary/middle school student and 72 high school students). RUSD would likely be able to accommodate additional students generated by the proposed project in its existing and planned facilities because RUSD is currently experiencing a decline in its student enrollment. The additional 247 elementary and middle school students would not likely exceed the current capacities available within RUSD District. Due to RUSD's recent declining enrollment, planned new facilities would not likely be needed to accommodate additional students generated by the proposed project. EDUHSD would be able to accommodate the additional 72 new students generated by the proposed project, and no new school facilities would need to be developed to serve the increased high school student population.

Furthermore, the school districts are responsible for implementing the specific methods of mitigating school impacts under the Government Code. The school impact fees and the school districts' methods of implementing measures specified by Government Code 65996 are meant to offset increased student enrollment. Payment of school facility mitigation fees has been deemed by the State

legislature (per Government Code Section 65995(h)) to constitute full and complete mitigation of impacts of a development project on the provision of adequate school facilities, even though, as a practical matter, additional funding, usually from statewide or local bond measures, are needed to create new school capacity. Specific school facility developments would be subject to environmental review on a project-by-project basis. Through the payment of associated development fees, compliance with applicable State and local regulations, the proposed project would have a less-than-significant impact on school facilities.

In total, the proposed project would include approximately 11.1-acres of active park uses. In addition, and not include in the calculations, are the open space and trails incorporated into the project site. EDHCSD uses a standard of 5 acres per 1,000 residents. The proposed project would generate an estimated population of 1,470; given the EDHCSD park standards, as well as the amount of park acreage included in the project, the proposed project would meet the District standard and would increase the amount of parks acreage available to District patrons. Construction of the proposed project would not result in the substantial physical deterioration of a park facility, and construction of the recreational facilities would not result in an adverse physical effect on the environment with implementation of the mitigation measures included in this EIR. The potential impact related to park and recreation facilities would be considered less than significant.

#### **4.4 VISUAL RESOURCES**

The County has not prepared or adopted a Scenic Corridor Ordinance (as outlined in General Plan Policy 2.6.1.1) to identify scenic routes and important viewsheds within the County. While U.S. Highway 50 east of Placerville and State Highway 89 are officially designated as California State Scenic Highways, and State Highway 49 is an eligible State Scenic Highway but not officially designated, these routes are not visible from the project site, and vice versa. Figure 5.3-1 of the El Dorado County General Plan EIR identifies scenic viewpoints, but the project site is not designated as an important public viewpoint or located near a scenic viewpoint so as to impact it. In addition, the project site is not located within a Design Review-Scenic Corridor (-DS) combining district as identified by the County Zoning Map. Development of the proposed project would not obstruct views of existing scenic vistas or important scenic resources, as no such views are currently available from public vantage points surrounding the site.

As described on page 438 through 439 of the Draft EIR, development of the site with 604 new residential units (with demolition of one of the two existing residences), along with associated landscaping and roadway improvements would alter the existing visual character of the site, changing from an open rural landscape to suburban development. While the proposed project would change the existing visual character, the proposed project's uses would be similar in character to existing residential development that is adjacent to the site and located within the El Dorado Hills area. Much of the site's perimeter would be maintained as open space, preserving a natural buffer between existing residential subdivisions of similar and lower residential densities. A new park would be located near the northeast corner of the development with a second park located just west of the center of the project and clubhouse located in the age-restricted village. Internal roadways would also be landscaped. Pedestrian and circulation amenities would also contribute to the visual character and quality of the new development.

At buildout, approximately 19.76 acres, or approximately 45 percent of the existing oak tree canopy, would be removed from the site; the remaining approximately 55 percent of the existing tree canopy would be preserved. Many of the existing trees concentrated at the northwestern corner of the site would also be preserved, maintaining a buffer with the adjacent residential subdivision to the west. Tree removal and replacement would be consistent with the County's Policy 7.4.4.4 Option A in Phase 1. Phase 2 would be required to comply with the provisions of the El Dorado County Oak Woodland Management Plan at the time of Phase 2 tentative map and final development plan processing. Incorporation of existing natural elements into project design as proposed by the project is typical of residential subdivisions in El Dorado Hills.

In addition, much of the existing topography on the site would be retained. Cut and fill would be balanced on site and development of slopes greater than 30 percent would be limited to a few small areas near the northwestern corner and near the eastern border of the site. Overall, approximately 5.69 acres, or 2 percent of the site is at a 30 percent to 40 percent natural slope, while approximately 0.35 acres, or 0.12 percent of the site is at 40 percent natural slope or greater. The proposed project would generally be consistent with General Plan Policy 2.3.2.1, which discourages development of slopes 30 percent or greater to minimize the visual impacts of grading and vegetation removal.

Existing topographical and landscape features would be maintained and enhanced where feasible and open space buffers would visually separate the new development from existing adjacent developments. The change in character of the project site, once developed, would be visually compatible with surrounding development, particularly existing residential neighborhoods to the west. Furthermore, the General Plan does not identify the site as a scenic resource and anticipates residential development at the project site as it is located within the Community Region Boundary. The project would include the development of single-family homes; residential land uses currently are located adjacent to the project site. The proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings and this impact would be less than significant.

Most homes emit some light and glare during day and evening hours, as is typical in a suburban environment. The proposed residential development would include indoor lighting and outdoor lighting for safety purposes. The proposed roadways, recreational facilities, and parks and pathways would also include outdoor lighting for safety purposes. It is anticipated that lighting would be provided at major intersections and mid-block pedestrian crossings as appropriate for public safety, and along vertical curves where lighting is needed for public safety due to topographic constraints. Limited safety and security lighting and indirect shielded lighting would also be provided at park sites, at the proposed clubhouse, and along trail corridors including but not limited to parking areas, play areas, at gated entries, and walkways/trails where appropriate. The project does not propose to use lighted ball fields or other light intensive uses at the proposed park sites. Compliance with General Plan Policy 2.8.1.1 and Section 17.14.170 of the Zoning Ordinance prior to building permit issuance would ensure that light and glare created by the proposed development would be minimized, comparable to that of surrounding residential neighborhoods, and would reduce the impact to a less-than-significant level.

## SECTION 5.0 SIGNIFICANT EFFECTS THAT CANNOT BE MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

The EIR identifies significant environmental impacts that will result from implementation of the project. The proposed project would result in several transportation impacts that are conservatively considered temporarily significant and unavoidable until the identified mitigation measure is implemented. As discussed in the introduction to these findings, the EIR's conclusion that such temporary impacts are significant and unavoidable (until the improvement is constructed) is extremely conservative. Fair-share contributions to a mitigation fund are adequate mitigation if they "are part of a reasonable plan of actual mitigation that the relevant agency commits itself to implementing." (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1187.) The County's Capital Improvement Plan is such a program. There is no requirement in CEQA that an EIR must include a time-specific schedule for the agency to complete the specified road improvements. (*Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 140–411 [upholding fee-based mitigation even though there may be temporary impacts while improvements are constructed.] All that is required by CEQA is a reasonable plan for mitigation. (*Sacramento Old City Association v. City Council* (1991) 229 Cal.App.3d 1011, 1032.) Thus, in finding the temporary impacts are significant and unavoidable, the County is going above and beyond the requirements of CEQA.

Construction, operation, and cumulative air quality impacts were identified; the identified air quality mitigation measures would reduce the potential air quality impacts, but not to a less-than-significant level. Greenhouse gas emission impacts related to construction and operational periods of the project, as well as a conflict with a plan adopted for the purpose of reducing GHG emissions; mitigation measures are identified, but these impacts would still be considered significant and unavoidable. A significant unavoidable construction noise impact was also identified; while mitigation measures are described, the impact would still be considered significant and unavoidable.

For reasons set forth in the Statement of Overriding Considerations, however, the Board has determined that the significant, unavoidable effects of the proposed project are outweighed by its overriding benefits.

**Impact TRANS-3: Intersection #2, Green Valley Road/El Dorado Hills Boulevard/Salmon Falls Road operates at LOS F during the AM peak hour without the project, and the project contributes more than 10 peak hour trips to the intersection during the AM peak hour and results in LOS F during the PM peak hour under the Existing Plus Approved Projects (2018) Plus Proposed Project scenario. This is a significant impact.**

Mitigation Measure TRANS-3: In addition to Mitigation Measure TRANS-1, the project applicant shall pay TIM fees for the project consistent with the County's CIP program. Additional improvements to this intersection include changing the northbound and southbound signal phasing from split-phased to concurrent protected left turns. This work is included in the County's CIP Project #73151 (Green Valley Road Traffic Signal Interconnect), and completion is scheduled within the County's 10-year CIP. (SU [until the improvements are constructed] / LTS [after the improvements are constructed])

Finding for Impact TRANS-3: The County finds that with implementation of Mitigation Measure TRANS-3, Impact TRANS-3 would be considered less-than-significant; however,

construction of the improvement described in the mitigation measures may not occur prior to development of the project, in which case the project would result in a temporary significant and unavoidable traffic impact until the mitigation measure is implemented. Therefore, the County conservatively finds that although Mitigation Measure TRANS-3 will be incorporated into the project via conditions of approval, the project's transportation impact would remain temporarily significant and unavoidable until the mitigation measure is constructed.

**Impact TRANS-5: Intersection #2, Green Valley Road/El Dorado Hills Boulevard/Salmon Falls Road, operates at LOS F during the AM and PM peak hours without the project, and the project contributes more than 10 peak hour trips to the intersection during both peak hours under the Cumulative (2025) Plus Proposed Project scenario. This is a significant impact.**

Mitigation Measure TRANS-5: In addition to implementation of Mitigation Measures TRANS-1 and TRANS-3, the project applicant shall pay TIM fees towards the installation of an additional through lane in each direction along Green Valley Road if this improvement is included in the 10-year County CIP. Payment of TIM fees is considered to be the project's proportionate fair share towards mitigation of this impact. If the additional through lanes are not included in the 10-year CIP prior to this impact being triggered (issuance of the first building permit), the applicant shall construct the improvements and may be eligible for reimbursement of costs in excess of the project's fair share, subject to a reimbursement agreement with the County. (SU [until the improvements are constructed] / LTS [after the improvements are constructed])

Finding for Impact TRANS-5: The County finds that with implementation of Mitigation Measure TRANS-5, Impact TRANS-5 would be considered less-than-significant; however, construction of the improvement described in the mitigation measures may not occur prior to development of the project, in which case the project would result in a temporary significant and unavoidable traffic impact until the mitigation measure is implemented. Therefore, the County conservatively finds that although Mitigation Measure TRANS-5 will be incorporated into the project via conditions of approval, the project's transportation impact would remain temporarily significant and unavoidable until the mitigation measure is constructed.

**Impact TRANS-9: Implementation of the proposed project would add additional queue lengths to various intersections. This would result in a significant impact.**

Mitigation Measure TRANS-9: The applicant shall construct intersection improvements as described below:

**Intersection #2, Green Valley Road/El Dorado Hills Boulevard/Salmon Falls Road**

- **WBL:** If this improvement is not constructed with TRANS-5 prior to issuance of the project's first building permit, the westbound left-turn pocket at this intersection from Green Valley Road to El Dorado Hills Boulevard shall be extended to 250 feet (from 105 feet) to accommodate future traffic projections. This extension would require widening Green Valley Road between El Dorado Hills Boulevard and Silva Valley Parkway. The documented queuing currently is utilizing the entire storage space between intersections, but is not exceeding it. This queuing would exceed the storage capacity with future traffic, as well as with the addition of the proposed project. To the extent the cost of this improvement exceeds the project's proportionate fair share, the applicant may be eligible

for reimbursement. (SU [until the improvement is constructed] / LTS [after construction of the improvement is completed])

- **WBT/R:** If this improvement is not constructed with TRANS-5 prior to issuance of the project's first building permit, to accommodate the westbound through queue, an additional westbound through lane shall be provided on Green Valley Road between El Dorado Hills Boulevard and Silva Valley Parkway that is long enough to accommodate the anticipated queuing and other operational considerations. To the extent the cost of this improvement exceeds the project's proportionate fair share, the applicant may be eligible for reimbursement. (SU [until the improvement is constructed] / LTS [after construction of the improvement is completed])
- **NBT/R:** The northbound through queue extends beyond the next intersection to the south, Timberline Ridge Drive. To prevent blocking of traffic entering and exiting Timberline Ridge Drive, "Keep Clear" markings shall be added to northbound El Dorado Hills Boulevard lanes in front of the Timberline Ridge Drive intersection. There is approximately 960 feet beyond Timberline Ridge Drive until the next intersection to the south that would accommodate the queue. (LTS)

#### **Intersection #12, El Dorado Hills Boulevard/Francisco Drive**

- **SBT:** The southbound through queue extends beyond the next intersection to the north, Telegraph Hill Road. To prevent blocking of traffic entering and exiting Telegraph Hill Road, "Keep Clear" markings shall be added to southbound El Dorado Hills Boulevard lanes in front of the Telegraph Hill Road intersection. There is approximately 440 feet beyond Telegraph Hill Road until the next intersection to the north that would accommodate the queue.

