

**EL DORADO COUNTY DEVELOPMENT SERVICES
STAFF REPORT**



Agenda of: December 13, 2007
Item No.: 8.d.
Staff: Mel Pabalinas

**REZONE/TENTATIVE SUBDIVISION MAP/PLANNED
DEVELOPMENT**

FILE NUMBER: Z07-0048/PD05-0006/TM05-1393, Serrano/Village M, Phase 4

APPLICANT: Serrano Associates, LLC

REQUEST: The project consists of the following:

- 1) Amendment of the El Dorado Hills Specific Plan Land Use Map to reconfigure an 16.81 acre portion of Open Space adjacent to Village M Phase 4 and re-designate to Residential Estate, and reconfigure 0.42 acres of Residential Estate and re-designate to Open Space;
- 2) Amendment of the El Dorado Hills Specific Plan Zone Map to reconfigure 16.81 acre portion of Open Space adjacent to Village M Phase 4 and re-designate to One-Family Residential/Planned Development (R1-PD), and reconfigure 0.42 acre of One-Family Residential and re-designate to Open Space;
- 3) Class 1 Tentative Subdivision Map subdividing 69 acres of Village M Phase 4 into 38 custom residential lots ranging from .46 acre to 4.84 acres in size and one Open Space lot totaling 15.68 acres; and
- 4) Planned Development Permit for the proposed residential subdivision, and allow modifications to the following One-Family Residential (R1) Zone District development standards:

Development Standards (Minimum)	Proposed Modified One-Family Residential/Planned Development(R1/PD)
Lot Size	20,000 square feet
Lot Width	Varies
Front Yard Setback	30 feet
Side Yard Setback	10 feet
Rear Yard Setback	30 feet

5) A request for design waivers of the following El Dorado County Design and Improvement Standard Manual (DISM) standards:

A) Reduction of road right-of-way to conform to actual street width improvements of 50 feet to 46 feet for Western Sierra Way and 50 feet to 36 feet for "I" Court; and

B) Reduction in cul-de-sac turnaround standard from 100 feet to 80 feet improved surface in a right-of-way from 47 feet radius (94 feet diameter).

LOCATION: North of Raphael Drive, along Western Sierra Way in the El Dorado Hills area, Supervisorial District I (Exhibit A)

APN: 123-260-06 and -07; and a portion of 123-260-05

ACREAGE: 69.03 acres

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

ZONING: APN 123-260-06, and -07 : One Family Residential District /Planned Development (R1-PD); APN 123-260-05: One-half acre Residential District (R20,000K) and Open Space (OS) (Exhibit C)

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

RECOMMENDATION: Conditional Approval

BACKGROUND

Village M

The El Dorado Hills Specific Plan, Development Agreement (DA) and Environmental Impact Report (EIR) were adopted by the El Dorado County Board of Supervisors on July 18, 1988. The Plan was designed to be consistent with and a refinement of the El Dorado Hills/Salmon Falls Area Plan and provides comprehensive policies for the development of a Master Planned Community encompassed within approximately 4,000 acres of the property. The identified land uses vary from High Density Residential (ranging from three to five dwelling unit/acre with a Planned Development overlay), Commercial, Public and Private Open Space and recreational golf course. Though the Environmental Impact Report (EIR) for the Specific Plan analyzed the potential for approximately 7,300 units as the “worse case scenario” and basis of “providing the applicant and decision makers some latitude in their review of the project”, the Plan officially authorized the creation of 6,160 dwelling units. However, at this time, it is projected that approximately 4,950 dwelling units would 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 4 to 7 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.

The executed Development Agreement (DA) for the El Dorado Hills Specific Plan contains various rules, regulations, and procedures entered between the applicant and the County. Specifically related to this project, Section 1.8 (Modification to El Dorado Hills Specific Plan) allows for modification subject to review by the Planning Director if the modification “does not substantially alter the term, permitted uses, density or intensity of use, provisions for reservation and dedication of land, conditions, terms, restrictions and requirements...” Also, Section 2.1.1 (Transfer of Density) of the DA 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 that 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) or 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) and Village M4

Table 1 details the background of Village M Phase 4. Specifically, Village M4 consists of five (5) lettered large residentially designated lots and two (2) lettered open space lots originally approved on January 24, 2002 under Tentative Map TM01-1381/PD01-009 (M1/M2) (Exhibit D). Though the current request would technically be considered a revision, the applicant filed for a new subdivision

and planned development application based on the creation of 38 residential lots from the original five approved residential lots.

