

FINDINGS

Tentative Subdivision Map TM17-1532/Sierra Sunrise Planning Commission/September 13, 2018

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with the California Environmental Quality Act (CEQA) and is adequate for this proposal.
- 1.2 The Initial Study identifies that this project proposes a less than significant impact on the environment. Through feasible conditions of approval placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 The documents and other materials, which constitute the record of proceedings upon which this decision is based, are in the custody of the Planning and Building Department, 2850 Fairlane Court, Placerville, CA 95667.

2.0 GENERAL PLAN FINDINGS

2.1 The project is consistent with General Plan Policy 2.2.1.2.

The site is designated under the General Plan as High-Density Residential (HDR). The HDR land use designation identifies those areas suitable for intensive single-family residential development at densities from one to five dwelling units per acre. Allowable residential structure types include single-family attached (i.e., air-space condominiums, townhouses) and detached dwellings and manufactured homes. Except as provided in Policy 2.2.2.3, this designation is considered appropriate only within Community Regions and Rural Centers.

Rationale: The project proposes to subdivide a 10-acre site into eight (8) residential lots ranging in size from approximately 17,329 square feet to approximately 261,280 square feet, and one (1) roadway lettered lot. The High-Density Residential (HDR) General Plan land use designation permits a density range of one dwelling units to five dwelling units per acre. The project would have a density of 0.8 units per acre, which does not meet the prescribed gross density for the High-Density Residential Land Use Designation of the General Plan; however, due to slopes and access only 8 lots can be created. Although the HDR designation establishes a minimum density, the project applicant chose to be more conservative with both the number of lots and size of the lots to match the parcels that surround the project. Compliance with the HDR density requirements would result in an intense development that the current topography, project design, and proposed infrastructure cannot support.

The site is within the Cameron Park community region of the county. The proposed project is compatible with the land use designation and existing similar uses in the area. Therefore, the proposed 8-lot subdivision would be consistent within the HDR land use designation.

2.2 **The project is consistent with General Plan Policy 2.2.5.2.**

All applications for discretionary projects or permits including, but not limited to, General Plan amendments, zoning boundary amendments, tentative maps for major and minor land divisions, and special use permits shall be reviewed to determine consistency with the policies of the General Plan. No approvals shall be granted unless a finding is made that the project or permit is consistent with the General Plan. In the case of General Plan amendments, such amendments can be rendered consistent with the General Plan by modifying or deleting the General Plan provisions, including both the land use map and any relevant textual policies, with which the proposed amendments would be inconsistent.

Rationale: 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, the proposal is consistent with the intent of the General Plan, as determined within the General Plan Findings.

2.3 **The project is consistent with General Plan Policy 2.2.5.16.**

The appropriate level of planning for land division shall be based on the current land use designation that applies to the project area. The level of planning will at a minimum demonstrate that the project will not preclude the ultimate potential density. Level of planning may be reduced by an accompanying request for General Plan Amendment to reduce the density. An ultimate road circulation plan shall be included that accommodates the maximum density and provides secondary access.

Rationale: The project proposes a density of 0.8 units per acre, which is less than the prescribed standard of one to five dwelling units per acre in accordance with the High-Density Residential (HDR) General Plan designation. The proposed project is a direct result of the existing topography of the site. The existing topography for 98% of the site includes slopes that are at maximum 20% slope, which would create a project constraint to do extensive grading to achieve the minimum density. The larger lots allows for less intensive grading. Similarly, the minimum density can be achieved in the future by subdividing lot #8 into 2 to 3 parcels; however, this will require a new tentative parcel map with a design for access that both the Cameron Park Fire Department and Transportation Division can agree to allow on steep slopes. Furthermore, the proposed project is consistent with the surrounding HDR land use designated parcels.

2.4 The project is consistent with General Plan Policy 2.2.5.21.

General Plan Policy 2.2.5.21 requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses.

Rationale: The project site is surrounded by single-family residential land uses and undeveloped parcels. The new parcels would be similar in size to the surrounding parcels, and the proposed residential use would be compatible with the existing development in the vicinity. Access to the site would be provided via Woodleigh Lane, a public road. The parcels to the West and across the street from Woodleigh Lane are also High-Density Residential (HDR) with Single-unit Residential (R1), which is substantially consistent to what this project is proposing. The use is consistent and compatible with the land use designation; therefore, compatible with the development pattern in the immediate surroundings.