Finding for Impact TRANS-9: The County finds that with implementation of Mitigation Measure TRANS-9, Impact TRANS-9 would be considered less-than-significant; however, construction of the improvement described in the mitigation measures may not occur prior to development of the project, in which case the project would result in a temporary significant and unavoidable traffic impact until the mitigation measure is implemented. Therefore, the County conservatively finds that although Mitigation Measure TRANS-9 will be incorporated into the project via conditions of approval, the project's transportation impact would remain temporarily significant and unavoidable until the mitigation measure is constructed.

#### **Impact AIR-2: Construction of the proposed project would generate air pollutant emissions that could violate air quality standards.**

Mitigation Measure AIR-2: Consistent with guidance from the El Dorado County AQMD, the following actions shall be required in relevant construction contracts and specifications for the project:

- Conduct watering as necessary for visible emissions not to exceed more than 25 feet beyond the active cut areas or beyond the property line in any direction (Rule 223-2.4.A).
- For all disturbed surface areas (except completed grading areas), apply dust suppression in a sufficient quantity and frequency to maintain a stabilized surface; any areas which cannot

be stabilized, as evidenced by wind driven dust, must have an application of water at least twice per day to at least 80 percent of the unstabilized area.

- Water all unpaved roads used for any vehicular traffic at least once per every two hours of active operations and restrict vehicle speed to 15 mph (Rule 223-2.4 B).
- Pave or apply chemical stabilization at sufficient concentration and frequency to maintain a stabilized surface starting from the point of intersection with the public paved surface, and extending for a centerline distance of at least 100 feet and width of at least 20 feet or pave from the point of intersection with the public paved road surface, and extending for a centerline distance of at least 25 feet and width of at least 20 feet, and install a track-out control device immediately adjacent to the paved surface such that exiting vehicles do not travel on any unpaved road surface after passing through the track-out control device.
- The project's prime contractor shall provide the El Dorado County APCD an approved plan demonstrating that heavy-duty (i.e., greater than 50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve, at a minimum a fleet-averaged 15 percent NO<sub>x</sub> reduction compared to the most recent ARB fleet average. Successful implementation of this measure requires the prime contractor to submit a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment. The inventory list shall be updated and submitted monthly throughout the duration of when the construction activity occurs.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure, Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the ARB Regulation for In-Use Off-Road Diesel Fueled Fleets.

Finding for Impact AIR-2: The County finds that even with implementation of Mitigation Measure AIR-2, there is no mitigation available to reduce the project's air quality impact to a less-than-significant level. Therefore, the County finds that although Mitigation Measure AIR-2 will be incorporated into the project via conditions of approval, the project's air quality impact would remain significant and unavoidable.

**Impact AIR-3: Operation of the proposed project would generate air pollutant emissions that would exceed the El Dorado AQMD criteria and could contribute substantially to a violation of air quality standards.**

Mitigation Measure AIR-3: The project shall incorporate the following design elements into the project:

- The project shall only permit natural gas fireplaces.
- Design of the project shall improve the pedestrian network both on the project site and through connections adjacent to the project.
- Design of the project shall not restrict resident access to public transit.
- Garages included as part of the project shall be electric vehicle charging compatible through inclusion of a dedicated electrical outlet.
- The project shall install Energy Star or ground source heat pumps.
- The project sponsor shall consult the El Dorado County AQMD on the installation of ozone destruction catalysts on air conditioning systems.
- The project sponsor shall provide the option of roof-mounted photovoltaic energy systems on new homes.

Finding for Impact AIR-3: The County finds that even with implementation of Mitigation Measure AIR-3, there is no mitigation available to reduce the project's air quality impact to a less-than-significant level. Therefore, the County finds that although Mitigation Measure AIR-3 will be incorporated into the project via conditions of approval, the project's air quality impact would remain significant and unavoidable.

**Impact AIR-4: Operation of the proposed project would result in a significant cumulative net increase in criteria pollutant emissions.**

Mitigation Measure AIR-4: Implement Mitigation Measure AIR-3. As shown in Table IV.D-8, even with mitigation, the project would continue to exceed the maximum daily emission threshold. This impact would be significant and unavoidable.

Finding for Impact AIR-4: The County finds that even with implementation of Mitigation Measure AIR-4, there is no mitigation available to reduce the project's air quality impact to a less-than-significant level. Therefore, the County finds that although Mitigation Measure AIR-4 will be incorporated into the project via conditions of approval, the project's cumulative air quality impact would remain significant and unavoidable.

**Impact GHG-1: Construction and operation of the proposed project – in combination with emissions from other past, present, and reasonably probable future projects – would result in GHG emissions that would have a significant physical adverse impact and would significantly and cumulatively contribute to global climate change. The project's incremental impacts from GHG emissions are also cumulatively considerable.**

Mitigation Measure GHG-1: The following measures shall be incorporated into project design to reduce project GHG emissions:

- Implement Mitigation Measures AIR-2 and AIR-3.
- Building construction shall exceed the energy efficiency standards of Title 24 through application of the 2013 California Green Building Standards Code mandatory measures adopted by the County.

- All homes shall be equipped with exterior outlets on structures to facilitate the use of electric powered landscape equipment.
- All new homes shall be equipped with high efficiency lighting.
- The project applicant shall develop a water conservation strategy to reduce indoor and outdoor water use by approximately 20 percent over standard building construction practices.
- The project applicant shall implement the 2013 Plumbing Code to reduce indoor and outdoor water use by installing low-flow bathroom faucets, kitchen faucets, toilets and showers, and project landscaping that utilizes water-efficient plants and irrigation systems.
- The project applicant shall ensure the recycling and composting services available from El Dorado County Disposal are provided to the residents of the project site.
- The project shall provide a pedestrian access network that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the project site.
- The project shall incorporate all 2013 California Green Building Standard Code Residential Voluntary Tier 1 Measures (Residential Voluntary Measures included in Appendix A4, Division A4.6, Tier 1), except the following:
  - Section A4.106.8 regarding installation of Level 2 EV charging stations in garages and/or parking lots;
  - Section A4.106.4 regarding permeable paving utilized for parking, walking or patio surfaces;
  - Section A4.403.2 regarding reduction in cement use; and
  - Section A4.405.3 regarding post-consumer and pre-consumer recycled content value (RCV) materials use in the project.

Finding for Impact GHG-1: The County finds that even with implementation of Mitigation Measure GHG-1, there is no mitigation available to reduce the project's greenhouse gas emission impact to a less-than-significant level. Therefore, the County finds that although Mitigation Measure GHG-1 will be incorporated into the project via conditions of approval, the project's greenhouse gas emissions impact would remain significant and unavoidable.

**Impact GHG-2: The proposed project would conflict with plans adopted for the purpose of reducing GHG emissions.**

The proposed project would not conflict with the measures outlined in the existing California legislation adopted to reduce Statewide GHG emissions. However, as shown in the analysis above, even with the implementation of comprehensive measures to reduce GHG emissions, the measures would only reduce emissions by 19 percent, which would not meet the State's goal of reducing emissions by 30 percent by 2020. Therefore, the proposed project would conflict with an applicable plan, policy or regulation for the purpose of reducing greenhouse gas emissions, and the project would have a significant and unavoidable impact.

Mitigation Measure GHG-2: Implement Mitigation Measure GHG-1. Even with the implementation of comprehensive measures to reduce GHG emissions, the project would still have a significant and unavoidable impact.

Finding for Impact GHG-2: The proposed project would not conflict with the measures outlined in the existing California legislation adopted to reduce Statewide GHG emissions. However, as shown in the analysis within the Draft EIR, even with the implementation of comprehensive measures to reduce GHG emissions, the measures would only reduce emissions by 19 percent, which would not meet the State's goal of reducing emissions by 30 percent by 2020. Therefore, the proposed project would conflict with an applicable plan, policy or regulation for the purpose of reducing greenhouse gas emissions, and the project would have a significant and unavoidable impact. The County finds that even with implementation of Mitigation Measure GHG-2, there is no mitigation available to reduce the project's greenhouse gas emission impact to a less-than-significant level. Therefore, the County finds that although Mitigation Measure GHG-2 will be incorporated into the project via conditions of approval, the project's greenhouse gas emissions impact would remain significant and unavoidable.

**Impact NOI-1: Project construction activities could result in noise levels in excess of the County's noise performance standards for construction activities as measured at adjacent residential land uses.**

Mitigation Measure NOI-1: The applicant and/or project contractor shall implement the following measures:

- All construction equipment must have appropriate sound muffling devices, which shall be properly maintained and used at all times such equipment is in operation.
- The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- The construction contractor shall locate on-site equipment staging areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during the construction period.
- All noise producing construction activities, including warming-up or servicing equipment and any preparation for construction, shall be limited to the hours between 7:00 a.m. and 7:00 p.m. on weekdays, and between 8:00 a.m. and 5:00 p.m. on weekends and federally recognized holidays.
- Even with implementation of these measures, maximum anticipated construction noise levels would still be anticipated to exceed the County's construction noise threshold of 75 dBA  $L_{max}$  as measured at the nearest higher-density residential land uses. Therefore, this impact would remain significant and unavoidable.

Finding for Impact NOI-1: The County finds that even with implementation of Mitigation Measure NOI-1, there is no mitigation available with currently feasible technology to reduce the project's construction period noise impacts to a less-than-significant level. Therefore, the County finds that although Mitigation Measure NOI-1 will be incorporated into the project via conditions of approval, the project's construction noise impact would remain significant and unavoidable.

## SECTION 6.0 FEASIBILITY OF PROJECT ALTERNATIVES

### 6.1 PROJECT ALTERNATIVES

The Draft EIR includes four alternatives: the No Project alternative; the Small Lot Clustered Development alternative; the Reduced Build alternative; and the Non-Gated Development Alternative Variant. The County hereby concludes that the Draft EIR sets forth a reasonable range of alternatives to the proposed project so as to foster informed public participation and informed decision-making. The County finds that the alternatives identified and described in the Draft EIR were considered and further finds them to be infeasible as described below pursuant to CEQA Section 21081.

Section 15091(a)(3) of the *CEQA Guidelines* describes that one of the findings that a lead agency can make concerning significant project impacts is that specific economic, legal, social, technological, or other considerations, make infeasible the project alternatives identified in the EIR. In the EIR, the alternatives were screened for technical, logistical, and financial feasibility, but the alternatives were not evaluated for all economic, legal, social or other considerations that make up the broader definition of “feasibility” in Section 15091(a)(3). Thus, the use of the term “infeasible” in the findings below concerning the alternatives is more expansive than references to “feasible” in the EIR’s discussion of alternatives, which was limited to technical, logistical and financial feasibility. An alternative may have been determined to be technically, logistically, and financially “feasible” in the EIR and still ultimately be concluded by the County to meet the definition of “infeasibility” per Section 15091(a)(3) when all considerations are taken into account. The term “infeasible” in the Findings below uses the broader definition in Section 15091(a)(3), which is consistent with case law interpreting this provision of CEQA. The determination of infeasibility “involves a balancing of various ‘economic, environmental, social, and technological factors.’”<sup>9</sup> Where there are competing and conflicting interests to be resolved, the determination of infeasibility “is not a case of straightforward questions of legal or economic feasibility,” but rather, based on policy considerations.<sup>10</sup>

#### 6.1.1 No Project Alternative

##### Description

The No Project Alternative assumes that the project site would be developed under the existing General Plan and Zoning designations. The existing General Plan Designation (Low Density Residential) would be consistent with the existing zoning (AE) per Table 2-4 of the General Plan. While the project site does include a small portion (0.32 acres) zoned Estate Residential-Five Acres (RE-5), for purposes of this alternative, the entire site is assumed to have an AE designation. The purpose of the AE district is to designate lands subject to the Williamson Act. While the parcels that included Williamson Act designations were rolled out in 1997 and 1999, the AE designation for the project site remains. Within the AE District, uses are generally limited to those that include and support agricultural operations, including grazing. Structures are generally limited to one single-family dwelling unit per parcel and other structures that support agricultural operations.

