



# County of El Dorado

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## Legislation Details (With Text)

**File #:** 21-1529      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 9/16/2021      **In control:** Board of Supervisors

**On agenda:** 9/28/2021      **Final action:** 9/28/2021

**Title:** HEARING - To consider a request by Save Our County and Ruth Michelson appealing the Planning Commission's August 26, 2021 approval of Planned Development PD08-0004 and Tentative Subdivision Map TM08-1464 (Serrano Village A14) authorizing: A) Development Plan for the Serrano Village A-14 residential subdivision including modifications to the development standards for the Single-unit Residential (R1) zone district including minimum lot size, minimum lot dimensions and building setbacks; B) A Phased Tentative Subdivision Map of a 35.78-acre parcel creating 51 single-unit residential lots ranging from 3,760 to 10,362 square feet in size, five landscape lots, one open space lot, three remainder lots and one 20.25-acre lot (for the approved Serrano Village C Phase 2 Tentative Map); and C) Design Waiver of the following El Dorado County Design and Improvement Standards Manual (DISM) road improvement standards: 1) Modification of Standard Plan 101B standards for roadway rights-of-way and improvement widths (including sidewalks and curbs) as shown on the Tentative Subdivision Map; 2) Reduction of a 100-foot centerline curve radii on B Street at Lots 3 and 43; 3) Modification of the standard road encroachment under Standard Plan 110 to allow for an entry gate and landscaping median at Russi Ranch Drive and future Country Club Drive; and 4) Reduction of standard lot frontage width of 60 feet to 47 feet or as otherwise dimensioned on the tentative map; on property identified by Assessor's Parcel Number 122-590-003, consisting of 35.78 acres, in the El Dorado Hills area, submitted by Serrano Associates LLC. Staff recommends the Board take the following actions:

- 1) Find the project to be Statutorily Exempt pursuant to Section 15182 of the CEQA Guidelines;
- 2) Deny Appeal TM-A21-0001 of the Planning Commission's approval of Serrano Village A-14 Planned Development PD08-0004 and Tentative Subdivision Map TM08-1464 (Serrano Village A14); and
- 3) Uphold the Planning Commission's approval of Planned Development PD08-0004 and Tentative Subdivision Map TM08-1464 (Serrano Village A14), subject to the Findings, Conditions of Approval, modified Design Waivers and modifications to the Single-unit Residential (R1) zone district development standards as approved by the Planning Commission on August 26, 2021. (Supervisory District 1)

**FUNDING:** Appellant application processing fees received under appeal application TM-A21-0001.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. A - Staff Memo 09-20-21, 2. B - TM-A21-0001 Appeal Form, 3. C - Findings, 4. D - Conditions of Approval, 5. E - Planning Commission Minute Orders, 6. F - Notification Map (1000 feet), 7. G - Proof of Publication-Mt. Democrat, 8. Public Comment BOS Rcvd. 9-28-2021, 9. Public Comment BOS Rcvd. 9-27-2021, 10. Appellant Response BOS RCVD 9-29-2021, 11. RECEIPT Notice of Exemption, 12. Supervisor Turnboo's Questions posed to staff, 13. History of Approved Design Waivers Handout BOS Rcvd 9-28-2021, 14. FILED Notice of Exemption, 15. FINAL Conditions of Approval, 16. FINAL Findings, 17. APPROVED STAMPED Exhibits G, O, P, Q, 18. APPROVED STAMPED Maps

| Date      | Ver. | Action By            | Action   | Result |
|-----------|------|----------------------|----------|--------|
| 9/28/2021 | 1    | Board of Supervisors | Failed   | Fail   |
| 9/28/2021 | 1    | Board of Supervisors | Approved | Pass   |