Table 1. Serrano Village M Tabulation and TM01-1381/PD01-009

Village M	Phase	Approval Date	Residential Lots	Note
Contemplated by Specific Plan	NA	NA	37	Entire Village M composed of 243.9 acres; 0.15 du/ac
TM01-1381/PD01-009 (Original Application)	M1/M2	January 24, 2002	90 (see note)	Phase 1: 17 Lots (Recorded) ^A Phase 2 and 3: 61 residential lots (remapped under 1 st Revision) Phase 4: 5 residential lots (subject to remapping under this Current Application) Phase 5: 7 residential lots (remapped under 2 nd Revision)
TM01-1381R/PD01-009R (1 st Revision)	M2/M3	February 2, 2006	103 ^A	Increase of 42 residential lots from Original Application
TM01-1381R/PD01-009R (2 nd Revision)	M5	July 12, 2007	10 ^A	Increase of 3 residential lots from Original Application
TM05-1393/PD05-006 (Current Application)	M4	Pending	38 ^A	Increase of 33 residential lots from Original Application

Note:

A. With the approval of TM95-1393/PD05-006 the total residential lots in Village M would be 168.

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 project consists of the following:

Minor Amendment to Specific Plan Land Use and Zone Map

The proposed amendment to the El Dorado Hills Specific Plan Land Use and Zone maps would reconfigure 16.81 acres of 32.49 acres of Open Space to Residential Estate land use designation and One-Family Residential/Planned Development zoning designations, and reconfigure 0.42 acre of 36.54 acres of Residential to Open Space. Though the amendment consistent to Section 1.8 of the

Development Agreement, the land use and zone change is necessary in order to formally reflect and facilitate the proposed residential subdivision and planned development subject to consideration by the Planning Commission and the Board of Supervisors. Additional discussion regarding the open space is provided below.

Tentative Subdivision Map/ Planned Development

Considered a Class 1 subdivision, Phase 4 comprises 69 acres of remaining unmapped area within Village M to be divided into 38 residential lots that includes 32 custom lots (Lots # 127 to158) ranging from .46 to .99 acres in size, and 6 estate lots (Lots D-J) ranging from four to 4.96 acres in size (Exhibit E). The large estate lots would provide as a transitional buffer to the existing estate lots within the Green Springs Ranch Subdivision, bordering the project site and the edge of the El Dorado Hills Specific Plan Area to the northeast and east. Further, each estate lot contains a 100-foot perimeter setback adjacent to Green Springs Ranch Subdivision which was established under the originally approved tentative map/planned development application (TM01-1381/PD01-009). Each residential lot exceeds the applicable development standards (i.e. frontage width and minimum parcel size) required under Section 17.28.040 of the El Dorado County Zoning Ordinance (One-Family Residential Zone District) subject for modification through the Planned Development provisions.

Lots 127 through 145, 152 through 158, and estate lots D, G, H, J would be accessed along Western Sierra Way. Subject to the requested Design Waiver (see discussion below), the 34' wide Western Sierra Way would be constructed within 46' Right-of-Way (ROW). "I" Court, measuring 26' wide to be constructed within a 36' ROW, and would connect to Western Sierra Way, providing access to several custom and estate lots. The roads would contain curb and gutter but not sidewalks.

Western Sierra Way would provide as the primary residential collector, meandering east-west, connecting all of the phases within Village M. The section of the Western Sierra Way in Village M4 would connect to the adjacent villages to the north and south. The northwestern terminus would connect to Village M, Phase 2 subdivision while the southeastern end would connect to Village K1/K2, Unit 4. These modified road standards are consistent with the previous tentative map approvals.

In addition to the residential lots, Village M4 includes one Open Space Lot (Lot Z) measuring 15.68 acres, located along the southern portion of the project. This open space lot would encompass an intermittent stream (Allegheny Creek) that meanders west to east, splitting into a fork and traversing Lots F and G to the north and Lot J to the east and running along the rear of Lots 127 to 130. In conformance with General Plan Policy 7.3.3.4 (Wetland) and Section 1.4.8.2(d)(Riparian and Other Drainageways Policies) of the El Dorado Hills Specific Plan, a 50-foot development buffer would be established on either side of this jurisdictional wetland.

Potable water, recycled water, and sewer services would be provided by the El Dorado Irrigation District (EID), and drainage service by El Dorado County. According to the Facilities Improvement Letter (FIL) describing the necessary improvements for Village M Phase 2-5, an 8" water line exists in Sangiovese Drive and Greyson Creek Drive which are located to the west. These lines would need to be extended and adequately pressured in order to meet the required flow for water and fire

suppression services. Similarly, sewer lines would also need to be extended. A six inch sewer line exists along Appian Way and an eight inch off-site line in Highland View Unit 1. Future sewer services would need to utilize the existing sewer lift station in Highland Hills. The utility lines for the project are proposed to be constructed underground along the collector roads. A Facility Plan Report (FPR), prepared in accordance with EID standards, would be required prior to approval of Improvement Plans.

Development of these custom residential lots is subject to a development notebook prepared by the applicant and provided at the time for Final Map for the tract. Subject to review by the Serrano Architectural Review Committee, the development notebook would detail various specific plan standards that would include site development and grading, utility layout, placement of the driveway entrance, oak tree and wetland protection measures, and architectural design. Subsequent development on each lot would be required to provide construction plans (e.g. improvement, grading, drainage) subject to review for conformance to County and other agency standards.

