

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION STAFF REPORT**



Agenda of: July 12, 2007

Item No.: 12.

Staff: Mel Pabalinas

SUBDIVISION MAP/PLANNED DEVELOPMENT REVISION

FILE NUMBER: TM01-1381R/PD01-0009R/Serrano, Village M Phase 5

APPLICANT: Serrano Associates, LLC

REQUEST: The project consists of the following:

1. Merge a 0.47 acre portion of Open Space Lot G within Village M, Phase 5;
2. Reconfigure and re-subdivide Village M, Phase 5 adding three custom residential lots resulting in a total of 10 residential lots, one open space lot and two landscape lots; and
3. A request for design waivers of the following El Dorado County Design and Improvement Standard Manual standards:
 - a. Reduction of road right-of-way widths from 50 to 36 feet for the access courts.
 - b. Reduction in cul-de-sac right-of-way diameter of improvements from 100 to 80 feet and cul-de-sac right-of-way from 60 to 47 feet

LOCATION: West side of Appian Way, at the intersection with Sangiovese Drive in the El Dorado Hills area, Supervisorial District I (Exhibit A).

APN: 123-020-06 and -05

ACREAGE: 8.36 acres

GENERAL PLAN: Adopted Plan (AP) El Dorado Hills Specific Plan (Exhibit B)

ZONING: One-half Acre Residential-Planned Development (R20,000-PD) and Open Space (OS) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Statutorily Exempt pursuant to Section 15182 of the CEQA Guidelines

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND

Village M

The El Dorado Hills Specific Plan was approved by the El Dorado County Board of Supervisors on July 18, 1988. The Plan was designed to be consistent with and represent a refinement and expansion of the El Dorado Hills/Salmon Falls Area Plan. Coupled with the Development Agreement, the El Dorado Hills Specific Plan provides comprehensive policies for the development of a Master Planned Community encompassed within approximately 4,000 acres of property. The identified land uses vary from High Density Residential (ranging from three to five dwelling unit/acre with planned development), Commercial, Public and Private Open Space, and recreational golf course. The Specific Plan provides for 6,160 dwelling units. At this time, it is projected that approximately 4,950 dwelling units will be developed at buildout.

Village M is located along the northern border of the El Dorado Hills Specific Plan characterized by areas of dense tree cover, wildlife habitat, and rolling-to-steep topography. This village is reserved for large residential lots within the Specific Plan ranging from four to seven acres in size. These lots provide a buffer between the northern edge of the Plan Area and the large rural lots to the north and the agricultural preserve to the east. The rural character of Village M would be maintained by the use of a standard rural road system of aggregate or chip seal surface. Water and sewer lines would be located within the public right-of-way. Village M, though large in acreage, was contemplated to accommodate approximately 37 dwelling units.

Section 2.1.1 of the El Dorado Hills Specific Plan Development Agreement acknowledges that the number of dwelling units in any of the residential neighborhoods or any of the villages may vary within the Specific Plan, and a density transfer between villages may occur provided that the following criteria are not exceeded: 1) the density for the village permitted by the El Dorado Hills/Salmon Falls Area Plan (5.0 dwelling units/acre) as it exists at the time of the effective date of the Agreement; 2) the total units (6,160 dwelling units); 3) total gross (1.58 du/ac) and net (3.05du/ac) densities of the Specific Plan.

Tentative Map TM01-1381/PD01-0009/Village M1 and M2

As depicted in Table 1 below, Tentative Map TM01-1381 was approved on January 24, 2002, for 90 residential and 7 open space lots on a 243.97 acre site. Phase 5 of Village M consisted of seven residential lots ranging from 0.66 to 1.73 acres. A subsequent revision was approved on February 9, 2006, which resulted in reconfiguring and re-creation of the approved tentative map lots resulting in 30 additional lots, totaling 103 Village M lots. Phase 5 was not affected by this revision.

Table 1. Village M and TM01-1381/PD01-0009

Village M	Phase	Approval Date	Lots	Note
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			(Residential/Open Space)	
Contemplated by Specific Plan	NA	NA	37 estate residential lots/ undetermined open space lots	Entire Village M composed of 243.9 acres; 0.15 du/ac
TM01-1381/PD01-009 (Original Application)	M1/M2	January 24, 2002	90/7	0.36 acres du/ac; 17 residential/ one (1) open space recorded under TM01-1381F resulting in 73 unrecorded lots
TM01-1381R/PD01-009R (First Revision)	M2/M3	February 9, 2006	25/5	0.40 du/ac; Village M increased to 98 residential lots (103 total lots)
TM01-1381R/PD01-009R (Current Revision)	M5	Pending	10/3	Second revision to Village M tentative map; 1.19 du/ac; this phase was originally approved for seven (7) residential lots; the additional three (3) residential lots and three (3) open space lots would increase the Village M lots to 101 residential lots (104 lots total)

STAFF ANALYSIS

Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the proposal and issues for Planning Commission consideration are provided in the following sections.

