

Findings

1.0 CEQA FINDINGS

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. East Ridge subdivision is a residential project within the Valley View Specific Plan for which an EIR was certified in December 1998, subject to the applicable mitigation measures in the Mitigation Monitoring and Reporting Program (MMRP). Specific environmental impacts including Biological Resources (i.e. Oak Tree Canopy, Wetland and Riparian Area, Special Status Species), Cultural Resources, Air Quality, Noise, and Traffic, were impacts deemed applicable and have been further evaluated. Staff concludes that no new or additional impacts have been identified beyond the impacts previously evaluated in the EIR with the application of the corresponding MMRP mitigation measures; as such, no further environmental analysis is necessary. These applicable mitigation measures from the MMRP for East Ridge Tentative Subdivision Map have been incorporated in Table 1 under Condition of Approval No. 8.

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Community Development Agency-Development Services Division-Planning at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

The El Dorado County General Plan designates the subject site as Adopted Plan (AP), a description in reference to areas where Specific Plans have been designated and adopted within and by the County. The Valley View Specific Plan and the respective land use maps are accepted and incorporated by reference and were adopted as the General Plan Land Use map for the project area. As discussed, East Ridge Tentative Subdivision conforms to the applicable policies of the Valley View Specific Plan and standards under the designated zone districts, subject to the applicable mitigation measures in VVSP EIR. Therefore, the project is consistent with the General Plan.

3.0 VALLEY VIEW SPECIFIC PLAN FINDINGS

The project has been verified for conformance with specific policies and requirements of the Valley View Specific Plan for East Ridge Village. The subdivision meets the required density, anticipated residential product types, applicable design and construction standards, and resource protection. Construction of necessary utilities underground and

other above ground equipment shall be sited and screened to the extent feasible so as to minimize negative aesthetic effects. Sensitive biological and cultural resources shall be contained within designated open space lots. Conditions, Covenants and Restrictions (CC&R's) shall be established and enforced by the future owner's association regulating architectural and site design standards. Therefore, the project is found to be consistent with the Valley View Specific Plan.

4.0 SUBDIVISION ORDINANCE FINDINGS

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

As discussed above, the project is consistent with applicable policies of the Valley View Specific Plan, and is hereby consistent with the General Plan, including density, neighborhood compatibility, and availability of infrastructures necessary to serve the project.

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

The project and required improvements have been designed in conformance with the applicable policies of the Valley View Specific Plan, and is hereby consistent with the General Plan, including allowable density, infrastructure availability, and preservation of sensitive resources.

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

The site is physically suitable for the proposed residential development according the Valley View Specific Plan design standards. The topography of the site would be able to accommodate the development and sensitive resources would be preserved in open space areas.

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

The density of the project can be accommodated on the site according the VVSP designated zones. The residential lots and subdivision roads are adequately sized and designed; necessary infrastructures to serve the site would be accommodated within identified right-of-way and easements; and sensitive resources identified to be preserved are located in open space areas.

4.5 That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish and wildlife or their habitat;

As evaluated in the VVSP EIR, identified project effects to biological resources shall be mitigated to less than significant level. Therefore, the project is not likely to cause substantial environmental damage or injure wildlife or their habitat.

4.6 That the design of the subdivision or the type of improvements is not likely to create serious public health and safety problems or unacceptable fire risks to occupants or adjoining properties;

The project is required to construct improvements in accordance with the conditions of approval and applicable regulations of the VVSP and County Codes so as to not create public health and safety problems for future residents and/or the adjoining residential neighborhood.

4.7 The board of supervisors shall not deny approval of a final map pursuant to section 66474 of the Subdivision Map Act if a tentative map has been approved for the proposed subdivision and if the board finds that the final map is in substantial compliance with the previously approved tentative map;

Prior to recordation, the final map for this subdivision shall be reviewed and verified for conformance with the approved tentative map.

4.8 That the design of the subdivision or the type of improvements will not conflict with easement, acquired by the public at large, for access through or use of property within the proposed subdivision.