Design Waivers

In accordance with the El Dorado County Design and Improvement Standard Manual and subject to the findings under the El Dorado County Subdivision Ordinance, the project includes request for a Design Waiver of the following standards:

- Reduction of road right-of-way to conform to actual street width improvements 50 feet to 46 feet for Western Sierra Way and 50 feet to 36 feet for "T" Court;
- Reduction in cul-de-sac turnaround standard from 100 feet to 80 feet improved surface in a right-of-way from 47 feet radius (94 feet diameter)

Site Description

The project is located on slopes that range from 5 percent to over 40 percent. The dominant vegetation on the site consists of blue and live oak trees scattered within the project site, encompassing of approximately 45 acres of canopy size. Allegheny Creek, meanders from the west to east and north. Sections of the creek are contained with the proposed Open Space Lot Z.

Site Information

Tables 1 and 2 detail the specific land use information of the site and the surrounding properties.

Table 1. Current Site Land Use Information

	Project Site
General Plan Designation	Adopted Plan (El Dorado Hills Specific Plan)
Zoning	APN 123-260--06, and -07 : One Family Residential District /Planned Development (R1-PD); APN 123-260-05: One-half acre Residential District (R-20,000K) and Open Space (OS)
Use(s)	Undeveloped
Size (in acres)	69.03
Rare Plant Mitigation Area	Mitigation Area 2
School District	Buckeye Union
Fire District	El Dorado Hills Fire Protection District
Water/Sewer District	El Dorado Irrigation District
County Region	Community Region
Traffic Analysis Zone(s)	335
Supervisory District	District No.1
Flood Zone	C
FIRM Panel Numbers	060040 0725C
Legal Parcels	Yes
Census Tract	307.03

Table 2. Surrounding Properties Land Use Information

	Zoning	General Plan	Land Use/Improvements
North	Open Space (OS) and Residential Estates 5-acre (RE-5)	Adopted Plan (El Dorado Hills Specific Plan)and Low Density Residential (LDR)	PGE Easement and Single Family Residential lots
South	Open Space and One- Family Residential/Planned Development (R1/PD)	Adopted Plan (El Dorado Hills Specific Plan)	Serrano Village K1/K2, Unit 4 Single family residential lots
East	Residential Estates 5-acre (RE-5)	Low Density Residential (LDR)	Single family residential lots
West	One-Family Residential/Planned Development (R1/PD)	Adopted Plan (El Dorado Hills Specific Plan)	Serrano Village M2/M3 Single family residential lots

General Plan

General Plan Policy (Land Use Element) 2.2.5.2 requires all discretionary projects to be reviewed for consistency with applicable General Plan Policies. The El Dorado County General Plan designates the subject site as Adopted Plan (AP), a description in reference to areas where Specific Plans have been designated and adopted within the County. The specific 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 (General Plan Land Use Designation), the proposed changes to the specific plan land use and zone map, and tentative subdivision map/planned development are considered consistent with the General Plan.

Specific Plan (El Dorado Hills Specific Plan)

Corresponding with the land use designation amendment, the proposed tentative subdivision map/planned development would result in the creation of a total of 38 custom and estate residential lots. This is deemed substantially consistent with the density transfer provision in the El Dorado Hills Specific Plan Development Agreement in that the resulting density (.55 du/ac) is below the maximum density of 5.0 du/ac permitted by the El Dorado Hills/Salmon Falls Area Plan. The project would not exceed the maximum allowed density of 6,160 dwelling units for the Plan Area. Development of this phase would be subject to various development standards outlined in the Specific Plan and would maintain consistency with the previous tentative map approvals in the village. Therefore, the proposed tentative map revision is found to be consistent with the El Dorado Hills Specific Plan.

Zoning

Corresponding with the proposed zone change, the project would meet the required minimum standards under the One-Family Residential Zone District (R-1) and applicable Open Space (OS). Specifically, the proposed residential lots exceed the minimum lot size, lot width, and standard yard setbacks under R-1 standards (see Table 3), while the Open Space Lot Z exceeds the minimum lot size of 10 acres.

Planned Development

The Development Plan has been reviewed pursuant to Chapter 17.02 of the El Dorado County Zoning Ordinance (Planned Development). The Development Plan consists of the 38 custom residential lots and one Open Space lot. Table 3 details the modified minimum One-Family Residential (R1) development standards under Section 17.28.040 of ordinance applicable to Village M Phase 4:

Table 3. Modified Development Standards for Village M Phase 4

Development Standards (Minimum)	Current One-Family Residential (R1)	Proposed Modified One-Family Residential/Planned Development (R1/PD)
Lot Size	6,000 square feet	20,000 square feet
Lot Width	60 feet	Varies
Front Yard Setback	20 feet	30 feet
Side Yard Setback	5 feet	10 feet
Rear Yard Setback	15 feet	30 feet

These modified standards are consistent with the standards for Village M1/M2 original approved under Tentative Map and Planned Development TM01-1381/PD01-009.

