

FINDINGS

Rezone Z08-0003/Planned Development PD08-0005/Tentative Map TM08-1465 Serrano Village C-2 Planning Commission/November 12, 2015

FINDINGS FOR APPROVAL

1.0 CEQA FINDING

- 1.1 The project is exempt from the requirements of CEQA Guidelines pursuant to Section 15182 (Residential Projects Pursuant to a Specific Plan). This section specifies where a public agency has prepared an Environmental Impact Report (EIR) on a specific plan after January 1, 1980, no additional EIR or negative declaration need be prepared for a residential project, which include but are not limited to land subdivisions, zoning changes, and residential planned unit developments, undertaken pursuant to and in conformity to that specific plan. Serrano Village C2 is a residential project that has been designed in accordance with the El Dorado Hills Specific Plan and in adherence to the environmental mitigation measures from the Environmental Impact Report (SCH No. 86122912). No new impacts have been identified which were not discussed and mitigated in the EIR. No further environmental analysis would be necessary.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA 95667.

2.0 ADMINISTRATIVE FINDINGS

2.1 General Plan

The El Dorado County General Plan designates the subject site as Adopted Plan, a designation in reference to areas where specific plans have been adopted. These plans and the respective land use maps are accepted and incorporated by reference and are adopted as the General Plan Land Use map for such area. Since the El Dorado Hills Specific Plan has been incorporated by reference under General Plan Land Use Element Policy 2.2.1.2, the proposed residential tentative subdivision map and planned development is found to be consistent with the General Plan, when consistent with the Specific Plan.

2.2 Specific Plan

The proposed rezone, tentative subdivision map, and planned development shall result in the creation of a total of 50 individually-graded residential lots and four Open Space lots consistent with the applicable provisions of El Dorado Hills Specific Plan and Development Agreement. The project conforms to the following specific plan policies

2.2.1 Complimentary to EDH Community (Policy 1.4.1.a)

The residential project is within the Village C area of the EDHSP. Village C2 would receive public utility services existing in the area and benefit from the amenities provided by Serrano Associates, including parks and recreation and private homeowner's association services.

2.2.2 Residential Design Review (Policy 1.4.1.e)

Development of the residential lots would be reviewed for conformity to the applicable EDHSP standards including site design layout, building materials, and landscaping.

2.2.3 Residential Design and Development (Policies 1.4.1.1 a,b,d,h, and i)

The project has been designed to accommodate a residential development. Site development would include establishing of residential pads, driveways and internal roads utilizing minimal and balanced grading. Oak trees would be impacted as part of development; however, these impacts shall be mitigated per the adopted EDHSP EIR. A final Development Notebook shall be submitted detailing the anticipated development on each lot including details of building envelopes, extent of grading, and oak tree protection.

2.2.4 Air Quality (Policy 1.4.1.3)

The project would be conditioned to implement and enforce dust-reducing construction practices, which would be verified during review and prior to approval of construction permits.

2.2.5 Noise (Policy 1.4.1.4)

This policy requires mitigation of noise impacts. The project would anticipate construction of individually-graded residential lots which would conform to the existing residential use in the area. The residential lots are not in immediate proximity of roads where vehicular noise would be significant given the distance of the residences, varying topography site, and implementation of the standard construction materials that further mitigate interior noise to acceptable level. Impact from noise would be considered insignificant, therefore, this policy is sufficiently satisfied.

2.2.6 Architecture (Policy 1.4.2.1)

Subject to review by the Serrano Architectural Review Committee, the individually-graded residential subdivision could anticipate construction of residences similar to the existing theme in the other residential villages in EDHSP area.

2.2.7 Residential Density (Policy 2.2)

Pursuant to EDHSP and the Development Agreement, the quantity of dwelling units within a residential neighborhood may vary provided that it meets the maximum the density allowed by the El Dorado/Salmon Falls Area Plan and the total units and densities under the EDHSP. Village C-2 is a portion of Village C which is a part of the South Uplands Golf Course Neighborhood. The location of the project site is within an area generally identified as High Density Residential with a maximum density of 5 dwelling units/acre based on the Area Plan. The EDHSP identifies Village C to have 482 units within approximately 252 acres of land (exclusive of open space). The current projected units in Village C is 427 (including Village C-2) within a revised village area of approximately over 165 net acres, which results in a density of 2.59 du/ac. The density is below the identified the Area Plan density (5 du/ac), and net EDHSP (3.05) densities, and the entire village area total does not exceed the EDHSP total dwelling units of 6,162.