<sup>9</sup> *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417.

<sup>10</sup> *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001–1002.

Given the minimum lot size requirement (20 acres), 14 parcels could be created and developed for agricultural production under this alternative. For purposes of the EIR's analysis, it was assumed that the Dixon residence parcel would also be 20 acres. It was also assumed that any structures developed under this alternative would occur at least 500 feet from the project boundary.

The site design for the No Project alternative would include one entrance on Green Valley Road and one EVA access point to the project site on Lima Way. This alternative would not include age-restricted units, Village or Neighborhood Parks, the clubhouse, or trails proposed as part of the project. Residential and agricultural uses would connect to EID facilities for water or sewer service.

The No Project alternative assumes development would occur under the existing General Plan and Zoning designation resulting in 20-acre lots within the El Dorado Hills Community Region, an area identified for suburban and urban development. Within the AE District, uses are generally limited to those that include and support agricultural operations, including grazing. Structures are generally limited to one single-family dwelling unit per parcel and other structures that support agricultural operations. This alternative would not include age-restricted units, Village or Neighborhood Parks, the clubhouse, or trails proposed as part of the project.

### Impacts

*Land Use and Planning Policy:* The existing zoning on the project site is AE, which is a designation used for agricultural land in a Williamson Act Contract; however, there has not been an active Williamson Act Contract associated with the project site since 1999. While the project site is currently zoned for agricultural use, it is located within the El Dorado Hills Community Region, an area identified for urban/suburban uses. This alternative would allow for the agricultural use of the project site that could result in conflicts with adjacent residential uses (such as noise, dust, and odors associated with agricultural uses). Therefore, this alternative could result in new and significant land use impacts on adjacent existing uses when compared to the proposed project.

*Transportation and Circulation:* This alternative would result in approximately 591 fewer units than the proposed project and would significantly reduce the vehicle trips generated by the project site. Even accounting for trips associated with the agricultural production of the project site, it is assumed that any transportation impacts associated with the proposed project would be significantly reduced when compared to implementation of the proposed project. While traffic modeling has not been prepared to assess whether all transportation impacts associated with the No Project alternative would be considered less-than-significant, this alternative would result in reduced transportation and circulation impacts when compared to the proposed project.

*Air Quality:* This alternative would result in approximately 591 fewer units than the proposed project, which would significantly reduce vehicle trips generated by the project site, and in turn reduce potential air quality impacts. This alternative would still be required to implement mitigation measures to address airborne asbestos associated with construction activities. While this alternative would be required to implement measures identified by the El Dorado County AQMD to address construction air pollutant emissions, given the reduced amount of construction associated with this alternative, the impact would likely be reduced to a less-than-significant level. This alternative would introduce trips associated with agricultural production (which were not part of the proposed project);

however, due to the reduction in development when compared to the proposed project (and reduction in associated vehicle trips), operational impacts (both individual and cumulative) would likely be reduced to less-than-significant levels. This alternative would likely result in reduced air quality impacts compared to the proposed project.

*Greenhouse Gas Emissions:* This alternative would result in approximately 591 fewer units than the proposed project, which would significantly reduce vehicle trips generated by the project site, and in turn reduce greenhouse gas emissions. While this alternative would introduce trips associated with agricultural production (which were not part of the proposed project), due to the reduction in development when compared to the proposed project (and reduction in associated vehicle trips), the greenhouse gas emission impact would likely be reduced to a less-than-significant level. This alternative would likely result in reduced greenhouse gas emission impacts when compared to the proposed project.

*Noise:* This alternative would result in the construction of 13 new residential parcels, the retention of the Dixon Residence parcel, and the introduction of additional agricultural uses to the project site. For this alternative, it is assumed that new construction would be located at least 500 feet from the project boundary, resulting in a less-than-significant construction noise impact. While there would be trips associated with agricultural use of the project site, given the overall reduction in development associated with this alternative, the traffic noise associated with operation of this alternative would likely be considered less-than-significant. A mitigation measure would still be required to reduce potential impacts to residential uses located in the northern portion of the project site, but this impact would be reduced to a less-than-significant impact. While noise impacts associated with agricultural uses (farming equipment, livestock, etc.), would be introduced to the project site under this alternative, it is likely that the overall noise impacts would be reduced under this alternative when compared to the proposed project.

*Biological Resources:* Biological resources mitigation measures required under this alternative would be the same as the proposed project, to protect bird nests and to address oak removal. It is likely that due to the reduction in development of the project site, fewer oak trees would be removed under this alternative and biological resource impacts would be reduced under this alternative when compared to the proposed project.

*Hydrology and Water Quality:* As with the proposed project, this alternative would be connected to EID due to its location within the Community Region in compliance with General Plan Policy 5.2.1.11, and would not be expected to impact groundwater supplies. Additionally, this alternative would result in significantly less development than the proposed project; as such, it is expected to generate a significantly reduced amount of run-off from the project site. As with the proposed project, this alternative could result in construction and operational period water quality impacts requiring mitigation measures. Given the reduced size of development associated with this alternative, potential hydrology and water quality impacts would be reduced when compared to the proposed project.

*Utilities:* While this alternative would result in significantly less residential development (591 fewer units) than the proposed project, this alternative would introduce active agricultural production to the project site, and would use EID water supplies for the irrigation. Overall, potential utility impacts under this alternative would likely be reduced when compared to the proposed project.

*Public Services:* The reduction in development associated within this alternative would translate into a reduced demand for police, fire, school and recreational services. While this alternative would not include any of the recreational amenities of the proposed project (parks and trails), this alternative would result in a reduced public service impact when compared to the proposed project.

*Visual Resources:* Under this alternative, significantly fewer residential units would be constructed, and the general look of the project site would change from suburban to agricultural. As with the proposed project, this alternative would not impact a scenic view or vista. Given the reduced amount of development, a corresponding reduction in light and glare would also occur. While the project results in no significant visual resources impacts, implementation of the No Project alternative would likely result in a reduction of the less-than-significant impacts.

Impacts levels associated with population and housing, cultural resources, geology, soils, seismicity, hazards under this alternative would be similar to the propose project.

#### Feasibility

While a number of impacts associated would be reduced or eliminated under this alternative when compared to the proposed project, this alternative would result in agricultural uses within an area of the County identified for urban or suburban development, which could result in a new land use impact. Additionally, as noted in the Draft EIR, there are 10 project objectives; this alternative would meet or partially meet only one of those objectives. The No Project Alternative also would not achieve as many of the benefits of the proposed project as set forth in the Statement of Overriding Considerations, below. Furthermore, the No Project Alternative would not achieve the General Plan's Land Use Objective 2.1.1, and Policy 2.1.1.2, because the No Project Alternative would not direct intensive development to the Community Regions. For all of the foregoing reasons, and any of them individually, the No Project Alternatives is determined to be infeasible.

### **6.1.2 Small Lot Clustered Alternative**

#### Description

Under this alternative, residential development would be located on smaller lots within the center of the site in order to preserve larger areas of open space. This alternative would include 605 units (none of which would be age-restricted), two parks, and an increased amount of open space. As this alternative does not include an age-restricted component, a clubhouse is not included in this alternative. This alternative would include a similar circulation plan as the proposed project; two roadways to Green Valley Road would be constructed, as well as three EVAs to adjacent neighborhood streets.

## Impacts

*Transportation and Circulation:* While this alternative would result in a denser development footprint, the number of units would remain the same. While the number of units would stay the same, the trips associated with this alternative would be greater than the proposed project as conversion of the age-restricted to market rate units would result in an increase in project trip generation. Therefore, this alternative would, at a minimum, result in greater transportation and circulation impacts as the proposed project and could result in new traffic impacts as the trips generated by the proposed project would increase. This alternative would likely result in greater transportation and circulation impacts than the proposed project.

*Air Quality:* While the number of residential units under this alternative would be the same, the daily vehicle trips under this alternative would be increased when compared to the proposed project as there would be no age-restricted units (and associated reduction in vehicle trips); as such, this alternative would result in greater air quality impacts than the proposed project. Mitigation measures would be required to address airborne asbestos, construction emissions, and operation emissions. As with the proposed project, this alternative would result in significant and unavoidable construction and operation emissions.

*Greenhouse Gas Emissions:* While the number of residential units under this alternative would be the same, the daily vehicle trips under this alternative would increase when compared to the proposed project as there would be no age-restricted units (and an associated reduction in vehicle trips); as such, this alternative would result in greater greenhouse gas emission impacts than the proposed project. As with the proposed project, this alternative would result in a significant and unavoidable greenhouse gas emission impact.

*Noise:* As the number of residential units and daily trips under this alternative would be somewhat greater than the project, this alternative would result in similar noise impacts. Mitigation measures would likely be required to address traffic noise. A significant and unavoidable impact related to construction noise would still occur under this alternative. Noise impacts under this alternative would be somewhat greater than the proposed project.

*Biological Resources:* This alternative clusters development and would allow for more of the project site to remain in open space. Under this alternative, fewer oak trees would be removed from the project site. While this alternative would still require mitigation measures to address nesting birds and oak tree removal, this alternative would have a reduced biological resources impact when compared to the proposed project as more trees would be preserved in open space areas.

*Hydrology and Water Quality:* While this alternative would result in a reduced development footprint, this alternative would still require mitigation measures to address construction and operational water quality impacts. As the overall development would be reduced, the hydrology impacts of this alternative would be reduced when compared to the proposed project.

*Public Services:* This alternative would result in an increase in residents. As this alternative does not include age-restricted units (which are anticipated to not generate school age residents), this alternative would result in a total of 434 students, which is an increase in 115 students than would be generated by the proposed project. Additionally, the increase in residents would likely result in an

increased demand for public services. As such, the demand on public services from development of this alternative would be greater than the proposed project.

*Visual Resources:* This alternative would have the same number of units as the proposed project, but these units would be clustered toward the center of the site. Because of this clustering, more open space can be maintained around the perimeter of the site. As with the proposed project, this alternative would not impact a scenic view or vista. While the project results in no significant visual resources impacts, implementation of this alternative would likely result in a reduction to the less-than-significant impacts as more open space can be incorporated into this alternative's site plan.

Impacts levels associated with land use, population and housing, cultural resources, geology, soils, seismicity, hazards, and utilities under this alternative would be similar to the proposed project.

### Feasibility

Overall, the Small Lot Clustered Alternative would result in fewer impacts related to biological resources and hydrology and water quality as compared to the proposed project, would increase the amount of open space on the project site, and would result in greater environmental impacts related to transportation and circulation, air quality, greenhouse gas emissions, and public services. This alternative would not meet the objective to provide a broad range of residential product types and the objective to offer a range of designs and amenities to meet the needs of the changing demographics of the County, including families, empty nesters and active adults. This alternative would not achieve as many of the benefits of the proposed project, as set forth in the Statement of Overriding Considerations, below. For all of the foregoing reasons, and any of them individually, the Small Lot Clustered Alternative is determined to be infeasible.

### **6.1.3 Reduced Build Alternative**

#### Description

This alternative assumes adoption of a Medium Density Residential General Plan Amendment to allow parcel sizes of 1 acre (with the exception of the Dixon Residential Lot, which would be 5 acres). Under this alternative, approximately 30 percent (84 acres) of the site would remain in open space resulting in 191 acres that could be developed with 1 acre parcels. Under this alternative, no parks, clubhouse, or age-restricted units would be developed. This alternative would include a similar circulation plan as the proposed project; two roadways to Green Valley Road would be constructed, as well as three EVAs to adjacent neighborhood streets.