Project Description

The proposed revision to Village M, Phase 5, includes the following: a) merging of a 0.47 acre portion of Open Space Lot G (finalized and recorded under application TM01-1381F) with Village M, Phase 5; 2) reconfigure and re-subdivide Village M, Phase 5 adding three custom residential lots (resulting in 10 total residential lots), one open space lot, and two landscape lots; b) design waivers to

reduce the right-of-way width from 50 feet to 36 feet for the access courts in conformance to the width of improvements and reduction of the cul-de-sac turnarounds from 100 to 80 feet in diameter and cul-de-sac right-of way radius from 60 to 47 feet (Exhibit D).

The proposed custom residential lots range from 0.49 to 1.63 acres in size. Each lot conforms to the development standards (ie. frontage width and minimum parcel size) under One-half Acre Residential (R20,000) Zone District. Lots 1 and 2 contain a portion of an intermittent stream with a 50-foot buffer, in conformance with the minimum buffer required under General Plan Policy 7.3.3.4. Development of these custom residential lots is subject to a development notebook prepared by the applicant at the time for final map for the tract. Subject to review by the Serrano Architectural Review Committee, the development notebook details the building envelope, location of the driveway entrance, oak tree protection measures, and building setbacks for each lot. Landscape Lots A and B are located at the entrance to the subdivision while open space Lot C is located at the southern end of the tract.

The gated subdivision would be served by a 26-foot wide (road width) internal road off Appian Way and dead ends into two separate cul-de-sacs. The roads would be constructed based on the Standard Plan 101B and 114 of the El Dorado County Design and Improvement Standard Manual. All lots are accessed exclusively via this internal road. Water and sewer services would be provided by the El Dorado Irrigation District (EID). EID currently has an eight-inch potable water line located along Sangiovese Drive and Greyson Creek Drive east of the site. A six-inch sewer line exists along Appian Way and Sangiovese Drive, and an eight-inch off-site sewer line in Highland View–Unit 1. These sewer lines have adequate capacity at this time. In order to receive service, these existing lines would be extended in accordance with EID standards.

Site Description

The project is located on slopes that range from 5 percent to over 40 percent. There are buildable sites on the lots that avoid the 30 percent and above sloped areas. The dominant vegetation on the site consists of native grasses. Seven mature oak trees are located near the northern portion of the property, and a cluster of smaller oak trees is located on the southern portion of the property (identified as Lot C).

Adjacent Land Uses

	Zoning	General Plan	Land Use/Improvements
North	One-Half Acre Residential (R-20,000)	High Density Residential (HDR)	Single family residential units/Highland View Subdivision.
South	Single Family Residential/ Open Space (R1/OS)	Adopted Plan (El Dorado Hills Specific Plan)	Single family residential units/Open Space
East	One-Half Acre Residential (R-20,000)/Open Space R20,000/OS	Adopted Plan (El Dorado Hills Specific Plan)	Single family residential units/Open Space
West	Single Family Residential (R1)	High Density Residential (HDR)	Single family residential units

General Plan

The El Dorado County General Plan designates the subject site as Adopted Plan, a designation in reference to areas where specific plans have been adopted. These plans and the respective land use maps are accepted and incorporated by reference and are hereby adopted as the General Plan Land Use map for such area. Since the El Dorado Hills Specific Plan has been incorporated by reference under General Plan Land Use Element Policy 2.2.1.2, the proposed tentative map revision is found to be consistent with the General Plan.

Specific Plan

Village M is identified in the Specific Plan as an area reserved for large estate residential lots ranging from four to seven acres in size. Consistent with the density transfer provision in the El Dorado Hills Specific Plan Development Agreement, recent tentative maps for Village M increased the number of residential lots from 37 estate parcels to 101 custom lots in 5 phases. The proposed revision would reconfigure Village M, Phase 5, and create three additional residential lots resulting in a total of 10 custom residential lots. The resulting density (1.19 du/ac) is below the maximum density of 5.0 du/ac permitted by the El Dorado Hills/Salmon Falls Area Plan, is within the total residential units (6,160 dwelling units) projected for the entire Specific Plan, and does not exceed the gross (1.58 du/ac) and net (3.05du/ac) densities of the total Specific Plan. Therefore, the proposed tentative map revision is found to be consistent with the El Dorado Hills Specific Plan.

Zoning

The project site is zoned One-half Acre Residential District -Planned Development (R20,000-PD) and Open Space (OS). The proposed residential lots meet the minimum parcel size of 20,000 square feet and lot width of 100 feet.