2.5 The project is consistent with General Plan Policy 2.3.2.1.

Policy 2.3.2.1 states that disturbance of slopes thirty (30) percent or greater shall be discouraged to minimize the visual impacts of grading and vegetation removal.

Rationale: The site slopes downward towards the eastern edge of the site at an average gradient of approximately 20%. Over 98% of the site contains a maximum slope of 20%, however 2% of the site includes slopes of 30% or steeper. The tentative map for this project indicates the location of proposed access drives and residences on each lot. The proposed driveways would be constructed outside the steep slope areas, and the locations of the proposed structures avoid steep slopes to the extent possible (Exhibit K).

2.6 The project is consistent with General Plan Policy TC-Xa.

According to Policy TC-Xa, the following policies shall remain in effect until December 31, 2018:

1. Traffic from residential development projects of five or more units or parcels of land shall not result in, or worsen, Level of Service F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.
2. The County shall not add any additional segments of U.S. Highway 50, or any other highways and roads, to the County's list of roads from the original Table TC-2 of the 2004 General Plan that are allowed to operate at Level of Service F without first getting the voters' approval.
3. All necessary road capacity improvements shall be fully completed to prevent cumulative traffic impacts from new development from reaching level of Service F during peak hours upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county before any form of discretionary approval can be given to a project.
4. County tax revenues shall not be used in any way to pay for building road capacity improvements to offset traffic impacts from new development projects. Non-county tax sources of revenue, such as federal and state grants, may be used to fund road projects. Exceptions are allowed if county voters first give their approval.
5. The County shall not create an Infrastructure Financing District unless allowed by a 2/3rds majority vote of the people within that district.
6. Mitigation fees and assessments collected for infrastructure shall be applied to the geographic zone from which they were originated and may be applied to existing roads for maintenance and improvement projects.
7. Before giving approval of any kind to a residential development project of five or more units or parcels of land, the County shall make a finding that the project complies with the policies above. If this finding cannot be made, then the County shall not approve the project in order to protect the public's health and safety as provided by state law to assure that safe and adequate roads and highways are in place as such development occurs.

Rationale: The application for the project was received on May 19, 2017 and deemed complete on June 19, 2017. This complete date coincides with the effective date of Measure E, which was approved by voters June 7, 2016 and became effective on July 29, 2016. On July 31, 2017 the Court issued a ruling on Measure E litigation, however, this ruling was after the application had already been deemed complete on June 19, 2017. Due to the period of when the application was deemed complete, Measure E still

applies to this project. According to the Subdivision Map Act (GC 66474.2.), the local agency shall apply only those ordinances, policies, and standards in effect at the date the local agency has determined that the application is complete (unless the agency has initiated a change to a standard “by way of ordinance, resolution, or motion”). Although the new lots would allow for up to two new dwelling unit on each of the eight new parcels, the LOS established by the County would not be exceeded by the project and the surrounding road circulation system would not be impacted. Traffic Impact Mitigation fees would be required to be paid at the time of building permit.

2.7 The project is consistent with General Plan Policy TC-Xd.

Level of Service (LOS) for County-maintained roads and state highways within the unincorporated areas of the county shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions except as specified in Table TC-2. The volume to capacity ratio of the roadway segments listed in Table TC-2 shall not exceed the ratio specified in that table. Level of Service will be as defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council) and calculated using the methodologies contained in that manual. Analysis periods shall be based on the professional judgment of the Department of Transportation which shall consider periods including, but not limited to, Weekday Average Daily Traffic (ADT), AM Peak Hour, and PM Peak hour traffic volumes.

Rationale: The project is within the Cameron Park Community Region. Identified by Table TC-2, the closest road segment of Cambridge Road between Country Club Drive to Oxford Road, which is 0.64 miles away from the project vicinity, therefore, this project would not significantly worsen any county roads to below LOS E.

2.8 The project is consistent with General Plan Policy TC-Xe.

For the purposes of this Transportation and Circulation Element, “worsen” is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

- A. A 2 percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily, or
- B. The addition of 100 or more daily trips, or
- C. The addition of 10 or more trips during the a.m. peak hour or the p.m. peak hour.