#### Impacts

*Transportation and Circulation:* This alternative would result in significantly fewer dwelling units compared to the proposed project, and an associated reduction in the number of trips would occur with implementation of this alternative. While traffic modeling was not undertaken to ascertain whether any impacts associated with the proposed project would be reduced to a less-than-significant level under this alternative, it can be assumed that transportation and circulation impacts associated with the Reduced Build alternative would be reduced when compared to the proposed project.

*Air Quality:* This alternative would result in significantly fewer dwelling units compared to the proposed project, and an associated reduction in the number of trips. Given the reduction in vehicle trips, air quality impacts would also be reduced. While air quality modeling was not undertaken to ascertain whether any impacts associated with the proposed project would be reduced to a less-than-significant level under this alternative, it can be assumed that air quality impacts associated with the Reduced Build alternative would be reduced when compared to the proposed project.

*Greenhouse Gas Emissions:* This alternative would result in significantly fewer dwelling units compared to the proposed project, and an associated reduction in the number of trips. Given the reduction in vehicle trips, greenhouse gas emissions impacts would also be reduced. While modeling was not undertaken to ascertain whether the emissions impact associated with the proposed project would be reduced to a less-than-significant level under this alternative, it can be assumed that greenhouse gas emission impact associated with the Reduced Build alternative would be reduced when compared to the proposed project.

*Biological Resources:* This alternative would result in fewer residential units and the retention of more of the project site in open space. While this alternative would still require mitigation measures to address nesting birds and tree removal, this alternative would have reduced biological resources impacts when compared to the proposed project.

*Hydrology and Water Quality:* While this alternative would result in fewer residential units, this alternative would still require mitigation measures to address construction and operational water quality impacts. As the overall development would be reduced, the hydrology impacts of this alternative would be reduced when compared to the proposed project.

*Utilities:* This alternative would result in reduced utilities demand when compared to the proposed project; however, it is likely mitigation measures related to water and wastewater infrastructure required for the proposed project would still be required under this alternative. While mitigation measures would be required under this alternative, this alternative would have a reduced utilities impact when compared to the proposed project.

*Public Services:* With fewer residential units than the proposed project, the Reduced Build alternative would result in a reduced demand for police, fire and school services. While this alternative would result in reduced public services demand, this alternative would not incorporate parks included in the proposed project, so additional demand may be placed on other recreation facilities. However, this alternative would have a reduced public service impact when compared to the proposed project.

*Visual Resources:* This alternative would have significantly fewer units than the proposed project, and would generally incorporate less development and more open space than the proposed project. As with the proposed project, this alternative would not impact a scenic view or vista. While the project results in no significant visual resources impacts, implementation of this alternative would likely result in a reduction to the less-than-significant impacts as more open space can be incorporated into this alternative's site plan.

Impacts levels associated with land use, population and housing, noise, cultural resources, geology, soils, seismicity, and hazards under this alternative would be similar to the propose project.

## Feasibility

While the County recognizes the environmental benefits of this alternative, this alternative would not meet, to the same degree as the proposed project, the objective to implement the County's General Plan by providing urban/suburban type development within lands designated as Community Region in order to ensure the preservation of large expanses of open space and agricultural lands within the County. Nor would this alternative meet the objectives to provide a broad range of residential product types or to offer a range of designs and amenities to meet the needs of the changing demographics of the County, including families, empty nesters and active adults. This alternative would not achieve as many of the benefits of the proposed project, as set forth in the Statement of Overriding Considerations, below. For all of the foregoing reasons, and any of them individually, the Reduced Build Alternative is determined to be infeasible.

### **6.1.4 Non-Gated Development Alternate Variant**

The Non-Gated Development alternative assumes that the site would be developed as currently proposed, except that the proposed EVA off of county-maintained Lima Way would be an open public roadway with travel allowed in both directions in an effort to improve emergency access and circulation associated with the project. The remaining EVAs off of privately maintained Marden Drive and Green Springs Road would remain gated. Under this alternative, the two entrances on Green Valley Road would remain as proposed.

## Description

This alternative would result in vehicular access from the project site to Silva Valley Parkway via Lima Way, Aberdeen Lane, and Appian Way (collectively Highland View), and would be anticipated to provide an alternate route to gain access to points south, including US-50, for at least a portion of the project site. Project access through Highland View could attract project traffic away from Green Valley Road resulting in increased traffic volumes along these neighborhood roadways. Though difficult to project the potential usage of this circulation alternative, initial estimates indicated that up to 20 percent of the project traffic might potentially use the Highland View connection to Silva Valley Parkway, thereby reducing Green Valley Road volumes. While this shift in traffic may lessen project impacts along Green Valley Road west of the project site, it is possible that additional impacts may be realized along Highland View and/or at the Silva Valley Parkway intersection. It should be noted that creation of a Lima Way connection between Highland View and the proposed project could not only result in project generated trips using these roadways, it could also result in existing traffic from Highland View traveling through the project site to gain access to Green Valley Road and points to the east.

## Impacts

Impacts levels associated with land use, population and housing, air quality, greenhouse gas emissions, biological resources, cultural resources, geology, soils, seismicity, hydrology, hazards, utilities, public services and visual resources under this alternative would be similar to the proposed project.

### Feasibility

This alternative would meet all the project objectives and was intended to be part of a future circulation pattern by the County when requiring the Lima Way stub-out prior to approving the Highland View subdivision, but would likely result in new transportation impacts related to access through the Highland View neighborhood. The EIR analysis of transportation impacts from the project did not include an open circulation pattern through Lima Way. Even so, transportation impacts from the project were found to be less than significant or, conservatively, temporarily significant but unavoidable until such time as the 10-year CIP roadway improvements were completed. By modifying the patterns of the same traffic volumes that were analyzed in the EIR, opening Lima Way to through traffic would have similar environmental impacts to keeping it closed. However, the residents of the Highland View neighborhood have expressed a concern regarding the potential for increased hazards from speeding traffic on their narrow, sloping streets. As stated previously, determination of infeasibility involves a balancing of various factors including social ones. As the Highland View neighborhood requests the gated EVA for public safety reasons, the County concurs from a policy standpoint. In addition, the applicant is now proposing to gate the Dixon Ranch Residential subdivision in response to the neighborhood concerns, thereby preventing public circulation through Lima Way. Because of these reasons, the County has determined the Non-Gated Development Alternate Variant to be infeasible.

## **SECTION 7.0 STATEMENT OF OVERRIDING CONSIDERATIONS**

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a project against its unavoidable risks when determining whether to approve a project. If the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered acceptable. CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the EIR or elsewhere in the administrative record.

The County of El Dorado has made a reasonable good faith effort to eliminate or substantially mitigate the environmental impacts resulting from the proposed project. The County recognizes, however, that even with implementation of all feasible mitigation measures, the project will have significant and unavoidable impacts. In particular, the proposed project would result in significant unavoidable impacts related to transportation, air quality, greenhouse gas emissions and noise even after incorporation of all feasible mitigation measures. These significant unavoidable impacts are identified and discussed in Section 5 of these Findings. The County further specifically finds that these significant unavoidable impacts are outweighed by the proposed project's benefits and constitutes an overriding consideration warranting approval of the proposed project.

The County of El Dorado finds that any one of the benefits set forth below is sufficient by itself to warrant approval of the proposed project, and justify the unavoidable adverse environmental impacts from the project. This determination is based on the findings herein and the evidence in the record. Having balanced the unavoidable adverse environmental impacts against each of the benefits, the County of El Dorado adopts this Statement of Overriding Considerations, for the following reasons:

## 1. Economic Considerations and Job Creation

Project construction is projected to generate an increase in the County of El Dorado's economy over the construction-period. Additionally, the construction of the project is expected to create increased employment opportunities annually over the construction period.

At buildout, the project is projected to generate positive fiscal impacts to the County's operating funds. The annual net fiscal impacts indicate a combined annual surplus of approximately \$89,107, including General Fund and Road Fund Revenues.<sup>11</sup>

## 2. Social and Recreational Benefits

The proposed project provides unique social and recreational benefits. The proposed project provides diverse housing types, sizes, and designs to accommodate varying lifestyles and income levels to meet the needs of the changing demographics of the County, including families, empty nesters, and active adults.

The largest age group in El Dorado County is the 50-59 year-old range, which represents 17.6 percent of the total County population. Since 2000, the number of people ages 50-59 increased over 55 percent. Residents 60-69 make up a higher percentage of the population of El Dorado County than the State average.<sup>12</sup> The project will include 160 age-restricted (years 55+) residential units to accommodate the County's growing baby-boomer population and help meet the demand for retirement housing. To help meet the recreational demands of the project's active-adult population, a clubhouse is proposed as part of the age-restricted community.

The project also provides considerable open space as well as active recreational amenities (parks and trails) that would be available for public use. One publically accessible park (Village Park) is incorporated into the project and would be dedicated to the El Dorado Hills Community Services District. A variety of pedestrian circulation amenities are included in the project design, and a series of pedestrian paths and trails are proposed, including a multi-use trail. Open space is proposed throughout the project site to preserve existing trees and wetlands, serve as a stormwater detention area, and to provide a buffer to neighboring land uses. Parks, open space, and landscaped areas would total approximately 84 acres (30 percent) of the project site.

## 3. Environmental Benefits

A fundamental objective of El Dorado County's General Plan is to direct intensive development to the identified Community Regions and Rural Centers. By directing growth to the Community Regions and Rural Centers, the General Plan helps protect the County's agricultural lands, open space, and natural resources. The proposed project site is entirely within the urban limit line of the El Dorado Hills Community Region; the residential development proposed by the project furthers the County's vision of compact growth, which in turn, protects the County's important agricultural and natural resources located outside of the Community Regions and Rural Centers.

<sup>11</sup> DPGF, 2015. *Dixon Ranch Fiscal Impact Analysis, Scenario 2: Full Buildout*. July 15.

<sup>12</sup> El Dorado County, 2011. *Economic & Demographic Profile (El Dorado County, 2010-2011)*. Available online at: [www.eldoradocounty.org/pdf/ElDoradoProfile10\\_11.pdf](http://www.eldoradocounty.org/pdf/ElDoradoProfile10_11.pdf) (accessed August 19, 2015).

The project has been designed to avoid and substantially minimize environmental impacts. The project includes two detention basins at the southwest corner to mitigate flows to pre-project levels at that location. The project improvements and drainage crossings are designed to accomplish total avoidance of on-site verified jurisdictional wetlands. The existing ponds located along the alignment of Green Springs Creek would be substantially maintained in their current condition. The project will be phased to ensure consistency with County policies protecting oak woodlands. The project site is not designated prime farmland, unique farmland, or farmland of statewide importance, and the project site is not identified as “choice agricultural land” in the County’s General Plan.

#### **4. Policy**

The proposed project implements and furthers important plans and policies adopted and endorsed by the County. Development of the proposed residential, recreational, and open spaces uses is endorsed by the El Dorado County General Plan as a logical location for these proposed uses. By directing growth to the El Dorado Hills Community Region, the proposed project is compatible with existing and future uses and with General Plan policies related to growth, and would provide needed housing and facilities, including housing and facilities for the County’s growing active adult population.

On balance, the County finds that there are specific considerations associated with the project that serve to override and outweigh the project’s significant unavoidable effects. Therefore, pursuant to *CEQA Guidelines* Section 15093(b), these adverse effects are considered acceptable.