Subdivision Ordinance

As detailed in Attachment 2, the proposed revision to the tentative subdivision map is found to be consistent with Section 16.12.030 of the El Dorado County Subdivision Ordinance.

Planned Development

The revision to the development plan has been reviewed pursuant to Chapter 17.02 of the El Dorado Zoning Code (planned development). In accordance with Section 17.04.030 of the County Code, a development plan cannot be approved unless the Planning Commission can make six specific findings. As further discussed in Attachment 2, staff concludes that the required findings can be made to support the proposed development plan.

Design Waivers

Design Waivers have been requested for the following standards:

- A. Reduction of road right-of-way from 50 to 36 feet for the onsite access courts; and
- B. Reduction in cul-de-sac right-of-way diameter of improvements from 100 feet to 80 feet and cul-de-sac right-of-way from 60 to 47 feet.

This reduced right-of way and cul-de-sac turnaround improvements are typical of the private road system within the overall Serrano development area. Both the Department of Transportation and the El Dorado Hills Fire Department recommend approval of the revision. As further discussed in Attachment 2, staff concludes that the required findings under Chapter 16.08.020 of the El Dorado County Subdivision Ordinance can be made to support the design waivers.

Other Issues

El Dorado Hills Fire Department Comments on Gates

El Dorado Hills Fire Department stated its strong opposition to the installation of access control (barriers) gates in this subdivision. The Department indicated that the installation of gates could potentially obstruct and further delay response to emergency situation. The department recommends the following conditions (as shown in Attachment 1) be added to the project:

- 34. The applicant shall sign a contract with the Fire Department for the installation of the access control barrier prior to installation;
- 35. The applicant shall be required to install the access control barrier in accordance with Fire Department requirements; and
- 36. The development shall be prohibited from the installation of any other control barrier within the gated community

According to the applicant, the original tentative map (TM01-1381) was approved for gated entrance and that the stipulations from the Department provided above were previously not required. Also,

there are 17 gated entrances currently within the various villages of the Planning Area. The applicant is not agreeable to Condition 34 given that the details of the contract are currently not known. However, the applicant is agreeable to the other conditions with the following revision to Condition No.35 below (shown with underline). The Planning Commission would need to determine the final condition wording.

36. The applicant shall be required to install the access control barrier in accordance with Fire Department requirements consistent with previous Serrano approvals.

ENVIRONMENTAL REVIEW

The project is a residential project and a part of an adopted Specific Plan, this project is statutorily exempt from the requirements of CEQA pursuant to Section 15182 stating that a residential project is exempt where a public agency has prepared an EIR on a specific plan after January 1, 1980. No impacts have been identified which were not discussed and mitigated in the EIR. No further environmental analysis is necessary.

Pursuant to Resolution No. 240-93, a \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Determination.

RECOMMENDATION

1. Certify the project as Statutorily Exempt from CEQA pursuant to Section 15182;
2. Approve PD01-0009R, adopting the development plan as the official development plan, based on the required Findings in Attachment 2 and Conditions of Approval in Attachment 1;
3. Approve TM01-1381R based on the required Findings in Attachment 2 and Conditions of Approval in Attachment 1; and
4. Approve the following design waivers based on the required Findings in Attachment 2:
 - a. Reduction of road right-of-way widths from 50 to 36 feet for the onsite access courts; and
 - b. A reduction in cul-de-sac right-of-way diameter of improvements from 100 to 80 feet, and cul-de-sac right-of-way from 60 to 47 feet.

SUPPORTING INFORMATION

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Vicinity Map
Exhibit B	General Plan Land Use Map
Exhibit C	Zoning Map
Exhibit D	Project Maps and Plans

ATTACHMENT 1

CONDITIONS OF APPROVAL

FILE NUMBER TM01-1381R/PD01-0009R

1. This revision to an approved Tentative Subdivision Map and Planned Development is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits, dated July 12, 2007, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

- A. Merge 0.47 acre portion of Open Space Lot G with Village M, Phase 5;
- B. Reconfigure and re-subdivide Village M, Phase 5 adding three custom residential lots, one open space lot and two landscape lots; and
- C. Design waiver(s) of the following Design and Improvement Manual Standard:
 - a. Reduction of road right-of-way width to conform to actual street width improvements from 50 to 36 feet for the access courts.
 - b. A reduction in cul-de-sac turnarounds to 80 feet diameter improved surface in a right-of-way of 47 feet radius.