2.2.8 Dwelling Unit Types (Policy 2.3.1.1.c)

Though the EDHSP identifies appropriate dwelling unit types corresponding to a village, allocation of these dwelling units is determined by the specific site factors including lotting pattern, topography, tree coverage and orientation. The proposed residential subdivision, which could be developed as View Lots or View Estate lots as described in the EDHSP, would be designed to accommodate varying topography and minimize impacts to natural resources.

2.2.9 Residential Open Space (Policy 6.2.2)

As each individually-graded lot is developed, residential open space would be retained in areas outside of the designated building envelopes. These areas would provide for retention of oak trees, minimize fence visibility through the use of open tubular steel fences, and buffer adjacent open space lots from development.

2.2.10 Parks and Recreation (Policy 7.6.2.1)

There is no additional parkland dedication or in-lieu fee payment required for Village C2 given that an existing 2.2-acre park sufficiently serves the entire Serrano

Village C in accordance with the EDHSP. Also, the overall parkland requirement per the EDHSP is being satisfied with the proposed active park in Serrano Village J. Residents within the community as a whole can access an existing trail along the Carson Creek drainage area. As shown in the tentative map, this trail is proposed to be extended through the proposed open space lots that encompass Carson Creek and its tributary.

2.3 **Zoning**

Corresponding with the proposed zone change, the project would conform to the required minimum standards under the One-Half Acre Residential (R-20,000) and Open Space (OS) districts. Specifically, the proposed residential lots would meet or exceed the minimum lot size (20,000 square feet), lot width (100 feet), and minimum development standard setbacks (front and rear yard at 30 feet and side yard at 10 feet, except for selected lots with modified rear and side yard setbacks). The open space lots also meet the applicable standards established in the EDHSP.

Residential and other ancillary uses are allowed by-right in the underlying R-20K zone district. Construction of these units shall be conducted in accordance the development restrictions approved as part of the planned development to be implemented and enforced by the Serrano El Dorado Owners Association and El Dorado County.

The Development Plan for Village C-2 Tentative Map has been designed pursuant to Chapter 130.02 of the El Dorado County Zoning Ordinance (Planned Development). The modified side and/or rear yard setbacks on Lots 24- 27, 34 and 35 would accommodate and provide flexibility in designing and locating residential units on the affected lots which are encumbered by its proximity to the 200-foot buffer Carson Creek.

2.4 **Subdivision Ordinance**

2.4.1 That the proposed map is consistent with applicable general and specific plans;

The proposed development would create a total of 50 individually-graded residential lots in conformance with the permitted uses, density, and density transfer provision identified in the El Dorado Hills Specific Plan, Development Agreement, and as adopted by reference El Dorado County General Plan.

2.4.2 That the design or improvement of the proposed division is consistent with applicable general and specific plans;

The design and improvement of the subdivision has been substantially designed in conformance with the identified residential standard requirements in the Specific Plan and applicable County standards.

2.4.3 That the site is physically suitable for the type of development;

Village C-2 is characterized with slope areas ranging from 5% to 40% with areas of dense oak trees, and a perennial stream (Carson Creek). Though the proposed residential lots are large in size and would accommodate flexible building pad location, development of these lots are subject to specific policies and design standards in accordance with the El Dorado Hills Specific Plan in order to ensure avoidance of constrained area and minimize grading impacts to natural resources. Best management practices involving erosion control, engineered grading, slope stability shall be utilized. Therefore, the site is physically suitable for the residential development.

2.4.4 That the site is physically suitable for the proposed density of development;

The site is physically suitable to accommodate the proposed Village C-2 subdivision/planned development. The proposed subdivision would create 50 large individually-graded residential lots resulting in a density of 0.48 du/ac. The anticipated development would consist of individually-graded pads for each residential unit subject to the applicable standards of the El Dorado Hills Specific Plan and El Dorado County involving grading, tree preservation, utility connections and road construction.