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**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
<b>A. LAND USE AND PLANNING POLICY</b>						
There are no significant impacts to land use and planning policy.						
<b>B. POPULATION AND HOUSING</b>						
There are no significant impacts to population and housing.						
<b>C. TRANSPORTATION AND CIRCULATION</b>						
TRANS-1: Intersection #2, Green Valley Road/El Dorado Hills Boulevard/Salmon Falls Road, would operate at LOS F during the AM peak hour with the proposed project under the Existing (2013) Plus Proposed Project scenario. This is a significant impact.	TRANS-1: The project applicant shall be responsible for <u>either: (1) paying appropriate TIM fees for the improvements as identified by the County; or (2) modifying lane configuration on the southbound approach to result in one left-turn lane, one through lane, and one right-turn lane as identified in the County's CIP Project #73151.</u> These improvements are subject to review and approval by the Community Development Agency, Transportation Division.	Completion of improvements	Prior to issuance of occupancy permits	Community Development Agency, Transportation Division		
TRANS-2: Intersection #12, El Dorado Hills Boulevard/Francisco Drive, would operate at LOS F during the AM and PM peak hours without the project, and the project contributes more than 10 peak hour trips to the intersection during both peak hours under the Existing (2013) Plus Proposed Project scenario. This is a significant impact.	TRANS-2: The project applicant shall pay TIM fees for the project consistent with the County's CIP program. Improvements to this intersection include the addition of an eastbound channelized right-turn lane on Francisco Drive and southbound receiving lane on El Dorado Hills Boulevard as identified in the County's CIP Project #71358 (Francisco Drive Right Turn Pocket). Completion is scheduled within the County's 10-year CIP.	Receipt of fees	Prior to issuance of occupancy permits	Community Development Agency, Transportation Division		
TRANS-3: Intersection #2, Green Valley Road/El Dorado Hills Boulevard/Salmon Falls Road operates at LOS F during the AM peak hour without the project, and the project contributes more than 10 peak hour trips to the intersection during the AM peak hour and results in LOS F during the PM peak hour under the Existing Plus Approved Projects (2018) Plus Proposed Project scenario. This is a significant impact.	TRANS-3: In addition to Mitigation Measure TRANS-1, the project applicant shall pay TIM fees for the project consistent with the County's CIP program. Additional improvements to this intersection include changing the northbound and southbound signal phasing from split-phased to concurrent protected left turns. This work is included in the County's CIP Project #73151 (Green Valley Road Traffic Signal Interconnect), and completion is scheduled within the County's 10-year CIP.	Receipt of fees	Prior to issuance of occupancy permits	Community Development Agency, Transportation Division		
TRANS-4: Intersection #4, Green Valley Road/Loch Way operates at LOS F during the PM peak hour with the project under the Existing Plus Approved Projects (2018) Plus Proposed Project scenario. This is a significant impact.	TRANS-4: The project applicant shall be responsible for the addition of a two-way left-turn lane along Green Valley Road in the immediate vicinity of the intersection with Loch Way. This improvement would provide a left-turn lane for westbound traffic on Green Valley Road to turn left onto Loch Way and would allow for vehicles making a northbound left-turn movement from Loch Way onto Green Valley Road to clear eastbound traffic and wait for a gap in westbound traffic to merge onto westbound Green Valley Road.	Completion of improvement	Prior to issuance of occupancy permits	Community Development Agency, Transportation Division		

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
<u>TRANS-5:</u> Intersection #2, Green Valley Road/El Dorado Hills Boulevard/Salmon Falls Road, operates at LOS F during the AM and PM peak hours without the project, and the project contributes more than 10 peak hour trips to the intersection during both peak hours under the Cumulative (2025) Plus Proposed Project scenario. This is a significant impact.	<u>TRANS-5:</u> In addition to implementation of Mitigation Measures TRANS-1 and TRANS-3, the project applicant shall pay TIM fees towards the installation of an additional through lane in each direction along Green Valley Road if this improvement is included in the 10-year County CIP. Payment of TIM fees is considered to be the project's proportionate fair share towards mitigation of this impact. If the additional through lanes are not included in the 10-year CIP prior to this impact being triggered (issuance of the first building permit), the applicant shall construct the improvements and may be eligible for reimbursement of costs in excess of the project's fair share, subject to a reimbursement agreement with the County.	Payment of TIM fees or construction of improvement	Prior to issuance of an occupancy permit	Community Development Agency, Transportation Division		
<u>TRANS-6:</u> Intersection #4, Green Valley Road/Loch Way, would operate at LOS F during the PM peak hour with the project under the Cumulative (2025) Plus Proposed Project scenario. This is a significant impact.	<u>TRANS-6:</u> Implement Mitigation Measure TRANS-4.	Completion of improvement	Prior to issuance of an occupancy permit	Community Development Agency, Transportation Division		
<u>TRANS-7:</u> Intersection #7, Green Valley Road/Deer Valley Road, operates at LOS E during the PM peak hour without the project, and the project contributes more than 10 peak hour trips to the intersection during the PM peak hour under the Cumulative (2025) Plus Proposed Project scenario. This is a potentially significant impact.	<u>TRANS-7:</u> In order to ensure proper timing for the installation of the traffic signal control, the applicant shall be responsible to perform traffic signal warrants and LOS analysis at this intersection with each final map in accordance with the Manual on Uniform Traffic Control Devices (version in effect at the time of application). If traffic signal warrants are met, or LOS E reached at the intersection at the time of application for final map (including the lots proposed by that final map), the applicant shall construct the improvements prior to issuance of the first certificate of occupancy for any lot within that final map.  If traffic signal warrants are not met or LOS E is not reached upon application for the last final map within the project, the project applicant shall pay its TIM fees toward the installation of a traffic signal control at this intersection. Payment of TIM fees is considered to be the project's proportionate fair share towards mitigation of this impact.  If the traffic signal control at this intersection is constructed by the County or others prior to triggering of mitigation by the project, payment of TIM fees is considered to be the projects proportionate fair share towards mitigation of this impact.  Traffic signal controls constructed by the project applicant may be eligible for reimbursement of costs in excess of the project's fair share, subject to a reimbursement agreement with the County.	Submittal of traffic signal warrants and LOS analysis; payment of TIM fees or completion of improvement	Prior to approval of each final map	Community Development Agency, Transportation Division		

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
<p><b>TRANS-8:</b> Intersection #24, Silva Valley Parkway/Appian Way, operates at LOS F during the PM peak hour without the project, and the project contributes more than 10 peak hour trips to the intersection during the PM peak hour and results in LOS F during the AM peak hour under the Cumulative (2025) Plus Proposed Project scenario. This is a significant impact.</p>	<p><b>TRANS-8:</b> In order to ensure proper timing for the installation of the traffic signal control, the applicant shall be responsible to perform traffic signal warrants and LOS analysis at this intersection with each final map in accordance with the Manual on Uniform Traffic Control Devices (version in effect at the time of application). If traffic signal warrants are met, or LOS F reached at the intersection at the time of application for final map (including the lots proposed by that final map), the applicant shall construct the improvements prior to issuance of the first certificate of occupancy for any lot within that final map.</p> <p>If traffic signal warrants are not met or LOS F is not reached upon application for the last final map within the project, the project shall pay its TIM fees toward the installation of a traffic signal control at this intersection. Payment of TIM fees is considered to be the project's proportionate fair share towards mitigation of this impact.</p> <p>If the traffic signal control at this intersection is constructed by the County or others prior to triggering of mitigation by the project, payment of TIM fees is considered to be the projects proportionate fair share towards mitigation of this impact.</p> <p>Traffic signal controls constructed by the project may be eligible for reimbursement of costs in excess of the project's fair share, subject to a reimbursement agreement with the County.</p>	<p>Submittal of traffic signal warrants and LOS analysis; payment of TIM fees or completion of improvement</p>	<p>Prior to approval of each final map</p>	<p>Community Development Agency, Transportation Division</p>		
<p><b>TRANS-9:</b> Implementation of the proposed project would add additional queue lengths to various intersections. This would result in a significant impact.</p>	<p><b>TRANS-9:</b> The applicant shall construct intersection improvements as described below:</p> <ul style="list-style-type: none"> <li>• <b>Intersection #2, Green Valley Road/El Dorado Hills Boulevard/Salmon Falls Road</b> <ul style="list-style-type: none"> <li>○ <b>WBL:</b> If this improvement is not constructed with TRANS-5 prior to issuance of the project's first building permit, the westbound left-turn pocket at this intersection from Green Valley Road to El Dorado Hills Boulevard shall be extended to 250 feet (from 105 feet) to accommodate future traffic projections. This extension would require widening Green Valley Road between El Dorado Hills Boulevard and Silva Valley Parkway. The documented queuing currently is utilizing the entire storage space between intersections, but is not exceeding it.</li> </ul> </li> </ul>	<p>Completion of improvement</p>	<p>Prior to issuance of building permits</p>	<p>Community Development Agency, Transportation Division</p>		

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
TRANS-9 <i>Continued</i>	This queuing would exceed the storage capacity with future traffic, as well as with the addition of the proposed project. To the extent the cost of this improvement exceeds the project's proportionate fair share, the applicant may be eligible for reimbursement.					
	<ul style="list-style-type: none"> <li>○ <b>WBT/R:</b> If this improvement is not constructed with TRANS-5 prior to issuance of the project's first building permit, to accommodate the westbound through queue, an additional westbound through lane shall be provided on Green Valley Road between El Dorado Hills Boulevard and Silva Valley Parkway that is long enough to accommodate the anticipated queuing and other operational considerations. To the extent the cost of this improvement exceeds the project's proportionate fair share, the applicant may be eligible for reimbursement.</li> </ul>					
	<ul style="list-style-type: none"> <li>○ <b>NBT/R:</b> The northbound through queue extends beyond the next intersection to the south, Timberline Ridge Drive. To prevent blocking of traffic entering and exiting Timberline Ridge Drive, "Keep Clear" markings shall be added to northbound El Dorado Hills Boulevard lanes in front of the Timberline Ridge Drive intersection. There is approximately 960 feet beyond Timberline Ridge Drive until the next intersection to the south that would accommodate the queue.</li> </ul>					
	<ul style="list-style-type: none"> <li>• <b>Intersection #12, El Dorado Hills Boulevard/Francisco Drive</b> <ul style="list-style-type: none"> <li>○ <b>SBT:</b> The southbound through queue extends beyond the next intersection to the north, Telegraph Hill Road. To prevent blocking of traffic entering and exiting Telegraph Hill Road, "Keep Clear" markings shall be added to southbound El Dorado Hills Boulevard lanes in front of the Telegraph Hill Road intersection. There is approximately 440 feet beyond Telegraph Hill Road until the next intersection to the north that would accommodate the queue.</li> </ul> </li> </ul>					

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
D. AIR QUALITY						
<u>AIR-1:</u> Construction activities could result in increased airborne asbestos.	<u>AIR-1:</u> The project applicant shall comply with El Dorado County AQMD Rule 223-2 Fugitive Dust – Asbestos Hazard Mitigation. The project sponsor shall prepare an Asbestos Dust Mitigation Plan Application, including an outline of the areas of disturbance that are located in the area designated “more likely to contain asbestos or fault line”, which shall be submitted to and approved by the El Dorado County AQMD prior to the start of project construction.	Submittal of documentation	Prior to beginning of project construction	El Dorado County Development Services Department-Planning Services		
<u>AIR-2:</u> Construction of the proposed project would generate air pollutant emissions that could violate air quality standards.	<u>AIR-2:</u> Consistent with guidance from the El Dorado County AQMD, the following actions shall be required in relevant construction contracts and specifications for the project: <ul style="list-style-type: none"><li>• Conduct watering as necessary for visible emissions not to exceed more than 25 feet beyond the active cut areas or beyond the property line in any direction (Rule 223-2.4.A).</li><li>• For all disturbed surface areas (except completed grading areas), apply dust suppression in a sufficient quantity and frequency to maintain a stabilized surface; any areas which cannot be stabilized, as evidenced by wind driven dust, must have an application of water at least twice per day to at least 80 percent of the unstabilized area.</li><li>• Water all unpaved roads used for any vehicular traffic at least once per every two hours of active operations and restrict vehicle speed to 15 mph (Rule 223-2.4 B).</li><li>• Pave or apply chemical stabilization at sufficient concentration and frequency to maintain a stabilized surface starting from the point of intersection with the public paved surface, and extending for a centerline distance of at least 100 feet and width of at least 20 feet or pave from the point of intersection with the public paved road surface, and extending for a centerline distance of at least 25 feet and width of at least 20 feet, and install a track-out control device immediately adjacent to the paved surface such that exiting vehicles do not travel on any unpaved road surface after passing through the track-out control device.</li></ul>	Notes on construction plans; site inspection	During construction period	El Dorado County Development Services Department-Planning Services		