The proposed residential lots range from 0.49 to 1.63 acre in size. Each lot conforms with the development standards (i.e., frontage width and minimum parcel size) under One-half Acre Residential (R-20,000) Zone District. Development of these custom residential lots is subject to a development notebook prepared by the applicant at the time of final map for the tract. Subject to review by the Serrano Architectural Review Committee, the development notebook details the building envelope, location of the driveway entrance, and building setbacks for each lot. Landscape Lots A and B are located at the entrance to the subdivision while open space Lot C is located at the southern end of the tract.

Water and sewer services would be provided by the El Dorado Irrigation District (EID). EID currently has an eight-inch potable water line located along Sangiovese Drive and Greyson Creek Drive to east. A six-inch sewer line exists along Appian Way and Sangiovese Drive, and an eight-inch off-site sewer line in Highland View, Unit 1. These sewer lines have adequate capacity at this time. In order to receive service from these existing lines, an extension of facilities of adequate size must be constructed. Access to the subdivision would be via an internal road off Appian Way bordering along the eastern side of the subdivision. All lots would be accessed off the internal road.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection

and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

Planning Services

2. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the California Government Code.

The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

3. Prior to issuance of building permit, the applicant shall remit payment of any outstanding fees as detailed and required in the *Agreement for Payment of Processing Fees* authorized for this project.
4. A final subdivision map shall not be recorded until an EID Water Meter Award Letter or similar document has been issued for all of the lots included in the final map and a copy filed with the Development Services/Planning Services.
5. All applicable conditions of the development plan shall be satisfied prior to recordation of the final map.
6. Where the subdivider is required to make improvements on land which neither the subdivider nor the County has sufficient title or interest to make such improvements, prior to filing of any final map or parcel map, the subdivider shall submit to the Community Development Director for approval:
 - a. A legal description prepared by a civil engineer or land surveyor of the land necessary to be acquired to complete the off-site improvements.
 - b. Improvement plans prepared by a civil engineer of the required off-site improvements.
 - c. An appraisal prepared by a professional appraiser of the cost of land necessary to complete the off-site improvements.

7. Prior to the filing of the final map, the subdivider shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required off-site improvements including the full costs of acquiring any real property interests necessary to complete the required improvements.
8. In addition to the agreement, the subdivider shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.
9. An irrevocable offer of dedication (IOD) shall be made by the applicant to the El Dorado Hills Community Services District for all neighborhood parks. The form of the IOD shall conform to the IODs previously utilized for similar parks within the Serrano project.

Department of Transportation

10. The developer shall obtain approval of project improvement plans and cost estimate consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to commencement of any improvements on the project facilities. All improvements shall be consistent with the approved tentative map.
11. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Major Land Division Ordinance.
12. The final map shall show all utility, road and drainage easements per the recommendation of the utility purveyors and the County Engineer. Final determination of the location of said easements shall be made by the County Engineer. Said easements shall be irrevocably offered to the County.
13. If blasting activities are to occur in conjunction with subdivision improvements, the subdivider shall ensure such blasting activities are conducted in compliance with state and local regulations.
14. If burning activities are to occur during the construction of the subdivision improvements, the subdivider shall obtain the necessary burning permits from the California Department of Forestry and air pollution permits from the County prior to said burning activities.
15. The location of fire hydrants and systems for fire flows are to meet the requirements of the responsible Fire Protection District. The location of hydrants shall be shown on the improvement plans, which shall be subject to the approval of the fire protection district.
16. If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and the Native American Heritage Commission shall be contacted per

Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. If archaeological artifacts are discovered, the developer shall retain an archaeologist to make recommendations for the treatment of the artifacts. Treatment of Native American remains or archaeological artifacts shall be the responsibility of the developer and shall be subject to the review and approval of the County Development Director.

17. This project is subject to the El Dorado County traffic fee programs. Traffic fees shall be due upon the issuance of a building permit. If prior to the application for a building permit for said project a revised fee is established, such revised amount shall be paid.
18. Subdivision improvements shall include rough grading of driveways for all lots with street cuts or fills along the frontage of six feet or more difference in elevation, or as found necessary for reasonable access by the County Engineer. Construction of said driveways shall conform to the Design and Improvements Standards Manual and the Encroachment Ordinance.
19. All roads shall be constructed in conformance with the Design and Improvements Standards Manual with the following specifications:

<i>Road</i>	<i>Standard Plan</i>	<i>Road Width</i>	<i>Exceptions/Special Notes</i>
Unnamed Court	Std. Plans 101B and 114	28 ft. (36-foot R/W pursuant to design waiver request), plus utility/ slope easements	Cul-de-sac to be installed. No sidewalks. Type 1 rolled curb*

* Type 2 vertical curb & gutter adjacent to park site and open space

All road widths in the above table are measured from curb face to curb face. Where constrained by topography, sidewalks may be located outside of the right-of-way and meander as a means to provide interest and variety in alignment. The alignment and design of the sidewalks shall be reviewed and approved by the Department of Transportation prior to the filing of the final map. Sidewalks shall be connected to any walk/trail systems in the project open space areas. Pedestrian easements shall be provided where necessary.