Subject to conditions of approval, all necessary utility and right-of-way easements for the project are appropriately depicted on the submitted plans and shall be further verified for any conflicts by the County Surveyor's Office at the time of filing of the Final Map for any portions of the approved tentative map.

5.0 DESIGN WAIVERS FINDINGS

The Design Waivers requested are subject to specific findings under Section 16.08.020 of the El Dorado County Subdivision Ordinance described below.

- A. There are special conditions or circumstances peculiar to the property proposed to be subdivided which would justify the waiver.
- B. Strict application of the design or improvement requirements of this chapter would cause extraordinary and unnecessary hardship in developing the property.
- C. The waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience 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 following describes the requested Design Waivers and responds to the required findings criteria.

Design Waiver 1: Modify Hillside Design Std. minimum shoulder width from 3-foot (on downhill side only) to 1-foot beyond sidewalk where sidewalks are present or 2 feet beyond exposed pavement or curb/AC dike surfaces when sidewalks are not present;

A. The Valley View Specific Plan states in chapter 2 (Setting), “Major physical conditions affecting the design of this Plan are slope, the presence or absence and quality of oak woodland cover, and the limited and isolated presence of such special environments as wetlands or riparian zones”. The Specific Plan Policies also notes as an objective of the overall design concept on page 21 that the plan should “7. Provide a system of roadways designed to adequately handle projected traffic volumes while minimizing unnecessary grading in steeper portions of the site.” Each of the above identified physical conditions can be better managed, planned for, and accommodated by a reduction in the limits of required roadway grading associated with the requested minimum shoulder width waiver. The Design and Improvements Standards Manual (DISM) already accommodates this requested reduction in Std Plan 101B (1-foot shoulder behind sidewalk), but not in the Hillside Design Standards section of the DISM. This waiver is requested to clarify the regulations in this instance. A reduced shoulder will allow for better flexibility in designing around major physical conditions on the site, will reduce overall grading necessary to complete the project, and will reduce the need for retaining walls.

B. As stated previously the Valley View Specific Plan Policies state “provide a system of roadways designed to adequately handle projected traffic volumes while minimizing unnecessary grading in steeper portions of the site.” With the wider road shoulders it will increase the landform disturbance and would increase the project’s effect on grading which would then impact more oak woodlands, wetlands, and riparian zones. Strict application would not be consistent with the objectives for the Specific Plan Policies.

C. The project is proposing a community with internal private streets. Sidewalks are located adjacent to these reduced shoulders. Design speeds for the internal residential roadways are anticipated to be low. The proposed roadway shoulder width does not conflict with County adopted fire regulations. It is unlikely that this request will be detrimental to health, safety, convenience, and welfare of the public.

D. The proposed waiver would not have the effect of nullifying the objectives of Article II of Title 16 of the County Code or other ordinance as this waiver shall be implemented in support of the design requirements of this subdivision.

Design Waiver 2: Modify Standard Plan 103A-1: Allow driveway to be within 25 feet from a radius return, reduce minimum driveway width from 16 to 10 feet for single car garages only, omit 4-foot taper to back of curb.

A. The Valley View Specific Plan states in Chapter 2 (Setting), “Major physical conditions affecting the design of this Plan are slope, the presence or absence and quality of oak woodland cover, and the limited and isolated presence of such special environments as wetlands or riparian zones”. The plan also states on page 95 that “Buildings should be sited on the lot in a location and configuration that minimizes the extent of grading and the height of resulting cut and fill slopes.”

The site’s major physical conditions can be better managed, planned for, and accommodated through additional flexibility in design as a result of this waiver. The application of this waiver will reduce overall grading necessary to complete the project, will reduce the need for retaining walls, will reduce proposed impervious area, will better accommodate the clustering concept and will provide more flexibility to allow for driveway and building pad location designs which may better accomplish the intent of the specific plan objectives referenced above.