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
AIR-2 <i>Continued</i>	<ul style="list-style-type: none"> <li>The project's prime contractor shall provide the El Dorado County APCD an approved plan demonstrating that heavy-duty (i.e., greater than 50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve, at a minimum a fleet-averaged 15 percent NO<sub>x</sub> reduction compared to the most recent ARB fleet average. Successful implementation of this measure requires the prime contractor to submit a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment. The inventory list shall be updated and submitted monthly throughout the duration of when the construction activity occurs.</li> <li>Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure, Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</li> <li>All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</li> <li>During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the ARB Regulation for In-Use Off-Road Diesel Fueled Fleets.</li> </ul>					
AIR-3: Operation of the proposed project would generate air pollutant emissions that would exceed the El Dorado AQMD criteria and could contribute substantially to a violation of air quality standards.	<p>AIR-3: The project shall incorporate the following design elements into the project:</p> <ul style="list-style-type: none"> <li>The project shall only permit natural gas fireplaces.</li> <li>Design of the project shall improve the pedestrian network both on the project site and through connections adjacent to the project.</li> <li>Design of the project shall not restrict resident access to public transit.</li> </ul>	Submittal of development plans	Prior to issuance of building permits	El Dorado County Development Services Department-Planning Services		

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
AIR-3 <i>Continued</i>	<ul style="list-style-type: none"> <li>Garages included as part of the project shall be electric vehicle charging compatible through inclusion of a dedicated electrical outlet.</li> <li>The project shall install Energy Star or ground source heat pumps.</li> <li>The project sponsor shall consult the El Dorado County AQMD on the installation of ozone destruction catalysts on air conditioning systems.</li> <li>The project sponsor shall provide the option of roof-mounted photovoltaic energy systems on new homes.</li> </ul>					
AIR-4: Operation of the proposed project would result in a significant cumulative net increase in criteria pollutant emissions.	AIR-4: Implement Mitigation Measure AIR-3. As shown in Table IV.D-8, even with mitigation, the project would continue to exceed the maximum daily emission threshold. This impact would be significant and unavoidable.	Submittal of development plans	Prior to issuance of building permits	El Dorado County Development Services Department-Planning Services		
<b>E. GREENHOUSE GAS EMISSIONS</b>						
GHG-1: Construction and operation of the proposed project – in combination with emissions from other past, present, and reasonably probable future projects – would result in GHG emissions that would have a significant physical adverse impact and would significantly and cumulatively contribute to global climate change. The project's incremental impacts from GHG emissions are also cumulatively considerable.	<p>GHG-1: The following measures shall be incorporated into project design to reduce project GHG emissions:</p> <ul style="list-style-type: none"> <li>Implement Mitigation Measures AIR-2 and AIR-3.</li> <li>Building construction shall exceed the energy efficiency standards of Title 24 through application of the 2013 California Green Building Standards Code mandatory measures adopted by the County.</li> <li>All homes shall be equipped with exterior outlets on structures to facilitate the use of electric powered landscape equipment.</li> <li>All new homes shall be equipped with high efficiency lighting.</li> <li>The project applicant shall develop a water conservation strategy to reduce indoor and outdoor water use by approximately 20 percent over standard building construction practices. <ul style="list-style-type: none"> <li>The project applicant shall implement the 2013 Plumbing Code to reduce indoor and outdoor water use by installing low-flow bathroom faucets, kitchen faucets, toilets and showers, and project landscaping that utilizes water-efficient plants and irrigation systems.</li> </ul> </li> <li>The project applicant shall ensure the recycling and composting services available from El Dorado County Disposal are provided to the residents of the project site.</li> </ul>	Submittal of development plans	Prior to issuance of building permits	El Dorado County Development Services Department-Planning Services		

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
GHG-1 <i>Continued</i>	<ul style="list-style-type: none"> <li>The project shall provide a pedestrian access network that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the project site.</li> <li>The project shall incorporate all 2013 California Green Building Standard Code Residential Voluntary Tier 1 Measures (Residential Voluntary Measures included in Appendix A4, Division A4.6, Tier 1), <u>except</u> the following: <ul style="list-style-type: none"> <li>Section A4.106.8 regarding installation of Level 2 EV charging stations in garages and/or parking lots;</li> <li>Section A4.106.4 regarding permeable paving utilized for parking, walking or patio surfaces;</li> <li>Section A4.403.2 regarding reduction in cement use; and</li> <li>Section A4.405.3 regarding post-consumer and pre-consumer recycled content value (RCV) materials use in the project.</li> </ul> </li> </ul>					
GHG-2: The proposed project would conflict with plans adopted for the purpose of reducing GHG emissions.	GHG-2: Implement Mitigation Measure GHG-1. Even with the implementation of comprehensive measures to reduce GHG emissions, the project would still have a significant and unavoidable impact.	Submittal of development plans	Prior to issuance of building permits	El Dorado County Development Services Department-Planning Services		
<b>F. NOISE</b>						
NOI-1: Project construction activities could result in noise levels in excess of the County's noise performance standards for construction activities as measured at adjacent residential land uses.	<p>NOI-1: The applicant and/or project contractor shall implement the following measures:</p> <ul style="list-style-type: none"> <li>All construction equipment must have appropriate sound muffling devices, which shall be properly maintained and used at all times such equipment is in operation.</li> <li>The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.</li> <li>The construction contractor shall locate on-site equipment staging areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during the construction period.</li> <li>All noise producing construction activities, including warming-up or servicing equipment and any preparation for construction, shall be limited to the hours between 7:00 a.m. and 7:00 p.m. on weekdays, and between 8:00 a.m. and 5:00 p.m. on weekends and federally recognized holidays.</li> </ul>	Notes on construction plans; site inspection	Prior to and during construction	El Dorado County Development Services Department - Planning Services		

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
<p><b>NOI-2:</b> Implementation of the project could result in traffic noise levels experienced at proposed on-site sensitive land uses in excess of normally acceptable standards for new residential development on Lots 2, 3, and 4.</p>	<p><b>NOI-2:</b> If residential structures are proposed within 294 feet as measured from the Centerline of Green Valley Road, prior to issuance of a grading permit for Lots 2, 3, or 4, the project applicant shall prepare a site specific noise analysis demonstrating that measures have been incorporated into the lot site plan that reduce traffic noise to below the County's normally acceptable standard of 60 dBA <math>L_{dn}</math>.</p> <p>Measures to reduce impacts could include the following to achieve the County's noise standard:</p> <ul style="list-style-type: none"> <li>The developer shall construct a berm, or soundwall, or berm/soundwall combination. This berm/soundwall shall extend 100 feet southward from the Lot 2 property line along the proposed Lot 2 western property line. This berm/soundwall shall also extend along the eastern property line of the proposed Lot 3 all the way to the project entrance. In addition, for any provision of direct access to Lot 2 or Lot 3 from Green Valley Road, the berm/soundwall shall include a wrap-around design along the entrance drive to this lot in such a manner as to completely block the line-of-sight from the roadway to the outdoor use areas of Lot 2 or Lot 3. The required height of the soundwall/berm shall be determined based on the placement of the residential structure.</li> <li>The developer shall also construct a berm, or soundwall, or berm/soundwall along the entire length of the eastern property line of the proposed Lot 4 (facing Green Valley Road). The berm/soundwall shall wrap-around the northwestern property line of Lot 4, along the project's northern entrance roadway, for an additional 100 feet. The required height of the soundwall/berm shall be determined based on the placement of the residential structure.</li> </ul>	<p>Notes on construction plans; site inspection; submittal of documentation</p>	<p>Prior to and during construction</p>	<p>El Dorado County Development Services Department - Planning Services</p>		

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
G. BIOLOGICAL RESOURCES						
BIO-1: The proposed project may result in the destruction or abandonment of nests <u>or burrows</u> occupied by special-status, <u>species of special concern</u> , or non-special-status bird species that are protected under the Migratory Bird Treaty Act and Fish and Game Code.	BIO-1a: A qualified biologist shall conduct <u>site surveys and a review of the CNDDB occurrences of eagle nests</u> , prior to tree pruning, tree removal, transplantation, ground disturbing activities, or construction activities on the site to locate active nests containing either viable eggs or young birds. Preconstruction surveys are not required for tree removal, tree pruning, or construction activities outside the nesting period. If construction would occur during the nesting season (February 1 to August 31), preconstruction surveys shall be conducted no more than 14 days prior to the start of pruning, construction, or ground disturbing activities. Preconstruction surveys shall be repeated at <del>143</del> day intervals until construction has been initiated in the area after which surveys can be stopped. Locations of active nests containing viable eggs or young birds shall be described and protective measures implemented until the nests no longer contain eggs or young birds. Protective measures shall include establishment of clearly delineated exclusion zones (i.e., demarcated by uniquely identifiable fencing, such as orange construction fencing or equivalent) around each nest site as determined by a qualified wildlife biologist, taking into account the species of birds nesting on-site and their tolerance for disturbance. In general, exclusion zones shall be a minimum of 300 feet from the drip line of the nest tree or nest for raptors and 50 feet for passerines and other species. The active nest sites within an exclusion zone shall be monitored on a weekly basis throughout the nesting season to identify signs of disturbance or to determine if each nest no longer contains eggs or young birds. The radius of an exclusion zone may be increased by the project biologist if project activities are determined to be adversely affecting the nesting birds. Exclusion zones may be reduced by the project biologist only in consultation with CDFW. The protection measures shall remain in effect until the young have left the nest and are foraging independently or the nest is no longer active. For any project-related activities involving the removal of trees during the nesting season, a report shall be submitted to the County of El Dorado and CDFW once per year documenting the observations and actions implemented to comply with this mitigation measure.	Submittal of documentation; site inspection	Prior to tree removal	El Dorado County Development Services Department - Planning Services		

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
BIO-1 <i>Continued</i>	BIO-1b: A qualified biologist shall conduct a survey for burrowing owl ( <i>Athene cunicularia</i> ) no less than 3 days prior to initiating ground-disturbing activities. The survey shall be conducted utilizing the recommended methods in the <i>Staff Report on Burrowing Owl Mitigation, March 7, 2012</i> , by the State of California, Natural Resources Agency, Department of Fish and Wildlife. The entire project area shall be surveyed, as well as adjoining areas within 150 meters of the project boundaries. For adjoining areas where access is not available, the survey can be conducted utilizing a spotting scope or other methods. If owls are detected on the site, avoidance and minimization measures shall be implemented in coordination with CDFW. If owls are not detected, a final survey shall be conducted within 24 hours prior to ground-disturbing activities to ensure that owls have not moved into the project area.					
BIO-2: Implementation of the proposed project would require the removal of oak trees-woodlands that are protected under County guidelines and General Plan Policy 7.4.4.4 and which would be a significant impact.	<p>BIO-2: The project applicant shall implement the following two-part measure:</p> <ul style="list-style-type: none"> <li>BIO-2a: The project applicant shall comply with County oak tree mitigation requirements to the satisfaction of the Development Services Division, and <del>per in compliance with</del> the requirements of Option A of under Policy 7.4.4.4. <u>As a condition of approval</u>, prior to providing any permits for the project, the project applicant shall prepare and submit an Oak Tree Removal Mitigation Plan to the satisfaction of and approval by the County. <del>Per Pursuant to</del> the Arborist Report for Phase 1 of the project, mitigation for oak tree removal will <del>generally</del> consist of planting up to 4.48 acres of oak trees <del>canopy area</del> at a 1:1 ratio <del>per</del> for the acres actually removed, up to the allowable 10 percent canopy <del>reduction-removal</del> area. The Mitigation Plan shall identify the locations for all on-site and off-site planting areas as well as all conditions associated with the planting. At a minimum, all tree planting for this mitigation measure will comply with the County's target density of 200 trees per acre and other guidelines set forth under Option A, <u>as well as the project tree planting specifications summarized in the Dixon Ranch Oak Site Assessment Report and further detailed in the Oak Tree Removal Mitigation Plan</u>. The Mitigation Plan shall also identify measures to protect oak trees adjacent to the construction areas that will not be removed.</li> </ul>	Submittal of documentation; site inspection	Prior to and during tree removal	El Dorado County Development Services Department - Planning Services		

