

Findings for Denial

1.0 FINDINGS

The Dixon Ranch project: General Plan Amendment A11-0006, Rezone Z11-0008, Planned Development PD11-0006, Tentative Map TM11-1505, and Development Agreement DA14-0001 (the “Project”) came before the El Dorado County Board of Supervisors at a duly noticed public hearing on February 14, 2017. Upon conclusion of the public hearing, the Board of Supervisors voted to conceptually deny the Project, subject to the adoption of findings of fact. Accordingly, based on its review and analysis of the evidence in the public record, the Board of Supervisors makes the following findings of fact in support of its action to deny the Project:

2.0 GENERAL PLAN FINDINGS

The Project is inconsistent with other General Plan goals, including, but not limited to, those goals concerning the provision of jobs, generation of sales taxes, and creation of moderate income housing.

- 2.1. The Project is inconsistent with Policy 2.2.5.21, which requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses.
- 2.2. The Project is inconsistent with the objectives of the Economic Element of the General Plan, including: Business Retention and Expansion (Objective 10.1.5), Capture of Retail and Tourism Dollars (Objective 10.1.6), Jobs-Housing Relationship (Objective 10.1.9), Equitable Financing Methods for Public Improvements (Objective 10.2.2), New Development Fiscal Effects (Objective 10.2.5), and Fiscal Effects of Government Reorganization (Objective 10.2.6).

3.0 TENTATIVE MAP FINDINGS

The Tentative Map is required to comply with the General Plan pursuant to the Subdivision Map Act 66474(a) “A legislative body of a city or county shall deny approval of a tentative map, or a parcel map, for which a tentative map was not required, if it makes any of the following findings: (a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.”

Section 120.12.030 of the El Dorado County Code similarly requires that “The Planning Commission shall deny approval of a tentative subdivision map if it makes any of the following findings: A. That the proposed map is not consistent with the applicable general and specific plans.”

The Board of Supervisors denied the General Plan Amendment (A11-0006) to change the general plan land use designation from 278.99 acres of Low Density Residential and 1.28 acres of Open Space to 186.26 acres High Density Residential, 21.40 acres Medium Density Residential, 5.02 acres Low Density Residential, and 67.59 acres Open Space. Consequently, the Project's proposed tentative map is not consistent with the Low Density Residential designation because the tentative map proposed 605 single family lots but the Low Density Residential land use designation allows a maximum of one dwelling unit per 5 acres, or a maximum of 56 residential lots.

Therefore, the Tentative Map is denied based on inconsistency with the adopted General Plan.

4.0 PLANNED DEVELOPMENT FINDINGS

There are no state requirements for Planned Developments. Section 130.52.040(E) of the El Dorado County Code requires that when approving a request for a Development Plan Permit, the review authority must make the following finding: "The proposed development plan is consistent with the General Plan, any applicable specific plan, and Chapter 28 (Planned Development (-PD) Combining Zone) of this Title."

The Board of Supervisors denied the General Plan Amendment (A11-0006) to change the general plan land use designation from 278.99 acres of Low Density Residential and 1.28 acres of Open Space to 186.26 acres High Density Residential, 21.40 acres Medium Density Residential, 5.02 acres Low Density Residential, and 67.59 acres Open Space. The Project' proposed Planned Development is inconsistent with the General Plan designation of Low Density Residential because the Planned Development proposed 605 single family lots but the Low Density Residential land use designation allows a maximum of one dwelling unit per 5 acres, or a maximum of 56 residential lots.

Therefore, the Planned Development is denied based on inconsistency with the adopted General Plan.

5.0 CEQA FINDINGS

Since the Board denied the legislative acts, including General Plan Amendment, Rezoning, and Development Agreement, consequently resulting in denial of the Tentative Map and Development Plan, no further CEQA documentation is required. Pursuant to Section 15270 of the CEQA Guidelines, CEQA is not required for projects that are denied.