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

Development of these individually-graded residential lots are subject to the applicable provisions of El Dorado Hills Specific Plan and required mitigation measures under the certified Environmental Impact Report (EIR) regulating activities including road construction and pad design and layout. Prior development of each lot, individual construction and improvement plans shall be reviewed for conformance to applicable County standards and Serrano Architectural Review Committee requirements.

2.4.6 That the design of the division or the type of improvements would not cause serious public health hazards;

The design and required improvements for Village C-2 would not pose public health hazards. Development of the proposed 50 individually residential lots would be subject to regulatory review of improvement plans and permits verifying construction of utilities for water, sewer, power, drainage and roads in accordance with the Specific Plan and El Dorado County standards.

2.4.7 That the design of the division or the improvements is suitable to allow for compliance of the requirements of section 4291 of the Public Resources Code;

The development of each individually-graded lot is subject to the applicable Specific Plan policies involving site design and maintenance of open areas susceptible to brush fires. Further, the subdivision is subject to specific project conditions from the El Dorado Hills Fire Department regarding location of hydrant, construction of non-combustible fencing material, and establishing adequate setbacks. Therefore, the proposed subdivision conforms to the requirements of Section 4291 of the Public Resource Code;

2.4.8 That 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. In this connection the approving authority may approve a map if it finds that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision. (Ord. 3805 §15, 1988: prior code §9702)

Necessary utility easements for the subdivision are appropriately depicted on the Tentative Subdivision Map and shall be further verified for any conflicts by the County Surveyor's Office prior to recordation of the map.

2.5 **Planned Development**

2.5.1 The Development Plan is consistent with the Specific Plan and zoning for the applicable site.

The proposed subdivision and planned development are consistent with the proposed zone as contemplated in the El Dorado Hills Specific Plan involving land use, density, and site design and development.

2.5.2 The proposed development is so designed to provide a desirable environment within its own boundaries.

The proposed subdivision anticipates the development of 50 individually-graded lots and four open space lots. Each residential lot would be developed in accordance with site and design standards of the El Dorado Hills Specific Plan with regard to preservation of natural features, landscaping and planting, and architectural themes.

2.5.3 The site is physically suited for the proposed use.

The site is characterized with slope areas ranging from 5% to 40% with areas of dense oak trees, and a perennial stream (Carson Creek). The site is physically suitable to accommodate the proposed Village C-2 subdivision/planned development, which has a

density of 0.48 du/ac. Though the proposed residential lots are large in size and would accommodate flexible building pad location, development of these lots are subject to specific policies and design standards in accordance the El Dorado Hills Specific Plan and applicable County standards in order to ensure avoidance of constrained areas and minimize grading impacts to natural resources. Best management practices involving erosion control, engineered grading, and slope stability shall be utilized.

2.5.4 Adequate services are available, or will be made available concurrently with development for the proposed uses including, but not limited to, water supply, sewage disposal, roads and utilities.

The subdivision would be served by the extension and/or upgrading of the existing public infrastructures including roads, water, sewer, drainage, and recycled water. Construction of this infrastructure is subject to review against various applicable County and agency standards.

2.5.5 The proposed uses do not significantly detract from the natural land and scenic value of the site.

The proposed development would conform to the existing residential uses in the adjacent villages. This village would also retain over 60 acres as open space which includes the Carson Creek drainage area and canopies of various tree species.

2.6 **Design Waiver**

The following design waiver requests are subject to specific findings in accordance with Section 120.08.020.A.2a-d of the El Dorado County Subdivision Ordinance. Each request is followed by a response justifying the waiver.

Design Waiver 1: Modification of the following road improvements under DISM Standard Plan 101 B: A) reduction of right-of-way width from 50 feet to 46 feet for A and B Streets, and from 50 feet to 36 feet for C Court; B) reduction of road width from 36 feet to 28 feet for C Court; C) construction of sidewalk reduced from 6-foot wide to 4-foot wide on one side of A and B Streets; and D) elimination of sidewalks on C Court;

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

As part of typical Class I subdivision improvements, DISM Standard Plan 101B includes a minimum of 50-foot right-of-way that would be improved with 36-foot wide paved road, 6-foot sidewalk (on both sides of the street). These improvements commonly apply to subdivision streets that would be built, publicly dedicated to, and

maintained by the County. The project would propose to construct the improvements based on the above modifications. These modified improvements would sufficiently and safely serve the vehicular and pedestrian circulation needs of the residents in the subdivision. These improvements would be privately owned and maintained by the Serrano El Dorado Master HOA. Similar modified road improvements currently exist in other Serrano residential villages as a result of the granting of the design waiver. In particular to the elimination and reduction of sidewalks along specific private streets, the DISM and General Plan Policy TC-5a does not require sidewalks in a residential subdivision with parcels in excess of 10,000 square feet. The minimum proposed lot size in this subdivision is 20,000 square feet.