20. An irrevocable offer of dedication, in fee, for the required rights-of-way (R/W) as indicated above, shall be made for the proposed roads, with slope easements where necessary. Said offer shall be rejected at the time of the final map. The offer shall be subject to that agreement between Serrano and the County, recorded as document 98-0015833-00 on March 26, 1998. Subject to the above agreement, all roads are offered in fee to the Master Owner's Association simultaneously with the filing of the final subdivision map.
21. An irrevocable offer of dedication, in fee, for the required rights-of-way (R/W) of 47 feet in

radius, shall be made for the proposed cul-de-sac bulbs, with slope easements where necessary. Said offer shall be rejected at the time of the final map. The offer shall be subject to that agreement between Serrano and the County, recorded as document 98-0015833-00 on March 26, 1998. Subject to the above agreement, all roads are offered in fee to the Master Owner's Association simultaneously with the filing of the final subdivision map.

22. A Vehicular Access Restriction for lots contiguous to Appian Way shall be shown on the final map(s) for those corner lots having access to intersecting minor roadways.
23. The Master Covenants, Conditions and Restrictions (CC&Rs) shall provide that no parking shall be permitted within cul-de-sac bulbs which have a radius to curb-face which is less than County standards and shall provide for enforcement of such provisions. Additionally, the CC&Rs shall include a provision for off-street parking to compensate for lack of parking normally provided within the cul-de-sac. The CC&Rs shall contain a provision that lots fronting on a cul-de-sac bulb shall either provide a three-car driveway or provide sufficient depth of driveway (18 feet per parking stall) to accommodate longitudinal and/or lateral parking for three spaces.
24. Bus turnouts and shelters shall be constructed at locations required by El Dorado Transit and the appropriate school district.
25. A final drainage plan shall be prepared in accordance with the County of El Dorado Drainage Manual, subject to review and approval by the Department of Transportation. Drainage facilities shall be designed and shown on the project improvement plans consistent with the final drainage plan and the El Dorado Hills Specific Plan Master Drainage Study. The developer shall install said drainage facilities with the respective phase of construction, or as specified in the final drainage plan.
26. Cross lot drainage shall be avoided wherever possible. The CC&Rs for Village M4 shall include a requirement for a grading and drainage plan to be submitted for review and approval of the Architectural Control Committee of the Master or Village Homeowners' association at the time of building permit application. The CC&Rs shall require all "downhill" lots must be designed to accept any drainage from uphill lots and the Master or Village Homeowners' Association shall enforce this condition.
27. Drainage maintenance shall be the responsibility of the Master Owner's Association. Therefore, all easements for drainage facilities shall first be offered to the County of El Dorado with rejection; the offer shall be subject to that agreement between Serrano and the County recorded as document 98-0015834-00 on March 26, 1998. Pursuant to the terms of said Agreement, upon rejection by the County, all drainage easements will be subsequently offered to the Master Owner's Association simultaneously with the filing of the final subdivision map.
28. The final map shall show all drainage easements consistent with the County of El Dorado

Drainage Manual, the project final drainage plan, and the project improvement plans.

29. The final grading plan shall comply with the provisions of the Grading Ordinance pertaining to terracing on slopes exceeding 25 feet in height, including accessibility, intervals, and cross section geometry.
30. Grading plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. No building permit shall be issued by the County until final grading plans and erosion control plans are approved by the Department of Transportation and the grading is completed.
31. Improvement Plans shall incorporate protective measures toward existing oak trees pursuant to Volume IV, Design and Improvement Standards Manual, Oak Tree and Wetlands Preservation Requirements and Specifications (County Resolution No. 199-91).
32. Erosion control and drainage design from residential areas into the open space areas shall employ natural appearing methods. The use of native plant materials is required where revegetation is proposed.
33. Should asbestos-containing rock be exposed during grading, construction of roads, excavation for underground facilities, building foundations or any construction related activity, County Ordinance No. 4548 shall apply.

El Dorado Hills Fire Department

34. The applicant shall sign a contract with the Fire Department for the installation of the access control barrier prior to installation.
35. The applicant shall be required to install the access control barrier in accordance with Fire Department requirements.
36. The development shall be prohibited from the installation of any other control barrier within the gated community.
37. The potable water system for the purpose of fire protection for this residential development shall provide a minimum fire flow of 1,500 gpm with a minimum residual pressure of 20 psi for two-hour duration. This requirement is based on a single family dwelling 4,800 square feet or less in size. Any home larger than 4,800 square feet shall be required to provide the fire flow for the square footage of that dwelling or shall be fired sprinklered in accordance with NFPA 13 D and Fire Department Requirements. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations

reflecting the fire flow capabilities of the system shall be supplied to the fire department for review and approval.

