



# County of El Dorado

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## Legislation Details (With Text)

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**File created:** 8/29/2008      **In control:** Board Of Supervisors

**On agenda:** 9/23/2008      **Final action:** 9/23/2008

**Title:** Hearing to consider the following pertaining to 35.19 acres in the El Dorado Hills area; Applicant: Steve and Tina Farren:

(1) Rezone (Z07-0032) APN 126-100-11 from Estate Residential Five-acre (RE-5) to Estate Residential Five-Acre-Planned Development (RE-5/PD) zone;

(2) Planned Development (PD07-0019) and Tentative Subdivision Map (TM07-1447) to create 12 single family lots ranging in size from 1.0 to 7.2 acres and one open space lot totaling 15.4 acres with design waivers to allow Lot 4 to exceed a 3:1 depth to width ratio, two 12-foot paved lanes with unpaved shoulders for road and cul-de-sac (Court A), and reduction of the right of way width requirement to 50 feet in place of the required 60 foot right of way;

(3) Special Use Permit (S08-0014) to allow the construction of a private entry gate within an existing County right of way; and

(4) Ordinance 4788 for said rezone.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z07-0032 TM07-1447 PD07-0019 S08-0014 Findings Conditions.pdf, 2. Z07-0032 TM07-1447 PD07-0019 S08-0014 Minutes 081408.pdf, 3. Z07-0032 TM07-1447 PD07-0019 S08-0014 Public Comments.pdf, 4. Z07-0032 TM07-1447 PD07-0019 S08-0014 Revised Staff Report with Memo.pdf, 5. Z07-0032 TM07-1447 PD07-0019 S08-0014 Attorney Letters.pdf, 6. Z07-0032 TM07-1447 PD07-0019 S08-0014 Minutes 072408.pdf, 7. Z07-0032 TM07-1447 PD07-0019 S08-0014 LAFCO Comments.pdf, 8. Letter from Resident in EDC att'd 9-11-08.pdf, 9. Map - circulation 08-1391 att'd 9-18-08.pdf, 10. email from C. McDougal, B. Hablitzel, and B. Welty att'd 9-22-08.pdf, 11. Letter from B. Laurie att'd 9-22-08.pdf, 12. Letter from D. Barton att'd 9-22-08.pdf, 13. email from P. Sayegh att'd 9-22-08.pdf, 14. Letter from D. Barton email att'd 9-22-08.pdf, 15. email from P. Sayegh att'd 9-23-08.pdf, 16. Application of Divisions; Exclusions att'd 10-31-08.pdf, 17. 1273.09 Dead-End Roads att'd 10-31-08.pdf, 18. Letter from Cheryl McDougal att'd 10-31-08.pdf, 19. Memo from Gina Hunter att'd 10-31-08.pdf, 20. email from D. Proud att'd 10-31-08.pdf

Date	Ver.	Action By	Action	Result
9/23/2008	1	Board Of Supervisors	Denied	Pass

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unpaved shoulders for road and cul-de-sac (Court A), and reduction of the right of way width requirement to 50 feet in place of the required 60 foot right of way;

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**RECOMMENDED ACTION:** Planning Commission recommending the Board of Supervisors take the following action: 1. Adopt the mitigated negative declaration based on the initial study prepared by staff; 2. Adopt the mitigation monitoring program in accordance with CEQA guidelines, Section 15074 (d) incorporated as Conditions of Approval in Attachment 1; 3. Approve Design Waiver requests 1 and 3 to allow Lot 4 to exceed a 3:1 ratio and to allow a 50 foot right-of-way in place of a 60 foot right-of-way; 4. Deny Design Waiver request 2 for two 12 foot paved lanes with unpaved shoulders for road and cul-de-sac (Court A); 5. Deny S08-0014 as the required findings cannot be made; and 6. Approve Z07-0032/TM07-1447/PD07-0019 with the additional fire department conditions (identified as #41, #42, and #43 in Attachment 1), based on the findings proposed by staff, subject to the conditions as modified.

Staff recommends the Board accept the amendments proposed to the staff report recommended for approval by the Planning Commission on August 14, 2008.

Background: These applications were considered by the Planning Commission on August 14, 2008, and unanimously recommended to approve Z07-0032/TM07-1447/PD07-0019 and deny S08-0014.

José Henríquez, LAFCO Executive Officer, stated he didn't have time to comment on the Mitigated Negative Declaration (MND), therefore, he had sent a letter to the Commission, dated August 6, 2008, stating LAFCO's concerns. In summary, from the letter, the concerns of the MND are water service, wastewater service, inaccurate statements regarding the parcel's need to annex into the El Dorado Hills County Water District for fire protection services, and that there is no discussion on the project's impacts to the El Dorado Hills Community Services District. If these concerns are not addressed in the MND and the Planning Commission and the Board of Supervisors approves this project, LAFCO would have to require the applicant to provide a new Environmental Review document.

Bob Laurie, applicant's representative, indicated that this project was deemed complete a year ago and since then they have been addressing staff inquiries and answering questions raised by staff and the public.

Bobbie Lebeck, applicant's engineer, stated the applicant had wanted to protect the natural resources and therefore utilized "clustering". The proposed one (1) acre parcels are consistent with the surrounding parcels and that the County had stated that there was to be no further encroachment to Salmon Falls Road. Eileen Crawford explained that DOT has stated that there is not to be access from Salmon Falls Road because the site is not optimum and there were other safer viable entrances to the project.

Jim O'Camb with the Fire Protection District, stated that the dead-end road had been his primary issue with the project. However, an agreement had been reached, based on what the codes allow. These new condition changes were identified and discussed with the Commission.

Numerous neighbors (which included Frank Pazdurek, Kyle Fields, Cheryl McDougal, Vern Miller Scott Blaze, Barbara Shaw, Doreen Barton, Paul Sayegh, and Delores Knapp) spoke in opposition to the project and expressed concerns ranging from the classification of the creek and flooding, safety issues on Malcom-Dixon Road, the bonus density provision, and the request to consider all the applications being processed for that area as a whole and at the same time.

Commissioner Knight felt that the designation of the creek should be resolved.

Contact: Lawrence W. Appel (7698)/Gina Hunter (3617)