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.

Subdivision Ordinance

The proposed development is a Class I subdivision anticipating creation of 38 custom residential lots and one Open Space lot. The lots meet the minimum development standards of the One-Family Residential Zone District (R1-PD), conform to previous development approved within Village M, and would be developed in accordance with the applicable standards and policies of the El Dorado Hills Specific Plan. Village M4 is found to be consistent with Section 16.12.030 of the El Dorado County Subdivision Ordinance.

Design Waivers

Design Waivers have been requested for the following standards:

- A) Reduction of road right-of-way to conform to actual street width improvements 50 feet to 46 feet for Western Sierra Way and 50 feet to 36 feet for “I” Court; and
- B) Reduction in cul-de-sac turnaround from 100 feet to 80 feet improved surface in a right-of-way from 47 feet radius (94 feet diameter)

These reduced right-of way and cul-de-sac turnaround improvements are typical of the private road system within the overall Serrano development area and are consistent with the deviations approved in original tentative map and subsequent revisions. Both the Department of Transportation and the El Dorado Hills Fire Department recommend approval of the design waivers. 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

Open Space

Background

The Open Space Element of the El Dorado Hills Specific Plan identifies and designates approximately 978 acres (25%) of the Plan area as natural open space to be “preserved in perpetuity in an essentially unaltered condition”. These open space areas are characterized by steep, prominent topography, and dense vegetation, and would provide for wildlife and passive recreation, aesthetic and visual values, and further define and separate residential villages. These lands, which are categorized as either public or private, are further classified as natural open space, residential open space, golf courses, drainageways, and parkland/school playfields. Section 3.2.3 of Development Agreement (DA) identifies the El Dorado Hill Community Services District (CSD) to be the primary recipient for dedication of certain park and open space lands.

Comment [RP1]:

Comment [RP2R1]:

The element mandates a preparation of an Open Space Management Plan that further specifies “procedures and responsibilities as to the ownership, preservation, and management of public and private natural open space areas”. An original draft plan, dated February 1993, has been prepared and submitted to the County. The plan identifies the developer (Serrano Associates) as the Interim Land Manager of the open space lands provided that the developer “does not grade, ditch or channel these lands.” According to the DA these natural open space lands would not be conveyed until all residential villages adjacent to public natural open space lands have had final maps approved and recorded.” As further supported in Section 2.1 (Concept-Residential Land Use Element), it is acknowledged that a definitive boundary between open space lands and residential areas was not required. Until then, the management plan requires periodic evaluation and refinement as residential villages are designed. The ultimate adoption of the plan shall take place when the final village defining the boundaries of the open space lands is recorded.

Current Open Space Land

Based on the narrative and open space tabulation provided in Attachment 3, of the 978 acres of natural Open Space areas, the applicant is required to provide 808 acres; the remaining balance of 170 acres is the obligation the El Dorado Irrigation District (157 acres-Village R) and Community Services District (13 acres-Village W). Combined with 370 acres of Golf Course, the total Open Space obligation by the applicant is 1,178 acres.

In April 2000, the El Dorado County Planning Commission approved the abandonment of approximately 182 acres of South Uplands Golf Course, which Serrano committed to natural open space. This increased the natural open space from 808 to approximately 990 acres. To date, the total open space that would be provided by Serrano is 1,216 acres which consists of 913 acres of public and 113 acres private lands composing the natural passive open space, and 188 acres of active open space with the remainder Golf Course land. This exceeds the required obligation by the applicant by approximately 38 acres. With regards to Village M4, the 16-acre Open Space Lot Z is accounted in the 113 acre of private lands currently owned by Serrano.

Overview of Open Space Land

As a result of previous Planning Commission approval of various villages in the El Dorado Hills Specific Plan Area, the contemplated open space areas have adjusted allowing the expansion of residential area in some villages, while other villages providing more open space. The largest section of the open space (ranging from 70 to 290 acres) exists between El Dorado Hills Boulevard and Village D1, Villages A and C, Village C and Carson Creek, and Silva Valley Parkway/Village B and Village H. Smaller expanses (50 acres and under) exists throughout Villages E, F G, K, L and M which function as a natural separation and define these villages and preservation of natural drainageway. These areas are visually prominent and occur in steep portions of the Plan Area, are interconnected enhancing the passive recreational needs of the community, and provides connectivity supporting movement of species.

Oak Canopy

As detailed in Attachment 3, the Specific Plan identified 477 acres of oaks to be impacted by residential development at total buildout. To date, the actual impact related to the implementation of the Plan is estimated at 437 acres, which is a conservative worst case analysis assuming 100% of the canopy cover included within the development area is actually impacted.

