

## **FINDINGS FOR DENIAL**

### **Specific Plan Amendment SP13-0002/Rezone Z13-0002 Planned Development PD13-0001/Tentative Map TM13-1511 Serrano Village J5/J6 Board of Supervisors/June 27, 2017**

#### **1.0 FINDINGS**

The Serrano Village J5/J6 project: Specific Plan SP13-0002, Rezone 13-0002, Planned Development PD13-0001, and Tentative Map TM13-1511, (the “Project”) came before the El Dorado County Planning Commission at a duly noticed public hearing on May 25, 2017. Upon conclusion of the public hearing, the Planning Commission voted to forward a recommendation of denial to the Board of Supervisors. The Project came before the Board of Supervisors at a duly noticed public hearing on June 27, 2017. Upon conclusion of the public hearing, the Board of Supervisors voted to deny the Project. 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 goals, objectives, and policies of the Economic Element or the 2004 General Plan, as amended on December 2015.

- 2.1. The Project is inconsistent with Objective 10.1.5 **Business Retention and Expansion Objective: Assist in the retention and expansion of existing businesses through focused outreach and public and private incentive programs and target new industries which diversify and strengthen our export base.**

**Policy 10.1.5.5: Recognize and promote the need to create greater opportunities for El Dorado County residents to satisfy retail shopping demands in El Dorado County,**

**Program 10.1.5.5.1: Designate sufficient lands of a size and at locations to accommodate needed retail and commercial development.**

Finding: The 4.7 acres of the Project proposed for rezoning from Community Commercial to Residential is inconsistent with the General Plan because there is a need for the existing commercial lands in this location of El Dorado Hills to serve existing and future population of residents. The Planning Commission and Board of Supervisors finds that this location will be suitable for future commercial development and should remain commercially zoned, anticipating that future residential development in the Serrano area, the Bass Lake Hills Specific Plan area, the Silver Springs subdivision, and other areas along Bass Lake Road and Green Valley Road, will eventually support the economic need for new commercial development on this site.

2.2 **Objective 10.1.9 Jobs-Housing Relationship: The County shall monitor the jobs-housing balance and emphasize employment creation.**

**Policy 10.1.9.3: The County shall actively promote job generating land uses while de-emphasizing residential development unless it is tied to a strategy that is necessary to attract job generating land uses.**

Finding: The Project proposal to change of 4.7 acres of Community Commercial to Residential is inconsistent with the General Plan policy to emphasize employment over residential development. Community Commercial zoning provides for the retail sales, office, and service needs of the residents residing within the surrounding community and generates employment opportunities that a residential development does not.

**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 Specific Plan Amendment (SP13-0002) and Rezone (Z13-0002) to change the El Dorado Hills Specific Plan designation from 4.7 acres of Commercial to Residential and El Dorado County Zoning from Community Commercial (CC) to Single-Unit Residential (R-1). Consequently, the Project’s proposed tentative map is not consistent with the Specific Plan Commercial designation and Community Commercial Zoning (Ordinance Table 130.22.020) because single family residential development is not allowed on the 4.7 acres of commercial.

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 Specific Plan Amendment (SP13-0002) and Rezone (Z13-0002) to change the El Dorado Hills Specific Plan designation from 4.7 acres of Commercial to Residential and El Dorado County Zoning from Community Commercial (CC) to Single-Unit Residential (R-1). The Project's proposed Planned Development is inconsistent with the Specific Plan Commercial designation and Community Commercial Zoning (Ordinance Table 130.22.020) because single family residential development is not allowed on the 4.7 acres of commercial

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 Specific Plan Amendment and Rezoning, 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.