B. Strict application will impede the ability of the applicant/developer to better accomplish reduced impacts to major physical conditions of the site, reduce impervious areas, reduce impacts to the oak woodlands and habitat, minimize grading, and utilize the clustering concept. These waivers are routinely applied to other projects in the County without approval of an actual design waiver. Strict application would not be consistent with the objectives for the Specific Plan Policies.

C. The project is proposing a community with internal private streets. Design speeds for the internal project roadways are low. With low volume, low design speed, private streets, it is unlikely that this request will be detrimental to health, safety, convenience, and welfare of the public.

D. The proposed waiver would not have the effect of nullifying the objectives of Article II of Title 16 of the County Code or other ordinance as this waiver shall be implemented in support of the specific design requirements of this subdivision.

Design Waiver 3: Exceed 3 to 1 lot depth-width ratio for residential lots including Lots 36-43 and 688-691;

A. Volume II page 12 of the DISM states, “Lots are not to exceed a 3 to 1 ratio unless a design waiver is granted.” The Valley View Specific Plan states in chapter 2 (Setting), “Major physical conditions affecting the design of this Plan are slope, the presence or absence and quality of oak woodland cover, and the limited and isolated presence of such special environments as wetlands or riparian zones”. The plan also states on page 95 that “Buildings should be sited on the lot in a location and configuration that minimizes the extent of grading and the height of resulting cut and fill slopes.”

The Specific Plan Policies note as an objective of the overall design concept on page 21 that the plan should “4. Provide transitions and buffering to surrounding rural residential neighborhoods, 5. Maintain and enhance landscape values of the site. Oak Tree

Protection shall be carried out in conformance to the program described in Chapters 8 and 9 which emphasize the wildlife, aesthetic and fire protection considerations of certain oak woodland types and provides for management of woodlands transitional to developed areas and implementation of an oak regeneration program. 7. Provide a system of roadways designed to adequately handle projected traffic volumes while minimizing unnecessary grading in steeper portions of the site.”

The site’s major physical conditions can be better managed, planned for, and accommodated through additional flexibility in design as a result of this waiver. The application of this waiver will reduce overall grading necessary to complete the project, will reduce the amount of roadway and lot area needed to accommodate the specific plan dwelling unit total, will reduce proposed impervious area, will better accommodate the clustering concept and will provide more flexibility to allow for lot designs which better accomplish the intent of the specific plan objectives referenced above.

B. Strict application will limit the ability of the applicant/developer to better accomplish reduced impacts to major physical conditions of the site, reduce impervious areas, reduce impacts to the oak woodlands and habitat, minimize grading, and utilize the clustering concept. Strict application would not be consistent with the objectives for the Specific Plan Policies.

C. It is unlikely that this request to have deep lots allowed in the plan will be detrimental to health, safety, convenience, and welfare of the public as the affected lots will be designed according to VVSP standards and constructed to County ordinances, subject to permit requirements.

D. The proposed waiver would not have the effect of nullifying the objectives of Article II of Title 16 of the County Code or other ordinance as this waiver shall be implemented in support of the specific design requirements of this subdivision.

Design Waiver 4: Required Roadway Width for Dead End Roads from 36 feet wide to a Minimum Pavement Width of 24 feet;

A. The Valley View Specific Plan states in chapter 2 (Setting), “Major physical conditions affecting the design of this Plan are slope, the presence or absence and quality of oak woodland cover, and the limited and isolated presence of such special environments as wetlands or riparian zones.” The Specific Plan Policies also note as an objective of the overall design concept on page 21 that the plan should “provide a system of roadways designed to adequately handle projected traffic volumes while minimizing unnecessary grading in steeper portions of the site”. The plan provides for East Ridge local roads to be 24 feet wide in accordance with Type 1 and 2 East Ridge Local Roads as noted in Specific Plan Figure 5.10. Figure 5.10 also notes “Roadway designed to avoid trees and preserve natural terrain.”

A wildland fire safe plan has been prepared and approved by the California Department of Forestry and the El Dorado Hills Fire District including the proposed requested roadway width.