Rationale: A Transportation Impact Study (TIS) Initial Determination Form was completed and reviewed by Long Range Planning: Traffic Engineering. The review of the TIS Initial Determination Form resulted in Long Range

Planning: Traffic Engineering waiving the need for the project applicant to supply a Transportation Impact Study, based on the probability that the project would not generate an additional 10 or more trips during the a.m. peak hour or the p.m. peak hour. The project is a tentative subdivision of 8 residential lots and it is not expected that 10 trips or more would be generated by the future home owners during the a.m. or p.m. peak hours. The project does not trigger an impact based on the criteria set forth in the General Plan Policy listed above; therefore, it is consistent with policy TC-Xe.

2.9 The project is consistent with General Plan Policy HO-1.2.

To ensure that projected housing needs can be accommodated, the County shall maintain an adequate supply of suitable sites that are properly located based on environmental constraints, community facilities, and adequate public services

Rationale: This project would provide up to 16 new units. The project would contribute towards meeting the quantity of housing units anticipated to be built within the planning horizon of the general plan. The project would have access to adequate public services, facilities, and the project has been designed to accommodate the environmental conditions of the site.

2.10 The project is consistent with General Plan Policy HO-5.1.

The County shall require all new dwelling units to meet current state requirements for energy efficiency and shall encourage the retrofitting of existing units.

Rationale: The project would result in up to 16 new residential units, which would be subject to the standards of Title 24, California's Energy Efficiency Standards for Residential and Nonresidential Buildings.

2.11 The project is consistent with General Plan Policy 5.1.2.1.

Policy 5.1.2.1 says that prior to the approval of any discretionary development the approving authority shall make a determination of the adequacy of the public services and utilities to be impacted by that development. Where demand is determined to exceed capacity, the approval of the development shall be conditioned to require expansion of the impacted facility or service to be available concurrent with the demand, mitigated, or a finding made that a CIP project is funded and authorized which will increase service capacity.

Rationale: The project proposes to connect into El Dorado Irrigation District (EID) water and sewer services. A Facilities Improvement Letter dated October 14, 2016 (Exhibit H) identifies a 12-inch water line and a 6-inch sewer line located in Woodleigh Lane. In order to receive service from this water line and sewer line, an extension of facilities of adequate size must be

constructed to these facilities. Both identified water and sewer connections have adequate capacity for this project. No new or expanded wastewater treatment facilities would be required. The project would not generate a substantial increase in solid waste. Other utility companies reviewed the project and had no comments. Park fees will be assessed and have been included in the Conditions of Approval for this project. Impacts to emergency services and public services such as transit and schools will be impacted by the addition of 16 potential homes (1 primary and 1 secondary dwelling per lot), but the impact is less than significant as detailed in the Initial Study.

2.12 The project is consistent with General Plan Policy 5.1.2.3.

Policy 5.1.2.3 requires that new development be required to pay its proportionate share of the costs of infrastructure improvements required to serve the project to the extent permitted by State law. Lack of available public or private services or adequate infrastructure to serve the project which cannot be satisfactorily mitigated shall be grounds for denial of any project or cause for the reduction of size, density, and/or intensity otherwise indicated on the General Plan land use map to the extent allowed by State law.

Rationale: The project would include development that would increase demand for public services and utilities, however, conditions of approval including payment of fees, have been included to ensure adequate capacity is maintained.

2.13 The project is consistent with General Plan Policy 5.2.1.2.

Policy 5.2.1.2 requires an adequate quantity and quality of water for all uses, including fire protection, to be provided for with discretionary development.

Rationale: The project was reviewed by the Cameron Park Fire Department, and the El Dorado Irrigation District (EID) for adequate public services capacity. The site will need installation into existing EID facilities. The project, as conditioned, is consistent with this policy.

2.14 The project is consistent with General Plan Policy 5.5.2.1.

Policy 5.5.2.1 Concurrent with the approval of new development, evidence will be required that capacity exists within the solid waste system for the processing, recycling, transformation, and disposal of solid waste.