38. This development shall install Mueller Dry Barrel fire hydrants conforming to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 500 feet on center. The exact location of each hydrant shall be determined by the Fire Department.
39. To enhance the night-time visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the fire department and Fire Safe Regulations.
40. In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to framing of any combustible members as specified by El Dorado Hills Fire Department Standard 103.
41. The lots that are one acre and greater shall be provided with a minimum structural setback requirement of 30 feet, as required by the Fire Safe Regulations.
42. The lots that back up to Wildland Open Space shall be required to construct the fence of non-combustible material. This non-combustible fencing shall have a three-foot wide gate located in accordance with Fire Department requirements to allow emergency access into the open space area.
43. The driveways serving this project shall be designed to maximum of 20 percent grade as required by the Uniform Fire Code.
44. Prior to approval of the final map Village M, Phase 5, the applicant shall provide a revised Wildland Fire Safe Plan, approved by the department, to Planning Services.
45. This development shall be prohibited from installing any type of traffic calming devices that utilizes a raised bump section of roadway.
46. Project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM10) in the form of dust. Then, District Rules 223 and 223.1 and 223.2, which address the regulations and mitigation measures for fugitive dust emissions and asbestos emission, shall be adhered to during the construction process. Mitigation measures for the control of fugitive dust and asbestos shall comply with the requirements of Rules 223, 223.1, and 223.2, whichever rule is appropriate. In addition, the appropriate Fugitive Dust Prevention (FDP) Application or Asbestos Dust Mitigation Plan (ADMP) Application shall be submitted to and approved by the District prior to issuance of a building permit or grading permit.
47. Project construction shall adhere to District 224 Cutback and Emulsified Asphalt Paving

Materials and the county ordinance concerning asbestos dust.

48. Burning of wastes that result from “Land Development Clearing” must be permitted through the District. Only vegetative waste materials may be disposed of using an open outdoor fire.
49. The applicant shall submit a list of all proposed architectural coatings to the District for approval prior to the issuance of a building permit. All architectural coatings shall adhere to District Rule 215 Architectural Coatings.
50. The applicant shall submit a list to the District stating which of the following mitigation measures will be used to reduce impacts on air quality from equipment exhaust emissions during all construction involved in this project for approval prior to the issuance of a Building Permit or Grading Permit:

The District’s goal is to strive to achieve and maintain ambient air quality standards established by the United States Environmental Protection Agency and the California Air resources Board and to minimize public exposure to toxic or hazardous air pollutants and air pollutants that create unpleasant odors. The following are measures used to reduce impacts on air quality from equipment exhaust emissions:

Heavy Equipment and Mobile Source Mitigation Measures.

- Use low-emission on-site mobile construction equipment.
- Maintain equipment in tune per manufacturer specifications.
- Retard diesel engine injection timing by two to four degrees.
- Use electricity from power poles rather than temporary gasoline or diesel generators.
- Use reformulated low-emission diesel fuel.
- Use catalytic converters on gasoline-powered equipment.
- Substitute electric and gasoline-powered equipment for diesel powered equipment where feasible.
- Do not leave inactive construction equipment idling for prolonged periods (i.e., more than two minutes).
- Schedule construction activities and material hauls that affect traffic flow to off-peak hours.
- Configure construction parking to minimize traffic interference.

Develop a construction traffic management plan that includes, but is not limited to: Providing temporary traffic control during all phases of construction activities to improve traffic flow; Rerouting construction trucks off congested streets; and provide dedicated turn lanes for movement of construction trucks and equipment on and off-site.

51. Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, boilers, internal combustion engines, etc.), authority to construct applications shall be submitted to the District. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors.

County Surveyor

52. All survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval, or the developer shall have surety of work to be done by bond or cash deposit. Verification of set survey monuments, or amount of bond or deposit to be coordinated with the County Surveyors Office.
53. The roads serving the development shall be named by filing a complete Road Name Petition with the County Surveyors Office prior to filing the Final Map.

Conditions to Planned Development PD01-1381R (Village M, Phase 5)

- 54) The development plan permits the following: A revised tentative subdivision map creating three residential lots ranging in size from 0.49 acre to 1.63 acres resulting in total of 10 residential lots, one open space lot, and two landscape space lots totaling 8.36 acres.
55. The planned development permit shall expire two (2) years from Planning Commission approval. Minor changes in the adopted planned development permit may be approved by Planning Services provided that the changes:
 - a) Do not change the boundaries of the subject project property;
 - b) Do not change any use as shown on the official development plan; and
 - c) Do not change the intent of the official development plan

Major changes in the official development plan may be approved by the Planning Commission and shall be made in accordance with the requirements of Section 17.04 of the County Code. A major change in a development plan approved by the Planning Commission shall be filed with the Board of Supervisors pursuant to Section 17.04.005(B)(3) of the County Code.