As part of the 437 acres anticipated to be impacted, the worst case scenario removal within Village M4 is approximately 42 acres. Given that custom residential lots are anticipated, actual development impacts on oaks are contingent on the final determination of the building envelopes on each lot. In accordance with the adopted mitigation measures in the EIR, the development of the Village M4 lots would be required to maintain conformance to El Dorado Hills Specific Plan Policies minimizing impacts to oak trees. Specifically, Policy 1.4.1.1.f limits the removal of oaks, where feasible, that have trunk circumference of 25 inches, and Policy 1.4.1.1.g prohibits construction activity under the canopy of oaks identified to be preserved.

Agency Comments

Attachment 4 details the recommended comments and conditions of approval submitted by various affected agencies including Resource Conservation District (RCD), Department of Transportation (DOT), Air Quality Management District (AQMD), and County of Surveyor Office. Some of these comments are incorporated as project conditions.

Conditions of Approval

Attachment 1 contains the conditions for the project. The list includes approved conditions from the original Village M1/M2 tentative map/ planned development application (TM01-1381/PD01-009) that are considered applicable to this project. Specifically, these conditions are numerically itemized (not in sequence) in *italics* and ~~striketrough~~. Some of these conditions include deleted texts depicted with ~~double striketrough~~, while updated text and new conditions are shown with double underline.

ENVIRONMENTAL REVIEW

The project is a residential project and a part of an adopted El Dorado Hills Specific Plan Environmental Impact Report (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. Implementation of the project is subject to conformance with applicable mitigation measures detailed in the Mitigation Monitoring Plan 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

That the Planning Commission recommends to the Board of Supervisors the following actions:

1. Certify that the project is Statutorily Exempt from CEQA pursuant to Section 15182;
2. Approve Rezone Z07-0048;
3. Approve Planned Development Permit PD05-0006, adopting the development plan as the official development plan, based on the required Findings in Attachment 2 and Conditions of Approval in Attachment 1;
4. Approve Tentative Subdivision Map TM05-1393 based on the required Findings in Attachment 2 and Conditions of Approval in Attachment 1; and
5. Approve the following design waivers based on the required Findings in Attachment 2:
 - A) Reduction of road right-of-way to conform to actual street width improvements 50 feet to 46 feet for Western Sierra Way and 50 feet to 36 feet for "T" Court; and
 - B) Reduction in cul-de-sac turnaround standard from 100 feet to 80 feet improved surface in a right-of-way from 47 feet radius (94 feet diameter)

SUPPORTING INFORMATION

Attachment 1Conditions of Approval
Attachment 2Findings
Attachment 3Applicant Memorandum
Attachment 4Agency Comments

Exhibit AVicinity Map
Exhibit BGeneral Plan Land Use Map
Exhibit CZoning Map
Exhibit DLotting under Previous Village M Approval
Exhibit ERezone/Tentative Subdivision Map

ATTACHMENT 1 CONDITIONS OF APPROVAL

FILE NUMBERS Z07-0048/TM05-1393/PD05-006

CONDITIONS OF APPROVAL

1. The Minor Amendment to the El Dorado Hills Specific Plan Land Use and Zone Map, Tentative Subdivision Map and Planned Development, and Design Waivers are based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits December 13, 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. Amendment of the El Dorado Hills Specific Plan Land Use Map reconfiguring 16.81 acres portion of Open Space adjacent to Village M Phase 4 and re-designating as Residential Estate, and reconfiguring 0.42 acres of Residential Estate and re-designating as Open Space;
- B. Amendment of the El Dorado Hills Specific Plan Zone Map reconfiguring 16.81 acres portion of Open Space adjacent to Village M Phase 4 and re-designating as One-Family Residential/Planned Development (R1-PD), and reconfiguring 0.42 acre of One-Family Residential and re-designating to Open Space;
- C. Class 1 Tentative Subdivision Map subdividing 69 acres portion of Village M Phase 4, creating 38 residential lots ranging from .46 to 4.84 acres in size and one Open Space lot measuring 15.68 acres
- D. Planned Development Permit for the proposed residential subdivision, allow modifications to the following One-Family Residential (R1) Zone District development standards:

<u>Development Standards (Minimum)</u>	<u>Proposed Modified One-Family Residential/Planned Development (R1/PD)</u>
<u>Lot Size</u>	<u>20,000 square feet</u>
<u>Lot Width</u>	<u>Varies</u>
<u>Front Yard Setback</u>	<u>30 feet</u>
<u>Side Yard Setback</u>	<u>10 feet</u>
<u>Rear Yard Setback</u>	<u>30 feet</u>

- E. A request for Design Waiver(s) of the following El Dorado County Design and Improvement Standard Manual (DISM) standards:

1. Reduction of road right-of-way to conform to actual street width improvements 50 feet to 46 feet for Western Sierra Way and 50 feet to 36 feet for "I" Court; and
2. Reduction in cul-de-sac turnaround standard from 100 feet to 80 feet improved surface in a right-of-way from 47 feet radius (94 feet diameter)

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. ~~25.~~ 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 Planning Department.
5. ~~26.~~ Residential lots located on the border of the Green Springs Ranch shall not exceed a 3:1 ratio of lot frontage to lot depth, as noted in the County Design and Improvement Standards Manual.
6. ~~27.~~ 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.