Rationale: The project would generate solid waste that would be similar in character to that associated with domestic use and construction-related waste. The project site will be served by El Dorado Disposal Service for solid waste

collection, disposal, and recycling services. El Dorado Disposal Service transports waste to the Transfer Station and Material Recovery Facility in Placerville and the Potrero Hills Landfill (CalRecycle 2015a). The Potrero Hills Landfill has a remaining estimated capacity of approximately 13.9 million cubic yards (in 2006) and is estimated to remain in operation until February of 2048. The relatively small increase in solid waste would not consume a substantial proportion of the permitted capacity at either facility and would not result in the need to expand or construct new landfill facilities. In addition, this project would adhere to all required State or County waste management ordinances and requirements, such as diversion of construction and demolition debris and hazardous waste handling requirements that ensure that use of landfill space is limited and potential for accidental spills is minimized.

2.15 The project is consistent with General Plan Policy 5.7.1.1.

General Plan Policy 5.7.1.1, Fire Protection in Community Regions, requires the applicant to demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection would be provided concurrent with development.

Rationale: Cameron Park Fire Department would provide fire protection service to the project site and ensure that water supplied to the parcels is adequate to meet emergency fire needs. Cameron Park Fire Department approved the use of the existing road and proposed flag lot driveway for fire access. The Cameron Park Fire Department has analyzed the project and has conditioned it to be consistent with this policy.

2.16 The project is consistent with General Plan Policy 5.7.2.1.

Policy 5.7.2.1 requires that prior to approval of new development, the responsible fire protection district shall be requested to review all applications to determine the ability of the district to provide protection services. The ability to provide fire protection to existing development shall not be reduced below acceptable levels as a consequence of new development. Recommendations such as the need for additional equipment, facilities, and adequate access may be incorporated as conditions of approval.

Rationale: The project was reviewed by the Transportation Department, Cameron Park Fire Department, and CALFIRE to ensure that adequate access and water would be provided to meet Fire Safe standards and conform to the County Design Improvement Standards Manual. The project proposes direct access to Woodleigh Lane, an existing public county-maintained road, for the seven (7) smaller fronting lots. Access to the larger lot is provided by a “flag” configuration of the lot, with an extended “estate” style driveway that would also connect to Woodleigh Lane. Fire protection to existing development would not be reduced below acceptable

levels, and specific conditions such as access requirements and water availability have been incorporated.

2.17 The project is consistent with General Plan Policy 5.7.4.1.

Policy 5.7.4.1 requires that prior to approval of new development, the applicant shall demonstrate that adequate medical emergency services are available and that adequate emergency vehicle access will be provided concurrent with development.

Rationale: The development would increase the need for fire protection and emergency medical services. There is adequate equipment and staff to maintain acceptable fire service ratios, response times, and other performance objectives with implementation of the project. No additional facilities would be needed to serve the project site.

2.18 The project is consistent with General Plan Policy 5.7.4.2.

Prior to approval of new development, the Emergency Medical Services Agency shall be requested to review all applications to determine the ability of the department to provide protection services. The ability to provide protection to existing development shall not be reduced below acceptable levels as a consequence of new development. Recommendations such as the need for additional equipment, facilities, and adequate access may be incorporated as conditions of approval.

Rationale: Cameron Park Fire Department (CPFD) 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 CPFD requiring compliance with their fire standards. CPFD has adequate equipment and staff to maintain acceptable fire service ratios, response times, and other performance objectives with implementation of the project. No additional facilities would be needed to serve the project site.

2.19 The project is consistent with General Plan Policy 5.8.1.1.

School districts affected by a proposed development shall be relied on to evaluate the development's adverse impacts on school facilities or the demand therefor. No development that will result in such impacts shall be approved unless:

1. To the extent allowed by State law, the applicant and the appropriate school district(s) have entered into a written agreement regarding the mitigation of impacts to school facilities; or
2. The impacts to school facilities resulting from the development are mitigated, through conditions of approval, to the greatest extent allowed by State law.

Rationale: New school facilities would likely not be needed to accommodate

anticipated increases in student enrollment resulting from the proposed project. The project site is located within the Rescue Union School District. The nearest school is Green Valley Elementary, located approximately 1.15 miles from the site. The assigned high school for this site is Ponderosa High School, El Dorado Union High School District. New development is required to provide necessary funding and/or capital facilities for the school system, as determined by applicable State-mandated development impact fees. Prior to building permit issuance for each of the proposed lots, payment of school fees would be required. The conditions of approval require the payment of school facility mitigation fees in accordance with State law.