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
BIO-2 <i>Continued</i>	<ul style="list-style-type: none"> <li><u>BIO-2b: The project applicant shall provide a tentative map and development plan for Phase 2 of the project. Phase 2 of the project will undergo additional CEQA review (as necessary) and must adhere to all provisions and mitigations outlined in the Option B Oak Tree Removal Mitigation Plan. Phase 2 development shall be subject to the requirements of Option A under Policy 7.4.4.4. If in the future, Option B becomes available, the project will undergo additional CEQA review as necessary, and must adhere to all provisions and mitigations outlined in the Option B adopted policy amendments, associated CEQA clearance document, and Oak Tree Removal Mitigation Plan. Option B mitigations and measures may include the following: preparation of an Oak Tree Removal Mitigation Plan, to the satisfaction of and approval by the County; payment of a mitigation fee to the County; for offsite permanent preservation and/or dedication per towards an easement of oak woodlands; inclusion and permanent protection of additional oak woodlands as part of the project to offset tree woodland removals; or other feasible measures identified by and to the satisfaction of and approval of the County. Because it is not known at this time what the updated General Plan will require, at a minimum, the Oak Tree Removal Mitigation Plan shall require oak woodland of comparable quality is conserved, created, or restored at a ratio of two acres of oak woodland canopy area conserved for every one acre of oak canopy area removed (2:1).</u></li> </ul>					

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
<b>H. CULTURAL RESOURCES</b>						
<b>CULT-1:</b> Ground disturbing activities associated with site preparation and the construction of the proposed project could result in the destruction of historic and prehistoric artifacts on the project site.	<b>CULT-1:</b> Protective fencing shall be placed around the Dixon Ranch Stone Corral, Bedrock Mortars, and Dry Laid Rock Walls during construction of the proposed project. Protection and preservation of these features should be considered for incorporation into the site plan. If ground disturbance will occur within 20 meters of the bedrock mortars, an archaeological monitor should be present, to ensure protection of these resources. If these features need to be removed for construction of the project, the following activities are recommended: <ul style="list-style-type: none"><li>• Undertake photo-documentation and prepare scaled drawings of the corral and dry-laid rock walls, and bedrock mortar.</li><li>• Consult with tribal leaders to consider the possible removal of the bedrock mortars to a location where they can be preserved and interpreted, such as the Shingle Springs Rancheria, 5281 Honpie Rd, Placerville, CA 95667.</li></ul>	Site inspection; submittal of documentation	Prior to and during ground disturbing activities	El Dorado County Development Services Department - Planning Services		
<b>CULT-2:</b> Ground-disturbing construction associated with the project may result in impacts to unidentified historical archaeological deposits that may qualify as historical or archaeological resources under CEQA.	<b>CULT-2:</b> A qualified archaeologist shall monitor ground-disturbing project activities at the project site and along the off-site sewer alignment. Archaeological monitors must be empowered to halt construction activities at the location of the discovery to review possible archaeological materials and to protect the resource while the finds are being evaluated. Monitoring shall continue until, in the archaeologist's judgment, archaeological deposits are not likely to be encountered.  If archaeological deposits are discovered during project activities, all work within 100 feet of the discovery shall be redirected until the archaeological monitor assesses the situation, consults with agencies as appropriate, and provides recommendations for the treatment of the discovery. Adverse effects to archaeological deposits should be avoided by project activities. If such deposits cannot be avoided, they shall be evaluated for their California Register of Historical Resources eligibility. If the deposits are not eligible, a determination shall be made as to whether it qualifies as a "unique archaeological resource" under CEQA. If the deposits are neither a historical nor unique archaeological resource, avoidance is not necessary. Adverse effects to significant sites that cannot be avoided, or sites that cannot be preserved, must be mitigated.	Site inspection; submittal of documentation	Prior to and during ground disturbing activities	El Dorado County Development Services Department - Planning Services		

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
CULT-2 <i>Continued</i>	<p>Mitigation can include, but is not necessarily limited to, excavation of the deposit in accordance with a data recovery plan (see CEQA Guidelines Section 15126.4(b)(3) (C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; preparation of a report detailing the methods, findings, and significance of the archaeological site and associated materials; and accessioning of archaeological materials and a technical data recovery report at a curation facility.</p> <p>Upon completion of the monitoring, the archaeologist should prepare a report that describes the results of the monitoring, including any measures that may have been implemented for mitigation of impacts to significant archaeological deposits identified during monitoring. The report should be submitted to the El Dorado County Planning Division and the Northwest Information Center.</p>					
CULT-3: Project ground-disturbing activities may disturb human remains, including those interred outside of formal cemeteries, and may result in impacts to cultural resources under CEQA.	<p>CULT-3: If human remains are encountered, these remains shall be treated in accordance with Health and Safety Code Section 7050.5 and <i>CEQA Guidelines</i> Section 15064.5(e). The project applicant shall inform its contractor(s) of the appropriate protocols in the event that human remains are unearthed by including the following directive in contract documents:</p> <p><i>If human remains are encountered during project activities, work within 100 feet of the discovery shall be redirected and the El Dorado County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.</i></p> <p>The County shall verify that the language has been included in the contract documents before issuing a grading permit.</p>	Notes on construction plans; site inspection; submittal of documentation	Prior to and during ground disturbing activities	El Dorado County Development Services Department - Planning Services/El Dorado County Coroner		

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
CULT-3 <i>Continued</i>	Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report should be submitted to the El Dorado County Planning Services Division and the North Central Information Center.					
CULT-4: Ground disturbing activities associated with project implementation may destroy unique paleontological resources.	<p>CULT-4: The project applicant shall include the following directive on the grading plans:</p> <p><i>If paleontological resources are encountered during project subsurface construction, all ground-disturbing activities within 100 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any paleontological materials. Paleontological resources include fossil plants and animals, and such trace fossil evidence of past life as tracks. Ancient marine sediments may contain invertebrate fossils such as snails, clam and oyster shells, sponges, and protozoa; and vertebrate fossils such as fish, whale, and sea lion bones. Vertebrate land mammals may include bones of mammoth, camel, saber tooth cat, horse, and bison. Paleontological resources also include plant imprints, petrified wood, and animal tracks.</i></p> <p>The County shall verify that the language has been included in the grading plans before issuing a grading permit.</p> <p>Adverse effects to such deposits shall be avoided by project activities. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, project activities shall avoid disturbing the deposits, or the adverse effects of disturbance shall be mitigated. Mitigation may include monitoring, recording the fossil locations, data recovery and analysis, a final report, and accessioning the fossil materials and technical report to a paleontological repository.</p>	Notes on construction plans; site inspection; submittal of documentation	Prior to and during ground disturbing activities	El Dorado County Development Services Department - Planning Services		

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
CULT-4 <i>Continued</i>	Upon completion of the paleontological assessment, a report shall be prepared documenting the methods, results, and recommendations of the assessment. The report shall be submitted to the El Dorado County Planning Services Division and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.					
<b>I. GEOLOGY, SOILS, AND SEISMICITY</b>						
<u>GEO-1</u> : In the absence of proper design, project occupants may potentially be subject to geotechnical hazards including landslide, lateral spreading, subsidence, or collapse.	<p><u>GEO-1a</u>: Prior to the issuance of any site-specific grading or building permits, a design-level geotechnical plan review shall be prepared by a licensed professional, in compliance with County guidelines, and submitted to the County for review and approval. The plan review shall include a finding that the proposed development incorporates all recommendations of the preliminary geotechnical investigation for the project and fully complies with the CBC as well as federal, state, and County requirements. All recommendations, design criteria, and specifications set forth in the preliminary geotechnical investigation and design-level geotechnical plan review shall be implemented.</p> <p><u>GEO-1b</u>: As a condition of approval for grading permits, a qualified and licensed professional, or his/her representative, shall be required to be present as a construction monitor during clearing and grading of the project site to observe the stripping of deleterious material, over-excavation of existing fills, and to provide consultation as required to the grading contractor(s) in the event that previously undiscovered geotechnical issues are discovered during clearing and grading operations.</p>	Submittal of documentation; site visit	Prior to issuance of grading or building permits/during clearing and grading of project site	El Dorado County Development Services Department - Planning Services		
<b>J. HYDROLOGY AND WATER QUALITY</b>						
<u>HYD-1</u> : The construction period and operation period of the project could result in degradation of water quality in Green Spring Creek and downstream receiving waters by reducing the quality of stormwater runoff and increasing erosion/sedimentation.	<p><u>HYD-1</u>: Implementation of the following two-part mitigation measure would reduce construction- and operation-period impacts to water quality to a less-than-significant level:</p> <p><u>HYD-1a</u>: Consistent with the requirements of the statewide Construction General Permit, the project applicant shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) designed to reduce potential adverse impacts to surface water quality during the project construction period. The SWPPP shall be designed to address the following objectives:</p>	Submittal of documentation; site visit	Prior to issuance of grading permits	El Dorado County Department of Transportation		

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
HYD-1 <i>Continued</i>	<p>(1) all pollutants and their sources, including sources of sediment associated with construction, construction site erosion and all other activities associated with construction activity are controlled; (2) where not otherwise required to be under a Regional Water Board permit, all non-stormwater discharges are identified and either eliminated, controlled, or treated; (3) site Best Management Practices (BMPs) are effective and result in the reduction or elimination of pollutants in stormwater discharges and authorized non-stormwater discharges from construction activity; and (4) stabilization BMPs installed to reduce or eliminate pollutants after construction are completed.</p> <p>The SWPPP shall be prepared by a Qualified SWPPP Developer. The SWPPP shall include the minimum BMPs required for the identified Risk Level, <u>as well as the County's West Slope Erosion and Sediment Control Requirements for active construction and site stabilization</u>. BMP implementation shall be consistent with the BMP requirements in the most recent version of the California Stormwater Quality Association Stormwater Best Management Handbook-Construction or the Caltrans Stormwater Quality Handbook Construction Site BMPs Manual, <u>as well as the County's Erosion and Sediment Control requirements</u>.</p> <p>The SWPPP shall include a construction site monitoring program that identifies requirements for dry weather visual observations of pollutants at all discharge locations, and as appropriate, depending on the project Risk Level, sampling of site effluent and receiving waters. A Qualified SWPPP Practitioner (QSP) shall perform or supervise all inspection, maintenance, repair, and sampling activities. Although the QSP may delegate any or all of these activities to a trained employee, the QSP shall ensure that all tasks are adequately completed.</p> <p>In addition to the SWPPP requirement, the project shall fully comply with El Dorado County's <u>SWMP Storm Water Ordinance (Ordinance No. 5022)</u>, Grading, Erosion and Sediment Control Ordinance (Chapter 45110.14), and Design and Improvement Standards Manual, Drainage Manual.</p>					

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
HYD-1 <i>Continued</i>	<p>HYD-1b: The project sponsor shall fully comply with the requirements of the <del>most current</del> Phase II General Permit, as implemented by <del>the</del> El Dorado County through the SWMP <del>West Slope Storm Water Program, Storm Water Ordinance (Ordinance No. 5022),</del> Grading, Erosion and Sediment Control Ordinance (Chapter <del>15110.14</del>), Design and Improvement Standards Manual, Drainage Manual, and General Plan Goal 7.3. Responsibilities include, but are not limited to, designing BMPs into project features and operations to reduce potential impacts to surface water quality and to manage changes in the timing and quantity of runoff associated with development of the project site. The BMPs shall include <del>Site Design</del> Low Impact Development (LID) measures, such as minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, <del>retaining</del>, evapotranspiring, and/or biotreating stormwater runoff close to its source, to the maximum extent practicable. <del>It should Hydromodification Management will also be included in the project design.</del> It should be noted that because the project site is characterized by shallow bedrock and low permeability soils, some LID measures, such as those that rely on infiltration, are not likely to be feasible at the project site.</p> <p>Funding for the maintenance of all BMPs for the life of the proposed project shall be <del>specified the responsibility of the Home Owner's Association (HOA)</del> (as the County will not assume maintenance responsibilities for BMPs within private developments). The project sponsor shall establish a stormwater system operation and maintenance plan that specifies a regular inspection schedule of stormwater treatment facilities <del>in accordance with the Phase II General Permit.</del> The plan and subsequent reports documenting the inspections and remedial actions shall be submitted to the County for review and approval. <del>Maintenance Monitoring, Inspection and Reporting documents required by the plan or the SWRCB shall be submitted to County or SWRCB on demand.</del></p>					