ATTACHMENT 2 FINDINGS

FILE NUMBER TM01-1381R/PD01-0009R

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

FINDINGS FOR APPROVAL

1.0 CEQA FINDING

- 1.1 As a residential project and a part of an adopted El Dorado Hills Specific Plan EIR, this project is statutorily exempt from the requirements of CEQA pursuant to Section 15182 stating that a residential project is exempt where a public agency has prepared an EIR on a specific plan after January 1, 1980. No impacts have been identified which were not discussed and mitigated in the EIR. No further environmental analysis is necessary.

2.0 ADMINISTRATIVE FINDINGS

2.1 General Plan

The El Dorado County General Plan designates the subject site as Adopted Plan, a designation in reference to areas where specific plans have been adopted. These plans and the respective land use maps are accepted and incorporated by reference and is hereby adopted as the General Plan Land Use map for such area. Since the El Dorado Hills Specific Plan has been incorporated by reference under General Plan Land Use Element Policy 2.2.1.2, the proposed tentative map revision is found to be consistent with the General Plan.

2.2 Specific Plan

Village M is identified in the Specific Plan as areas reserved for large estate residential lots ranging from four to seven acres in size. Consistent with the density transfer provision in the El Dorado Hills Specific Plan Development Agreement, recent Tentative Maps of Village M increased the number of lots from 37 estate residential lots to 101 custom lots in 5 phases. The proposed revision would reconfigure Village M, Phase 5 and create three (3) additional residential lots resulting in total of 10 custom residential lots. The resulting density (0.41du/ac) is below the maximum density of 5.0 du/ac permitted by the El Dorado Hills/Salmon Falls Area Plan, and is within the total residential units (6,160 dwelling units) projected for the entire Specific Plan, and does not exceed the gross (1.58 du/ac) and net (3.05du/ac) densities of the total Specific Plan. Therefore, the proposed tentative map revision is found to be consistent with the El Dorado Hills Specific Plan

2.3 Zoning

The project site is zoned One-half Acre Residential District -Planned Development (R20,000-PD) and Open Space (OS). The proposed residential lots meet the minimum parcel size of 20,000 square feet and lot width of 100 feet.

2.4 **Subdivision Ordinance**

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

The proposed revision to an approved tentative subdivision map would create a total 10 residential custom lots in conformance with the designated uses, density and density transfer provision identified in the El Dorado Hills Specific Plan, Development Agreement, and as adopted by reference El Dorado County General Plan.

- 2.4.2 That the design or improvement of the proposed division is consistent with applicable general and specific plans;

The design and improvement of the subdivision has been designed in conformance with the identified residential land use and density requirements in the Specific Plan, and consistent with previous approval for Village M under TM01-1381/PD01-0009. Subsequent improvement plans shall be further reviewed in accordance with the applicable County standards and recommended conditions of approval for this project.

- 2.4.3 That the site is physically suitable for the type of development;

Village M, Phase 5, is characterized with slope areas ranging from 5 to 40 percent, oak trees and an intermittent stream. However, the proposed custom residential lots are large in size and would accommodate flexible building pad location, thereby minimizing impacts to on-site resources and site constraints, in accordance with the residential design guidelines in the El Dorado Hills Specific Plan. Any residential and accessory structures on slopes over 20% shall be carefully designed through erosion controls, engineered grading, and use of post and beam or step-footing construction to ensure long term stability. Therefore, the site is physically suitable for the residential development.

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

The site is physically suitable to accommodate the proposed Village M5 subdivision. The proposed subdivision would create 10 large residential lots resulting in a gross density of 1.19 du/ac. The anticipated development would consist of individual custom pads for residential units subject to the standards of the El Dorado Hills Specific Plan and El Dorado County involving site grading, tree preservation, utility connections, and road construction.

- 2.4.5 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;

Development of these custom residential lots are subject to the applicable provisions of El Dorado Hills Specific Plan and required mitigation measures under the certified Environmental Impact Report regulating proper pad design and layout minimizing impacts to natural resources on site. Prior development of each lot, individual construction and improvement plans shall be reviewed for conformance to applicable County standards and Serrano Architectural Review Committee requirements.

- 2.4.6 That the design of the division or the type of improvements would not cause serious public health hazards;

The design and required improvements for Village M Phase would not pose public health hazards. Development of the proposed 10 custom residential lots would be subject to improvement plans and permits verifying construction of utilities for water, sewer, power, drainage and roads in accordance with the Specific Plan and El Dorado County standards.