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

Application of the standard street right-of-way and related improvements would require construction wider pavement and related improvements causing additional disturbance to the site, thereby posing an encumbrance to the design of the development and unnecessary impacts.

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

The modified street right-of-way would affect the construction private streets that would sufficiently serve the private residential development. The associated improvements shall be constructed in accordance to standards of the DISM, subject to improvement and other construction plans. Implementation of project condition of approvals and applicable mitigation measures shall be verified during review and prior to issuance of any construction permits. Therefore, the proposed deviation is not anticipated to be detrimental to health, safety, and welfare of the public.

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

The modified standards would not have the effect of nullifying the objectives of this article or ordinance applicable to the subdivision as these standards would affect private streets serving the individually-graded residential development. These streets shall be privately owned and maintained by the Homeowner's Association (HOA). Other applicable improvement standards shall be enforced and verified during review construction plans.

Design Waiver 2: Exceed standard street gradient of 12% for C Court and portions of A Street measuring up to 15 % grade;

- A. There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver;
The street gradient for C Court, which would only serve a maximum of six individually-graded lots, would exceed the standard street gradient of 12%; however, the road does not exceed, based on the determination by the Transportation Division engineer, the allowable 15% gradient at a linear length of less than 600 feet. Similarly, the portion of A Street also exceeds the standard at 13%. This affected area of the road is constrained by the topography with its proximity to Carson Creek drainage swale area just east of the future bridge crossing.

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

Application of the standard could result in a re-design and adjustments of the site layout that could lead to unnecessary disturbance and impacts. As proposed, the modified standards would sufficiently accommodate vehicular and pedestrian traffic along the streets.

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

The proposed deviation would not be detrimental to health, safety, and welfare of the public. The modified gradient has been designed to sufficiently accommodate the vehicular traffic and speed anticipated along the streets. The required improvements shall be constructed in accordance to the construction standards of the DISM, subject to review of construction plans. Implementation of project condition of approvals and applicable mitigation measures shall be verified during review and prior to issuance of any construction permits.

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

The modified standard would not have any nullifying effect on the objectives of this article or ordinance applicable to the subdivision as this standard would affect a street design serving the streets within a private individually-graded residential development. The design would sufficiently accommodate on-site traffic and circulation conditions, which would be privately enforced by the HOA. Construction of this improvement would be conducted in accordance with the DISM, subject to approved plans.

Design Waiver 3: Reduction of cul-de-sac radius at the end of C Court and A Street from 50 feet to 47 feet;

A. There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver;
Similar reduced cul-de-sac radius currently exists in other Serrano residential villages as a result of the granting of the design waiver. This modified improvement would sufficiently and safely serve the vehicular and pedestrian circulation needs of the residents and emergency apparatus in the development. These improvements would be privately owned and maintained by the Serrano El Dorado master HOA.

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

Application of the standard improvement could result in a re-design and adjustments of the site layout that could lead to unnecessary disturbance and impacts and would be inconsistent with previously approved modifications in other villages.

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

The proposed deviation would not be detrimental to health, safety, and welfare of the public. The modified cul-de-sac has been designed to sufficiently accommodate the vehicular traffic and speed anticipated along the streets. The required improvements shall be constructed in accordance to the construction standards of the DISM, subject to review of construction plans. Implementation of project condition of approvals and applicable mitigation measures shall be verified during review and prior to issuance of any construction permits.

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

The modified standard would not have any nullifying effect on the objectives of this article or ordinance applicable to the subdivision as this standard would affect a street design serving the streets within a private individually-graded residential development. The design would sufficiently accommodate on-site traffic and circulation conditions, which would be privately enforced by the HOA. Construction of this improvement would be conducted in accordance with the DISM, subject to approved plans.