2.20 The project is consistent with General Plan Policy 6.2.2.2.

Policy 6.2.2.2 says that the County shall preclude development in areas of high and very high wildland fire hazard or in areas identified as “urban wildland interface communities within the vicinity of Federal lands that are a high risk for wildfire,” as listed in the Federal Register of August 17, 2001, unless such development can be adequately protected from wildland fire hazard, as demonstrated in a Fire Safe Plan prepared by a Registered Professional Forester (RPF) and approved by the local Fire Protection District and/or California Department of Forestry and Fire Protection.

Rationale: The project site is in an area of high fire hazard for wildland fire pursuant to Figure 5.8-4 of the 2004 General Plan Draft EIR. The El Dorado County General Plan Safety Element precludes development in areas of high wildland fire hazard unless such development can be adequately protected from wildland fire hazards as demonstrated in a Fire Safe Plan prepared by a Registered Professional Forester (RPF) and approved by the local fire Protection District and/or California Department of Forestry and Fire Protection. Both Cameron Park Fire Department and the California Department of Forestry and Fire Protection (CALFIRE) reviewed the application and included conditions of approval regarding driveway design and maintenance. These include improvement for future fire engine access and turn-around facilities for lot 8 “flag lot.” These improvements would adequately protect all eight proposed parcels from wildland fire hazards. Implementation of the Wildland Fire Safe Plan is required as a condition of approval to reduce the potential for project construction resulting in fire that could spread to the adjacent wildland and effect existing residences.

2.21 The project is consistent with General Plan Policy 6.2.3.1.

As a requirement for approving new development, the County must find, based on information provided by the applicant and the responsible fire protection district that, concurrent with development, adequate emergency water flow, fire access, and firefighting personnel and equipment will be available in accordance with applicable State and local fire district standards.

Rationale: Cameron Park Fire Department (CPFD) 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 CPFD requiring compliance with their fire standards. The project must also adhere to an approved Wildland Fire Safe Plan. The site is approximately 2.25 miles from the nearest fire station and CPFD has adequate equipment and staff to maintain acceptable fire service ratios, response times, and other performance objectives with implementation of the project.

2.22 The project is consistent with General Plan Policy 6.2.3.2.

Policy 6.2.3.2 requires that new development demonstrate that adequate access exists, or can be provided, to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Rationale: The project must prepare and adhere to the approved Wildland Fire Safe Plan, as well as the conditions added as recommended by both the Cameron Park Fire Department and CALFIRE for emergency vehicle access including roadway widths and turning radii, fire flow and sprinkler requirements, and vehicle ingress/egress. Compliance with these requirements will assure adequate emergency access and evacuation routes.

2.23 The project is consistent with General Plan Policy 6.7.7.1.

The County shall consider air quality when planning the land uses and transportation systems to accommodate expected growth, and shall use the recommendations in the most recent version of the El Dorado County Air Quality Management (AQMD) Guide to Air Quality Assessment: Determining Significance of Air Quality Impacts Under the California Environmental Quality Act, to analyze potential air quality impacts (e.g., short-term construction, long-term operations, toxic and odor-related emissions) and to require feasible mitigation requirements for such impacts. The County shall also consider any new information or technology that becomes available prior to periodic updates of the Guide. The County shall encourage actions (e.g., use of light-colored roofs and retention of trees) to help mitigate heat island effects on air quality.

Rationale: 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, as detailed in Section 4.8, "Air Quality" of the General Plan EIR. The project will be conditioned to implement Conditions of Approval measures to reduce emissions. As the project is for a subdivision, heat island effects are not anticipated. The project is in compliance with the General Plan Policy.

2.24 The project is consistent with General Plan Policy 6.8.1.1.

General Plan Policy 6.8.1.1 requires that development within the Airport Influence Area of the Placerville Airport, the Cameron Airpark Airport, and the Georgetown Airport shall comply with El Dorado County Airport Land Use Commission's policies and maps as set forth in the Airport Land Use Compatibility Plan (ALUCP) for each airport. The project is located in the Georgetown Airport Influence Area, and considered part of the overflight area. These are locations where overflying aircraft can be intrusive and annoying to many people. Noise and safety are not considered a concern in the project area. The site is not located in an airport safety zone, airspace approach, or transitional zone.