- 2.4.7 That the design of the division or the improvements is suitable to allow for compliance with the requirements of Section 4291 of the Public Resources Code (Brush and Wild Fire Prevention);

The development of each custom lot is subject to the applicable Specific Plan policies involving site design and maintenance of open areas susceptible to brush fires. Further, the subdivision is subject to specific project conditions from the El Dorado Fire Department regarding location of hydrant, construction of non-combustible fencing material, and establishing adequate fire setbacks. Therefore the proposed subdivision conforms to the requirements of Section 4291 of the Public Resource Code.

- 2.4.8 That 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. 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. (Ord. 3805 §15, 1988: prior code §9702)

Necessary utility easements for the subdivision are appropriately depicted on the Tentative Subdivision Map and shall be further verified for any conflicts by the County Surveyor's Office at the time of filing of the final map.

2.5 **Planned Development**

- 2.5.1 The development plan is consistent with the Specific Plan and zoning for the applicable site.

The proposed revision is consistent with the originally approved map and conforms to the standards of the El Dorado Hills Specific Plan regarding land use, density and site development.

- 2.5.2 The proposed development is so designed to provide a desirable environment within its own boundaries.

The proposed subdivision anticipates the development of 10 individual custom lots and three landscape/ open lots. Each lot would be developed in accordance with site and design standards of the El Dorado Hills Specific Plan with regards to preservation of natural features, landscaping and planting, and architectural themes, thus providing a desirable environment.

- 2.5.3 The site is physically suited for the proposed use.

Development of these custom residential lots are subject to the provisions of El Dorado Hills Specific Plan regulating proper building pad design and layout minimizing impacts to natural resources on site. Prior to development of each lot, individual construction and improvement plans shall be reviewed for conformance with applicable County standards and El Dorado Hills Architectural Review Committee requirements.

- 2.5.4 Adequate services are available, or will be made available concurrently with development for the proposed uses including, but not limited to, water supply, sewage disposal, roads and utilities.

The subdivision would be served by existing public services for roads, water, sewer, drainage, recycled water, fire and emergency. Verification of these services will occur prior to recordation of the final map for this phase.

- 2.5.5 The proposed uses do not significantly detract from the natural land and scenic values of the site.

Subject to the site and design requirements of the Specific Plan, the custom residential lots would provide flexible location of building pads and minimize impacts to existing natural features thereby ensuring scenic values within the subdivision.

2.6 Design Waiver

Design Waiver 1 - Reduction of road right-of-way width to conform to street width improvements from 50 to 36 feet for the access courts.

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

The adjusted right of way will better conform to the surrounding landforms, resulting in reduced grading and impact on the natural resources. The land area thus made available results in an increase in the actual acreage of open space provided in the Specific Plan area.

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

The requirement of a standard 50-foot right-of-way would result in additional grading and drainage activity that could limit flexibility in locating residential development area and affect natural resources anticipated for preservation. Also, the larger cut and fill slopes, due to the increased right of way, may result in additional erosion and sediment discharge from the site. Therefore, strict application of could pose unnecessary hardship in developing the property.

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

The proposed deviation to right-of-way standard is consistent with previous approvals in other villages of the Specific Plan and has been determined not be detrimental to health, safety, and welfare of the public.

- 2.6.4 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 requested deviation would be consistent with previous approval in other villages of the Specific Plan and would not have the effect of nullifying the objectives of this article or any other law.

Design Waiver "2" - A reduction in the cul-de-sac diameter of improvements from 100 to 80 feet diameter, and a reduction in the cul-de-sac right-of-way radius from 60 to 47 feet.

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

This waiver was approved by the Board of Supervisors and applied project-wide on August

30, 1995. As an element of the grant of waiver at that time, the County required the developer to include in the project Codes, Covenants and Restrictions (CC&Rs) specific language which requires the following: a) a prohibition against parking of vehicles within the Cul-de-sacs, and b) a permanent method of funding for enforcement of the parking prohibition.

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

As discussed above, implementation of the standard 50-foot right-of-way could result in additional grading and drainage activity that could limit flexibility in siting developable residential development pads within each parcel and potentially affect natural resources anticipated for preservation. Therefore, strict application of could pose unnecessary hardship in developing the property.

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

The proposed deviation to right-of-way standard is consistent with previous approvals in other villages of the Specific Plan and has been determined not be detrimental to health, safety, and welfare of the public.

- 2.6.8 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 requested deviation is consistent with previous approval in other villages of the Specific Plan and would not have the effect of nullifying the objectives of this article or any other law applicable to this condition.