**HEARING** - To consider a request by Save Our County and Ruth Michelson appealing the Planning

Commission's August 26, 2021 approval of Planned Development PD08-0004 and Tentative Subdivision Map TM08-1464 (Serrano Village A14) authorizing: A) Development Plan for the Serrano Village A-14 residential subdivision including modifications to the development standards for the Single-unit Residential (R1) zone district including minimum lot size, minimum lot dimensions and building setbacks; B) A Phased Tentative Subdivision Map of a 35.78-acre parcel creating 51 single-unit residential lots ranging from 3,760 to 10,362 square feet in size, five landscape lots, one open space lot, three remainder lots and one 20.25-acre lot (for the approved Serrano Village C Phase 2 Tentative Map); and C) Design Waiver of the following El Dorado County Design and Improvement Standards Manual (DISM) road improvement standards: 1) Modification of Standard Plan 101B standards for roadway rights-of-way and improvement widths (including sidewalks and curbs) as shown on the Tentative Subdivision Map; 2) Reduction of a 100-foot centerline curve radii on B Street at Lots 3 and 43; 3) Modification of the standard road encroachment under Standard Plan 110 to allow for an entry gate and landscaping median at Russi Ranch Drive and future Country Club Drive; and 4) Reduction of standard lot frontage width of 60 feet to 47 feet or as otherwise dimensioned on the tentative map; on property identified by Assessor's Parcel Number 122-590-003, consisting of 35.78 acres, in the El Dorado Hills area, submitted by Serrano Associates LLC. Staff recommends the Board take the following actions:

- 1) Find the project to be Statutorily Exempt pursuant to Section 15182 of the CEQA Guidelines;
- 2) Deny Appeal TM-A21-0001 of the Planning Commission's approval of Serrano Village A-14 Planned Development PD08-0004 and Tentative Subdivision Map TM08-1464 (Serrano Village A14); and
- 3) Uphold the Planning Commission's approval of Planned Development PD08-0004 and Tentative Subdivision Map TM08-1464 (Serrano Village A14), subject to the Findings, Conditions of Approval, modified Design Waivers and modifications to the Single-unit Residential (R1) zone district development standards as approved by the Planning Commission on August 26, 2021. (Supervisory District 1)

**FUNDING:** Appellant application processing fees received under appeal application TM-A21-0001.

### **DISCUSSION / BACKGROUND**

On September 3, 2021, Save the County and Ruth Michelson formally filed an appeal of the Planning Commission's approval of Serrano Village A-14 project on August 26, 2021. The appellants contend that the Planning Commission formally denied the project on July 22<sup>nd</sup> and therefore, the subsequent meetings and eventual project approval rendered on August 26<sup>th</sup> should not have occurred.

Specifically, the appellant argues that the approval of the project's modified residential development standards (e.g. reduced residential lot size, setbacks, and driveway lengths) would result in public safety concerns and, therefore, the approval is inconsistent with the General Plan, Zoning Ordinance, and the California Environmental Quality Act (CEQA). The appellants also allege that the project approval was not properly conducted in accordance with the Ralph C. Brown Act.

Staff's response to the appeal and conclusions are detailed in the memorandum attached as Attachment A.

### **ALTERNATIVES**

As an alternative to denying the appeal and upholding the Planning Commission approval, the Board may elect to take additional actions including the following:

- 1) Approve the appeal and deny the project, reversing the Planning Commission approval of Planned Development PD08-0004 and Tentative Subdivision Map TM08-1464 (Serrano Village A14), and approve Findings for Denial as previously submitted by staff for the Planning Commission meeting on August 12<sup>th</sup>; or

2) Remand the project to the Planning Commission for further review of specified Findings, Conditions of Approval, Design Waiver modifications, or modified Development Standards of the Single-Unit (R1) Residential Zone District as may be determined by the Board of Supervisors.

**PRIOR BOARD ACTION**

N/A

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Department of Transportation and El Dorado Hills Fire Department

**CAO RECOMMENDATION**

N/A. Pursuant to Section 2.13.050 of the County Code of Ordinances, the Chief Administrative Officer does not make recommendations on those items scheduled for public hearing through the Planning Commission.

**FINANCIAL IMPACT**

Appellant application processing fees received under appeal application TM-A21-0001.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

**STRATEGIC PLAN COMPONENT**

Economic Development. This project aligns with the Economic Development goals of the County's Strategic Plan as the project would allow for the development of 51 additional single-family residential units that would provide property tax revenue.

**CONTACT**

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Planning and Building Department