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. 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.

7. ~~28.~~ The minimum setback along the common boundary between Village M and the Green Springs Ranch shall be 100 feet.
8. ~~29.~~ Lot E D of the tentative map shall be required to have a maximum building height of 1,170 feet above sea level. The height limitation shall be recorded with the final map and shall be prominently indicated on the lot.
9. ~~30.~~ Fencing of the common border between lots in Green Springs Ranch occupied as of September 30, 2001, and Lots A through G of this tentative map shall be fenced with the Serrano standard wrought iron fence at the time construction of a home on the Serrano lot. For lots not occupied as of September 30, 2001, the common border fence may be either wrought iron or wire fence of design approved by the Serrano Association Architectural Review Committee.
10. ~~31.~~ A potable water line shall be extended easterly of Court A to the common boundary line to the common boundary with Green Springs Ranch. The terminus of the line shall be fire department approved hydrant. The hydrant location shall be accessible either side of Green Springs Ranch/Serrano boundary.
11. ~~32.~~ The applicant shall install an emergency access gate providing a connection between the Village M map and Green Springs Ranch at the midpoint (approximately) of the PG&E/SMUD powerline easement. The gate shall be designed to the requirements of the El Dorado Hills Fire Department and shall include a "Knox Lock" or similar locking mechanism acceptable to the District.

Conditions to Development Plan

12. ~~1.~~ (Development Plan)

The Development Plan permits the following:

A tentative subdivision map creating ~~90~~38 residential lots ranging in size from 0.46 acre to (4) four acres and one (1) open space lot measuring 15.68 acres with the following Design Waivers:

A) reduction of road right-of-way to conform to actual street width improvements 50 to 46 feet for Western Sierra Way and 50 to 36 feet for "I" Court; and

B) Reduction in cul-de-sac turnaround from 100 to 80 feet improved surface in a right-of-way from 47 feet radius (94 feet diameter)

13. ~~2.~~ (Development Plan)

The following standards shall apply to all lots with Village ~~M4, M1 and M2~~:

<u>Development Standards (Minimum)</u>	<u>Proposed Modified One-Family Residential/Planned Development (R1/PD)</u>
<u>Size</u>	<u>20,000 square feet</u>
<u>Yard Setback</u>	<u>30 feet</u>
<u>Front Yard Setback</u>	<u>10 feet</u>
<u>Side Yard Setback</u>	<u>30 feet</u>

14. The Planned Development Permit shall expire within two (2) years from the approval the Planning Commission. Minor changes in the adopted Planned Development Permit may be approved by the 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.

Department of Transportation

Project Specific

15. ~~15.~~ The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM) as shown in Table 1. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map:

Table 1. Road Standards for Village M Phase 4			
ROAD NAME	REFERENCE	ROAD WIDTH	EXCEPTIONS/NOTES
Western Sierra Way	Std Plan 101B	36 ft. (46' R/W pursuant to design waiver request), plus utility/slope easements	Type 1 rolled curb & gutter*. No sidewalks Vertical Curve Design per DISM
'I' Court	Std Plan 101B & 114	28 ft. (36' R/W pursuant to design waiver request), plus utility/slope easements	Type 1 rolled curb & gutter*. No sidewalks Vertical Curve Design per DISM
Notes for Condition 1 Table: *Road widths in the preceding table are measured from curb face to curb face. Curb face for rolled curb and gutter is 6" from the back of the curb.			

16. ~~16.~~ 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.
17. ~~17.~~ 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.
18. ~~18.~~ Turnouts shall be constructed at the entry gates of this subdivision and are subject to review and approval by the Department of Transportation at the improvement plan stage.
19. ~~19.~~ A secondary access road, providing permanent or temporary looped circulation for each phase of development, shall be constructed prior to the first building permit being issued for any residential structure except where the issuance of building permits is for model homes,

which shall be unoccupied. Such looped circulation shall be subject to the approval of, or may be modified by, the El Dorado Hills Fire District.

20. ~~9.~~ Bus turnouts and shelters shall be constructed at locations required by El Dorado Transit and the appropriate school district.
21. ~~11.~~ 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.
22. ~~13.~~ 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.
23. ~~14.~~ Prior to the recordation of a Final Map in Village ~~M1 and M2~~ M4, the CC&Rs shall be submitted to the Planning Director to ensure that: the responsibilities for drainage maintenance are specified; that procedures and responsibilities for site plan and architectural review in compliance with the requirements of the Design Guidelines, Appendix B of the Specific Plan are provided; and that the CC&Rs contain other provisions as specified by conditions of this map.
24. ~~2.~~ ~~(Standard Subdivision Requirements)~~ 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.
25. ~~15.~~ 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.
26. ~~16.~~ Erosion control and drainage design from residential areas into the open space areas and shall employ natural appearing methods. The use of native plant materials is required where re-vegetation is proposed.
27. ~~17.~~ 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.