Rationale: The project is a residential development within the Safety Zone 6 of the Cameron Airpark Influence Area. Residential projects within Safety Zone 6 are not restricted for safety compatibility purposes. The project was routed to the Airport Land Use Commission (ALUC), who identified that their review is not required. The project complies with the Airport Land Use Commission.

2.25 The project is consistent with General Plan Policy 7.1.2.1.

General Plan Policy 7.1.2.1 prohibits development or disturbance on slopes exceeding 30 percent unless necessary for access.

Rationale: Approximately 96 percent of the site's topography contains less than 30 percent slopes. No development would occur on sites with slopes 30 percent or greater; therefore, the project complies with the policy related to steep slopes.

2.26 The project is consistent with General Plan Policy 7.3.2.2.

Policy 7.3.2.2 says that projects requiring a grading permit shall have an erosion control program approved, where necessary.

Rationale: Grading and improvement plans are required to reduce or mitigate erosion and sedimentation from the project. The grading plans would incorporate appropriate erosion control measures as provided in the Grading, Erosion and Sediment Control Ordinance and El Dorado County SWMP. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps would be implemented.

2.27 The project is consistent with General Plan Policy 7.4.4.4.

General Plan Policy 7.4.4.4 requires all new non-exempt development projects that would result in impacts to oak resources in accordance to the standards of the Oak Resources Management Plan (ORMP).

Rationale: The proposed project does not propose to remove or impact any oak resources. The identified oak trees on the Sierra Sunrise project will remain at the project site. If oak trees are to be impacted, the applicant will be required to obtain an Administrative Permit and pay all applicable oak resources mitigation fees in accordance with the ORMP.

2.28 The project is consistent with General Plan Policy 7.5.1.3.

According to Policy 7.5.1.3, cultural resource studies (historic, prehistoric, and paleontological resources) shall be conducted prior to approval of discretionary projects.

Rationale: The project site was evaluated for historic, prehistoric, and archaeological resources, which included record searches and field surveys. The project will be conditioned to implement measures to protect the potential for discovering previously unknown resources. The project is in compliance with the General Plan Policy.

3.0 ZONING FINDINGS

3.1 The proposed use is consistent with Title 130.

The parcel is zoned Single-unit Residential (R1). The project has been analyzed in accordance with Zoning Ordinance Section 130.24.030 (Development Standards) for minimum lot size, widths, and building setbacks.

Rationale: The proposed project is consistent with the Single-Unit Residential (R1) zoning designation. The project has been analyzed in accordance with Zoning Ordinance Section 130.24.030 (Development Standards) for minimum lot size, dimensions, height, and building setbacks. Setbacks within the R1 zone are 20 feet for the front setback, five feet for the side setback, and 15 feet for the rear setback. Furthermore, parcels that are greater than one acre in lot size are required to comply with fire safe setbacks of 30 feet from all property lines. The project, as proposed and conditioned, is consistent with the Zoning Ordinance, because the parcels have been designed to comply with the applicable development standards as provided within Section 130.24.30 of the County Code.

3.2 The proposed use is consistent with Section 130.37.060.

Noise sensitive land uses affected by non-transportation noise sources shall not exceed standards set forth in Table 130.37.060.1 (Noise Level Performance Standards for Noise Sensitive Land Uses Affected By Non-Transportation Sources).

Rationale: The proposed use for the site is single-family residential lots. No new non-transportation noise sources are proposed. Noise levels are not expected to change as a result of this project, as the project would not add any new sources of noise beyond those expected from a residential use. The driveways and new home construction would require the use of trucks and minor fill and grading, which may result in short-term noise impacts to surrounding neighbors. The newly created lots will create one residence on each lot; therefore, the project is not expected to generate noise levels exceeding the performance standards established in the General Plan and Zoning Ordinance. The proposed project would not expose people to noise levels in excess of standards established in the General Plan.

4.0 TENTATIVE SUBDIVISION MAP FINDINGS

4.1 The project is consistent with Section 120.44.030.

Section 120.44.030 of the Subdivision Ordinance. - Findings Requiring Disapproval, says that the approving authority shall not approve a tentative map if the approving authority makes any of the following findings:

A. That the proposed map is not consistent with applicable general and specific plans;

Rationale: The proposed tentative map and the design of improvements of the subdivision are consistent with the General Plan. The proposed project would not require a General Plan Amendment, as it is currently consistent with the General Plan land use designations and densities of the High Density Residential (HDR) land use designation. The proposed development will avoid impacts to the oak woodland habitat and mitigate those it affects as stated in the Initial Study and Conditions of Approval.