The site's major physical conditions can be better managed, planned for, and accommodated through additional flexibility in design as a result of this waiver. The application of this waiver will reduce overall grading necessary to complete the project, will reduce the amount of disturbed area, will reduce the amount of roadway impervious area, will better accommodate the clustering concept and will provide more flexibility to allow for roadway designs which better accomplish the intent of the specific plan objectives referenced above.

B. Strict application will impede the ability of the designer to better accomplish reduced impacts to major physical conditions of the site, reduce impervious areas, reduce impacts to the oak woodlands and habitat, minimize grading, and utilize the clustering concept. Strict application would not be consistent with the objectives for the Specific Plan Policies.

C. The project is proposing a community with internal private streets (gated in most cases). Design speeds for the internal project roadways are low. With low volume, low design speed, private streets, it is unlikely that this request will be detrimental to health, safety, convenience, and welfare of the public.

D. The proposed waiver would not have the effect of nullifying the objectives of Article II of Title 16 of the County Code or other ordinance as this waiver shall be implemented in support of the specific design requirements of this subdivision.

Design Waiver 5: Allow for Reverse Horizontal Curves without a 100' Tangent, except on Valley View Parkway;

A. The Valley View Specific Plan states in chapter 2 (Setting), "Major physical conditions affecting the design of this Plan are slope, the presence or absence and quality of oak woodland cover, and the limited and isolated presence of such special environments as wetlands or riparian zones." Specific Plan Figure 5.10 also notes "Roadway designed to avoid trees and preserve natural terrain."

The Specific Plan Policies also note as an objective of the overall design concept on page 21 that the plan should "5. Maintain and enhance landscape values of the site. Oak Tree Protection shall be carried out in conformance to the program described in Chapters 8 and 9 which emphasize the wildlife, aesthetic and fire protection considerations of certain oak woodland types and provides for management of woodlands transitional to developed areas and implementation of an oak regeneration program. 7. Provide a system of roadways designed to adequately handle projected traffic volumes while minimizing unnecessary grading in steeper portions of the site."

The site's major physical conditions can be better managed, planned for, and accommodated through additional flexibility in design as a result of this waiver. The application of this waiver will reduce overall grading necessary to complete the project, may reduce the amount of disturbed area, will better accommodate the clustering concept and will provide more flexibility to allow for roadway designs which better accomplish the intent of the specific plan objectives referenced above.

B. Strict application will impede the ability of the applicant/developer to better accomplish reduced impacts to major physical conditions of the site, reduce impacts to the oak woodlands and habitat, minimize grading, and utilize the clustering concept. Strict application would not be consistent with the objectives for the Specific Plan Policies.

C. The project is proposing a community with internal private streets (gated in most cases). Design speeds for the internal project roadways are low. With low volume, low design speed, private streets, it is unlikely that this request will be detrimental to health, safety, convenience, and welfare of the public. The Valley View Parkway roadway design will remain subject to the 100' tangent requirement.

D. The proposed waiver would not have the effect of nullifying the objectives of Article II of Title 16 of the County Code or other applicable ordinance as this waiver shall be implemented in support of the specific design requirements of this subdivision.

Design Waiver 6: Allow for Valley View Parkway to exceed 10% gradient and be designed at 12% Maximum Gradient.

A. The Valley View Specific Plan states in chapter 2 (Setting), "Major physical conditions affecting the design of this Plan are slope, the presence or absence and quality of oak woodland cover, and the limited and isolated presence of such special environments as wetlands or riparian zones." The DISM requires that minor or major collector roads be designed to a maximum gradient of 10% or "to be determined by the County Engineer" respectively. Valley View Parkway is a special circumstance in that it does not provide an opportunity for through trips or full time access to other areas outside of East Ridge Village. Of most significance, the conceptual design of Valley View Parkway prepared by REY Engineers and referenced previously on West Valley View Village Lots 6 and (Y and Z) under TM#06-1409 was based on a 12% maximum gradient.