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
K. HAZARDS AND HAZARDOUS MATERIALS						
HAZ-1: Demolition of existing structures on the project site could release lead, asbestos, and/or other hazardous materials, presenting a risk to human health and the environment.	HAZ-1: A hazardous building materials survey shall be conducted by a qualified and licensed professional for all structures proposed for demolition under the project. All loose and peeling lead-based paint and asbestos-containing material (ACM) shall be abated by certified contractor(s) in accordance with local, State, and federal requirements. All other hazardous materials shall be removed from buildings prior to demolition in accordance with DOSH regulations. If required, the completion of the abatement activities shall be documented by a qualified environmental professional(s) and submitted to the County for review with applications for issuance of construction and demolition permits.	Submittal of documentation; site inspection	Prior to issuance of a demolition permit	El Dorado County Environmental Management Department-Hazardous Materials Division		
L. UTILITIES						
UTL-1: A degree of uncertainty is inherent in EID's ability to meet long-term cumulative water supplies, which could result in the need to construct new or expand existing water facilities, the construction of which could cause significant environmental effects, and/or could require new or expanded entitlements for water supplies.	UTL-1: Prior to approval of any final subdivision map for the proposed project, the applicant shall secure a "will serve" letter or equivalent written verification from EID demonstrating the availability of sufficient water supply for the project.	Submittal of documentation	Prior to approval of final subdivision map	El Dorado County Development Services Department - Planning Services		
UTL-2: Existing water infrastructure does not provide adequate pressure or capacity to serve the proposed project.	UTL-2: The applicant shall construct a looped water line extension connecting to the 12-inch water line located in Green Valley Road (near the future intersection of Silver Springs Parkway) and/or also to the 10-inch water line located at the intersection of Clarksville Road and Greenview Drive. Additionally, the project will be required to connect to the 8-inch water line located near the western project boundary. It is likely that at least one pressure reducing station will be required in order to accommodate this connection. The Facility Plan Report (FPR), which shall be prepared by the applicant, shall analyze the future storage in this region based on potential future developments and the timing of the project. At the current time, additional storage is not required in the Bass Lake Tank service area to meet current demand and fire flow requirements.	Submittal of documentation; site inspection	Prior to issuance of a building permit	El Dorado County Development Services Department - Planning Services		
UTL-3: There is currently inadequate wastewater infrastructure to serve the proposed project.	UTL-3: The project applicant, in consultation with EID and El Dorado County, shall undertake the following actions to the satisfaction of the EID and El Dorado County: <ul style="list-style-type: none"><li>Prior to any construction activities within the SMUD corridor, the existing swale on site shall be marked and identified by a wetland biologist, and all construction activities shall occur outside of the marked area.</li></ul>	Site inspection; Submittal of documentation	Prior to construction activity	El Dorado County Development Services Department - Planning Services		

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
UTL-3 <i>Continued</i>	<ul style="list-style-type: none"> <li>Prior to any construction activities, botanical surveys conducted by a qualified botanist at the appropriate blooming period shall occur within the off-site sewer SMUD corridor. These surveys shall include big-scaled balsamroot, Brandegee's clarkia, Bisbee Peak rush rose, and dwarf downingia. Should these or other special-status plant species be found on the project site, a mitigation plan shall be prepared and implemented to the satisfaction of the El Dorado County Development Services Division and the California Department of Fish and Wildlife.</li> <li>Wastewater Expansion: All three alternatives include the following: (1) on-site sewer lift station, force main and gravity lines; (2) connecting to the existing gravity sewer line in Lima Way; (3) improvements to split the sewer flows near the intersection of Lima Way and Aberdeen Way; and (4) use of the existing sewer system in Highland Views to the existing Highland Hills Lift Station (HHLS). <ul style="list-style-type: none"> <li><b>Offsite Alternative 1 (Preferred Alternative).</b> Under this alternative, when the existing capacity of HHLS has been reached, it would be necessary to improve the existing facility in order to serve the project. In addition to HHLS improvements, a new force main would be constructed. The proposed force main alignment would start at HHLS and run through the Highland Hills subdivision within existing streets to Silva Valley Parkway. It would then continue south along Silva Valley Parkway until reaching the SMUD corridor, where it would head west along the Stone Gate subdivision boundary, ultimately making a connection to an existing 15-inch gravity line.</li> </ul> <p>The existing capacity of the gravity lines running through the streets of Highland View can adequately serve the project after the flows are split. Currently, there is capacity for an additional 200 equivalent dwelling units (EDUs) within the existing sewer line along the EID sewer access road downstream to HHLS. Once this capacity is reached, approximately 1,600 lateral feet of existing gravity sewer line within the access road would be upsized to accommodate proposed flows.</p> </li> </ul>					

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
UTL-3 <i>Continued</i>	<ul style="list-style-type: none"> <li>○ <b>Offsite Alternative 2.</b> Under this alternative, when capacity is reached at HHLS, a new lift station would be constructed on APN 126-360-18. This site currently houses an existing water pump. In order to accommodate the new sewer lift station, site improvements would be made. In addition, gravity sewer improvements would be made in Aberdeen Lane in the vicinity of the new station to route the flows to the new lift station. From there, a new force main would be constructed down the sewer access road and along Appian Way to Silva Valley Parkway. Once at the SMUD corridor, the force main would then head west along the Stone Gate subdivision boundary, ultimately making a connection to the existing 15-inch gravity line.</li> <li>○ <b>Offsite Alternative 3.</b> Under this alternative, when capacity at HHLS is reached, a new lift station would be constructed on APN 126-390-22. A new force main would also be constructed. Two potential force main alignments have been identified: <ul style="list-style-type: none"> <li>▪ Alternative A would run to Loch Way, through Highland Hills subdivision within the existing streets to Silva Valley Parkway. It would then continue south along Silva Valley Parkway until reaching the SMUD corridor, where it would then head west along the Stone Gate subdivision boundary, ultimately making a connection to an existing 15-inch gravity line.</li> <li>▪ Alternative B would run back up the existing sewer access road, along Appian Way to Silva Valley Parkway, until reaching the SMUD corridor, where it would then head west along the Stone Gate subdivision boundary, ultimately connecting to an existing 15-inch gravity line.</li> </ul> </li> </ul>					
<b>M. PUBLIC SERVICES</b>						
<i>There are no significant impacts to public services.</i>						
<b>N. VISUAL RESOURCES</b>						
<i>There are no significant impacts to visual resources.</i>						

LSA ASSOCIATES, INC.  
NOVEMBER 2015

DIXON RANCH RESIDENTIAL PROJECT EIR  
MITIGATION MONITORING AND REPORTING PROGRAM

**Table 1: Dixon Ranch Residential Project Mitigation Monitoring and Reporting Program**

Identified Impacts	Mitigation Measures	Method of Verification	Timing of Verification	Agency Responsible for Verification	Verification of Completion	
					Date	Initial
IMPROVEMENT MEASURES						
	<p><u>Improvement Measure 1:</u> Prior to the start of grading activities the following protective measures for VELB will be implemented:</p> <p>1. Construction fencing will be placed at least 20 feet from the elderberry shrubs in order to prevent direct impacts to the elderberry shrubs from encroachment by construction equipment and personnel, and to prevent indirect impacts to the elderberry shrubs due to dust.</p> <p>2. Signs will be placed every 50 feet along the protective fencing which state, "This area is habitat for the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." The signs will be clearly visible from a distance of 20 feet, and must be maintained for the duration of construction.</p> <p>3. Worker awareness training will be conducted by a qualified biologist prior to initiation of construction activities in the vicinity of the elderberry shrubs. The training will instruct construction crews regarding the status of the beetle, the need to protect the elderberry plant, and the possible penalties for not complying with the requirements.</p>	site inspection	Prior to and during grading activities	El Dorado County Development Services Department - Planning Services		

Source: LSA Associates, Inc., 2015.

### PHASE I DEVELOPMENT PLAN STANDARDS

The development plan shall conform to the El Dorado County Zoning Ordinance and development standards, with the following exceptions:

1. R1-PD, (Lots 7-98, 114-155, 167-233, 245-248, 250-252, 304-325, 334-401, 408-465, 471-481, and 490-495; and Clubhouse Lot C):

	Standard R1 Zone	R1-PD Zone for these lots	<u>R1-PD Zone for Clubhouse Lot C</u>
Minimum Lot Area	6,000 square feet (sf)	4,725 sf	<u>20,000 sf</u>
Max. Building Coverage	35%	None	<u>N/A</u>
Min. Lot Width	60 feet	45 feet <sup>b</sup>	<u>60 Feet <sup>b</sup></u>
Min. Front Yard Setback	20 feet	15 feet <sup>a</sup>	<u>20 feet</u>
Min. Side Yard Setback	5 feet	5 feet <sup>c</sup>	<u>15 feet <sup>c, d</sup></u>
Min. Rear Yard Setback	15 feet	15 feet	<u>20 feet</u>
Corner Side Yard Setback	20 feet	12.5 feet	<u>20 feet</u>
Max. Bldg Height	40 feet	40 feet	<u>60 feet</u>

<sup>a</sup> Measured to face of building or side-load garage (20 feet Min. to front load garage).

<sup>b</sup> Minimum lot frontage shall be measured at front setback line. Lots may have an increased front yard setback to achieve lot width requirements as needed.

<sup>c</sup> The side yard shall not be increased one foot for each additional foot of building height in excess of twenty five-feet (25 feet).

<sup>d</sup> The side yard shall be increased to 20 feet for second story elements and 25 feet for third story elements

2. R1-PD, (Lots 402-407, 496-505, 528-533, 543-546, and 549-552):

	Standard R1 Zone	R1-PD Zone for these lots
Minimum Lot Area	6,000 sf	10,000 sf
Max. Building Coverage	35%	None
Min. Lot Width	60 feet	80 feet**
Min. Front Yard Setback	20 feet	20 feet
Min. Side Yard Setback	5 feet	5 feet
Min. Rear Yard Setback	15 feet	15 feet
Corner Side Yard Setback	20 feet	15 feet
Max. Bldg Height	40 feet	45 feet

\*\* Minimum lot frontage shall be measured at front setback line. Lots may have an increased front yard setback to achieve lot width requirements as needed.

3. R1-PD, (Lots 556-557):

	Standard R1 Zone	R1-PD Zone for these lots
Minimum Lot Area	6,000 sf	10,000 sf
Max. Building Coverage	35%	None

Min. Lot Width	60 feet	80 feet**
Min. Front Yard Setback	20 feet	20 feet
Min. Side Yard Setback	5 feet	5 feet
Min. Rear Yard Setback	15 feet	15 feet
Corner Side Yard Setback	20 feet	15 feet
Max. Bldg. Height	40 feet	50 feet

\*\* Minimum lot frontage shall be measured at front setback line. Lots may have an increased front yard setback to achieve lot width requirements as needed.

4. R1A-PD:
  - a. Minimum parcel width of 100 feet shall be measured at front setback line. Lots may have an increased front yard setback to achieve lot width requirements as needed.
  - ~~b. Max building height may be increased from 45 feet to 50 feet as measured from lowest point of foundation, except at Lot 4.~~
5. R3A-PD:
  - a. Minimum parcel width of 150 feet shall be measured at front setback line. Lots may have an increased front yard setback to achieve lot width requirements as needed.
  - b. Max building height may be increased from 45 feet to 50 feet as measured from lowest point of foundation, except at Lots 2 and 3.
  - c. Lot 6 front yard setback shall be 50 feet contiguous to A Drive.
6. RE5-PD:
 

Minimum parcel width of 100 feet shall be measured at front setback line. Lots may have an increased front yard setback to achieve lot width requirements as needed.
7. RF-PD:
  - a. No minimum parcel width shall apply.
  - b. 50 foot minimum setback shall not apply along property lines contiguous to open space lots to the north and south.
8. OS-PD:
 

No minimum parcel area shall apply.

Public Utility Easements (PUE's):

12.5 foot PUE's shall be provided adjacent to all roads.