28. ~~7. (Standard Subdivision Requirements)~~ 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.
29. ~~8.~~—A secondary access road, providing permanent or temporary looped circulation for each phase of development, shall be constructed prior to the first building permit being issued for any residential structure except where the issuance of building permits is for model homes, which shall be unoccupied. Such looped circulation shall be subject to the approval of, or may be modified by, the El Dorado Hills Fire District.

Standard Conditions

30. ~~3. (Standard Subdivision Requirements)~~ The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
31. ~~5. (Standard Subdivision Requirements)~~ Subdivision improvements shall include driveways for all lots with street cut or fills along the frontage of six feet or more difference in elevation, or as found necessary for reasonable access by the County Transportation Director. Driveways shall be installed in a manner and location acceptable to the County Department of Transportation and shall meet standard County driveway requirements.
32. ~~1. (Referenced as a Note)~~ Sidewalks may be located outside 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 filing the final map. Sidewalks shall be connected to walk/trail systems in the project open space areas. Pedestrian easements shall be provided where necessary. Final lane configurations, including the need for additional rights-of-way, shall be subject to review and approval of the Department of Transportation prior to improvement plan approval.
33. All curb returns, at pedestrian crossing, shall include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp.
34. ~~14. (Standard Subdivision Requirements)~~ 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, prior to filing the final map.

35. ~~4.~~ *(Standard Subdivision Requirements)* The construction of all required improvements shall be completed with the presentation of the final map to the Planning Director before presentation of the final map to the Board of Supervisors for its approval. For improvements not completed, the subdivider shall provide a 100 percent performance surety and a 50 percent labor and materialmen surety by separate bond, cash deposit, assignment, or letter of credit from a financial institution. For improvements which have been completed, the subdivider shall provide a ten percent maintenance surety in any of the above-mentioned forms. Verification of construction, or partial construction, and cost of completion shall be determined by the County Department of Transportation.
36. ~~2.~~ *(Standard Subdivision Requirements)* 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.
37. A final drainage study shall be prepared by the project proponent and submitted with the subdivision grading and improvement plans to the approval of the Department of Transportation. All drainage facilities identified in the drainage study shall be included in the subdivision grading and improvement plans.
38. ~~12.~~ 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.
39. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.
40. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
41. This project disturbs more than one acre of land area (43,560 square feet). At the time that an application is submitted for improvement plans or a grading permit, the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for

storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the State of California. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the SWRCB, with a duplicate copy submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.

42. The applicant shall submit soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations.
43. ~~7. (Standard Subdivision Requirements)~~—The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
44. ~~11. (Standard Subdivision Requirements)~~—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.
45. ~~12. (Standard Subdivision Requirements)~~—If blasting activities are to occur in conjunction with subdivision improvements, the subdivider shall ensure that such blasting activities are conducted in compliance with state and local regulations.
46. ~~13. (Standard Subdivision Requirements)~~—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.
47. ~~8. (Standard Subdivision Requirements)~~—Improvement plans shall incorporate protective measures toward existing oak trees per Volume IV, Design and Improvement Standards Manual, Oak Tree and Wetlands Preservation Requirements and Specifications (County Resolution No. 199-91).
48. ~~4. (Standard Subdivision Requirements)~~—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 that is less than County standards and shall provide for enforcement of such provisions. The CC&Rs shall include a provision for off-street parking to compensate for lack of parking normally provided within the cul-de-sac bulb. The

applicant shall either provide adequate parking for a three-car driveway or sufficient depth of driveway (18 feet per parking stall) to accommodate longitudinal and/or lateral parking for three spaces.

49. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
50. Construction activities shall be conducted in accordance with the County noise regulation or limited to the following hours and days: 7 a.m. and 7 p.m., Monday through Friday, and 8 a.m. and 5 p.m. on weekends, and on federally-recognized holidays. Exceptions are allowed if it can be shown that construction beyond these times is necessary to alleviate traffic congestion and safety hazards.
51. The applicant shall pay the traffic impact fees in effect at the time a building application is deemed complete.

El Dorado Hills Fire Department

52. ~~48.~~ 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 fire 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.
53. ~~49.~~ 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.
54. ~~20.~~ 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.
55. ~~21.~~ 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.