B. That the design or improvement of the proposed division is not consistent with applicable general and specific plans;

Rationale: The design of the proposed tentative map and development plan are consistent with the General Plan. The Project site is 10 acres and is proposed to be subdivided into 8 residential parcels ranging in size from 17,329 to 261,280 square feet. The site is surrounded by both single-family residential development and undeveloped parcels. Adequate access and utility-related infrastructure can be provided. The site is located

appropriately for the development and physically suited for the proposed uses. There are no specific plans applicable to the project site.

C. That the site is not physically suitable for the type of development;

Rationale: The project has been designed to utilize the developable areas of the site. Slopes exceeding 30 percent have been avoided and the placement of building areas and new roads and driveways will avoid impacts to existing oaks. The site is located appropriately for the development and physically suited for the proposed uses. The site is physically suitable for both the type and density of the development.

D. That the site is not physically suitable for the proposed density of development;

Rationale: The proposed project is consistent with the General Plan land use designations and densities of the High Density Residential (HDR) land use designation. The proposed tentative map and the design of improvements of the subdivision are consistent with the General Plan. The proposed tentative map 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. According to the General Plan, standard residential subdivisions in the HDR land use designation shall maintain a density range from one to five dwelling unit per acre. The tentative map would create 8 parcels ranging in size from 17,329 to 261,280 square feet for a density of 1.6 units per acre. The development density would be similar to the residential development in the Cameron Park area.

E. 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;

Rationale: 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. The project is not within or adjacent to the Important Biological Corridor or rare plant preserve. The project is not within or adjacent to wetlands or riparian features. The proposed subdivision would not cause substantial environmental damage and would not substantially and unavoidably injure wildlife or their habitat.

F. That the design of the division or the type of improvements is likely to cause serious public health hazards;

Rationale: The design of the subdivision and 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. The project, as conditioned, will be required to control diesel particulate matter emissions during construction. With implementation of the Transportation Department 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 high wildfire hazard risk. As conditioned, the proposed project is required to comply with all Cameron Park 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 their weed and rubbish abatement ordinance that must be followed as appropriate.

G. That the design of the division or the improvements are not suitable to allow for compliance of the requirements of public resources code § 4291;

Rationale: The required road improvements will be consistent with the County Design Manual. Construction activities on the project site would incorporate standard Best Management Practices to reduce the potential for project construction to result in fire that could spread to the adjacent existing residences. The Cameron Park Fire Department has established a set of conditions, which would reduce the potential for project construction resulting in fire that could spread to the adjacent existing residences.

H. That the design of the subdivision or the type of improvements will 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.

Rationale: 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.

5.0 DESIGN WAIVER FINDINGS

- 5.1 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:

Design Waiver Request 1: Flag Lot 8, increase allowed narrow access portion of flag lot from 100 feet to 232 feet in length.

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

The increased access length will allow lot 8, and adjacent lots, to better conform to the existing topography and natural features on the site.

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

The shorter access length would increase the landform disturbance and require extensive grading work, additional retaining wall, and would impede the applicant's ability to reduce impacts.

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

The project is proposing residential lots with private driveways. This request will not be detrimental to 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 proposed waiver would not have the effect of nullifying this subpart or any other law or ordinance applicable to the subdivision.

Design Waiver Request 2: Asphalt Dike, allow Woodleigh Lane to remain Asphalt Dike in lieu of Concrete Curb and Gutter along project frontage.

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

Woodleigh Lane was constructed by other adjacent development in the area without curb and gutter. Instead, asphalt dike was installed to convey runoff water within the street. Concrete curb and gutter ends approximately 200 feet north of the project's north boundary.

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

Strict application of the Design Standard would result in additional expense and creation of additional hardscape. The project is within the Cameron Park Community Region and the lots are larger than 10,000 square feet. The proposed improvement of concrete curb is not necessary, according to the County of El Dorado Transportation Department.

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

This request will not be detrimental to 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.*

Even with this deviation, the applicant believes that the section meets the intent of the standards by keeping the already existing asphalt dike in place.