The Specific Plan Policies also note as an objective of the overall design concept on page 21 that the plan should "5. Maintain and enhance landscape values of the site. Oak Tree Protection shall be carried out in conformance to the program described in Chapters 8 and 9 which emphasize the wildlife, aesthetic and fire protection considerations of certain oak woodland types and provides for management of woodlands transitional to developed areas and implementation of an oak regeneration program. 7. Provide a system of

roadways designed to adequately handle projected traffic volumes while minimizing unnecessary grading in steeper portions of the site.”

The Specific Plan Chapter 5 also states “In East Ridge Village and for the main road accessing the Village, the need to minimize grading cuts and fills and reduce the area affected by road construction makes special collector road standards necessary. The site’s major physical conditions can be better managed, planned for, and accommodated through additional flexibility in design as a result of this waiver. The application of this waiver will reduce overall grading necessary to complete Valley View Parkway, will reduce the amount of disturbed area, will reduce the need for retaining walls, and will provide more flexibility to allow for roadway designs which better accomplish the intent of the specific plan objectives referenced above.

B. Strict application will impede the ability of the applicant/developer to better accomplish reduced impacts to major physical conditions of the site, reduce impacts to the oak woodlands and habitat, and minimize grading. Strict application would not be consistent with the objectives for the Specific Plan Policies.

C. It is unlikely that this request will be detrimental to health, safety, convenience, and welfare of the public as this modified design has been determined to appropriate and approved by affected agencies.

D. The proposed waiver would not have the effect of nullifying the objectives of Article II of Title 16 of the County Code or other ordinance as this waiver shall be implemented in support of the specific design requirements of this subdivision.

Design Waiver 7: Allow use of reduced vertical curve standards for vertical curve design, consistent with American Association of State Highway and Transportation Officials “A Policy on Geometric Design of Highways and Streets” (AASHTO) when AASHTO allows for less restrictive design standards.

A. The Valley View Specific Plan states in chapter 2 (Setting), “Major physical conditions affecting the design of this Plan are slope, the presence or absence and quality of oak woodland cover, and the limited and isolated presence of such special environments as wetlands or riparian zones.”

The Specific Plan Policies also note as an objective of the overall design concept on page 21 that the plan should “5. Maintain and enhance landscape values of the site. Oak Tree Protection shall be carried out in conformance to the program described in Chapters 8 and 9 which emphasize the wildlife, aesthetic and fire protection considerations of certain oak woodland types and provides for management of woodlands transitional to developed areas and implementation of an oak regeneration program. 7. Provide a system of roadways designed to adequately handle projected traffic volumes while minimizing unnecessary grading in steeper portions of the site.”

The 2004 El Dorado County General Plan Policy TC-1a states “...Road design standards for County-maintained roads shall be based on the American Association of State Highway and Transportation Officials (AASHTO) Standards, and supplemented by California Department of Transportation (Caltrans) design standards and by County Department of Transportation standards....”. The County staff previously prepared an unadopted Draft Std. Plan RD-03 dated 07-05-11 which proposes revising the County design requirements in such a way as to effectively build this waiver into future County design criteria. While not adopted at this time, this is additional evidence of special circumstances.

The site’s major physical conditions can be better managed, planned for, and accommodated through additional flexibility in design as a result of this waiver. The application of this waiver will reduce overall grading, will reduce the amount of disturbed area, may reduce the need for retaining walls, and will provide more flexibility to allow for roadway designs which better accomplish the intent of the Specific Plan objectives referenced above.

B. Strict application will impede the ability of the designer to better accomplish reduced impacts to major physical conditions of the site, reduced impacts to the oak woodlands and habitat and minimization of grading. Strict application would not be consistent with the objectives for the Specific Plan Policies.

C. The project is proposing a community with internal private streets (gated in most cases). Design speeds for the internal project roadways are low. With low volume, low design speed, and private streets, it is unlikely that this request will be detrimental to health, safety, convenience, and welfare of the public.

D. The proposed waiver would not have the effect of nullifying the objectives of Article II of Title 16 of the County Code or other ordinance as this waiver shall be implemented in support of the specific design requirements of this subdivision.