56. ~~22-~~The lots that are one acre and greater shall be provided with a minimum setback requirement of 30 feet, as required by the Fire Safe Regulations.
57. ~~23-~~All homes adjacent to the open space area will have stucco siding construction with metal fences. Should any lot be afforded the opportunity to cantilever a deck, the deck shall be enclosed with fire resistant material.
58. The Open Space Lot Z has no access for emergency personnel and equipment to suppress a wildland fire within this area. The applicant shall be required to provide all-weather access roadways into these areas in accordance with Fire Department requirements.
59. The lots that back up to Wildland Open Space shall be required to construct a fence of non-combustible material.
60. During any phase of construction, this development shall be required to provide two independent, non-obstructed points of access.
61. ~~24-~~This development shall be conditioned to develop and implement a Wild Fire Safe Plan that is approved by the Fire Department.
62. This development shall be prohibited from installing any type of traffic calming devices that utilizes a raised bump section of roadway.

Air Quality Management District

63. 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.
64. Project construction shall adhere to District 224 Cutback and Emulsified Asphalt Paving Materials and the county ordinance concerning asbestos dust.
65. 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.
66. 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.

67. 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.

68. 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

69. 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.
70. 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.

Pacific Gas and Electric (PG&E)

71. Prior to approval of Final Map, dedicate a standard 12.5 foot Public Utility Easement for underground facilities and appurtenances adjacent to all public ways, private drives and/or Irrevocable Offer of Dedication.

ATTACHMENT 2 FINDINGS

FILE NUMBER Z07-0048/TM05-1393/PD05-006

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 The project is 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. Implementation of the project is subject to conformance with applicable mitigation measures detailed in the Mitigation Monitoring Plan in the EIR. No further environmental analysis is necessary.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

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 subdivision map and planned development is found to be consistent with the General Plan.

2.2 Specific Plan

The proposed tentative subdivision map/planned development shall result in the creation of a total of 38 custom and estate residential lots. This is deemed substantially consistent with the density transfer provision in the El Dorado Hills Specific Plan Development Agreement in that the resulting density is below the maximum density permitted by the El Dorado Hills/Salmon Falls Area Plan, The project does not exceed the maximum allowed density of 6,160 dwelling units for the Plan Area. Development of this phase shall be subject to various development standards outlined in the Specific Plan and shall maintain consistency with the

previous tentative map approvals in the village. Therefore, the proposed tentative map/planned development is found to be consistent with the El Dorado Hills Specific Plan.

2.3 Zoning

In accordance with the land use and zone map changes, the project meets the required minimum standards under One-Family Residential District (R-1) and applicable Open Space (OS). Specifically, the proposed residential lots exceed the minimum lot size, lot width, and standard yard setbacks under modified R-1-PD standards, while Open Space Lot Z exceeds the minimum lot size of 10 acres. Therefore, the proposed tentative map/planned development is found to be consistent with the El Dorado Hills Specific Plan Zone Map.

2.4 Subdivision Ordinance

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

The proposed development would create a total 38 custom residential 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 requirements in the Specific Plan, and consistent with previous approval for Village M under TM01-1381/PD01-009. 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 4 is characterized with slope areas ranging from 5% to 40%, dense with oak trees, and intermittent stream. Though the proposed residential lots are large in size and would accommodate flexible building pad location, development of these lots are subject to specific policies and design standards in accordance the El Dorado Hills Specific Plan that would ensure appropriate site design avoiding constraints area, minimizing grading impacts to natural resources and use of best management practices involving erosion control, engineered grading, slope 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 M4 subdivision/planned development. The proposed subdivision would create 38 large custom residential lots resulting in a density of 0.55 du/ac. The anticipated development would consist of individual

custom pads for a residential unit subject to the applicable standards of the El Dorado Hills Specific Plan and El Dorado County involving 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 (EIR) 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 4 would not pose public health hazards. Development of the proposed 38 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 of the requirements of section 4291 of the Public Resources Code;

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 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.

With the land use and zone map change, the proposed subdivision 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 38 individual custom lots and one open space lot. Each residential 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.

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 development of each lot, individual construction and improvement plans shall be reviewed for conformance to applicable County standards and Serrano Architectural Review Committee requirements.

2.5.4 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 the extension of the existing public services for roads, water, sewer, drainage, recycled water, fire and emergency, subject to review against the El Dorado Hills Specific Plan, and various applicable County and agency standards.

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

Subject to the site and design requirements of the Specific Plan, the anticipated 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 to conform to actual street width improvements 50 feet to 46 feet for Western Sierra Way and 50 feet to 36 feet for “I” Court;

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 increased right of way will require more extensive grading and drainage work with increased impacts to an area that is sensitive to soil disturbance. The larger cut and fill slopes, due to the increased right of way, may result in additional erosion and sediment discharge from the site.

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” - Reduction in cul-de-sac turnaround standard from 100 feet to 80 feet improved surface in a right-of-way from 47 feet radius (94 feet diameter)

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.

The increased right of way and improvements will require more extensive grading and drainage work with increased impacts to an area that is sensitive to soil disturbance. The larger cut and fill slopes, due to the increased right of way, may result in additional erosion,

sediment discharge from the site, and potentially impact oak trees.

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