



EL DORADO COUNTY PLANNING SERVICES

John Knight..... District I
John MacCready..... District II
Dave Machado..... District III
Walter Mathews..... District IV
Alan Tolhurst..... District V
Jo Ann Brillisour..... Clerk of the Commission

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MINUTES

Regular Meeting of the Planning Commission January 11, 2007 – 8:30 A.M. BUILDING C HEARING ROOM 2850 Fairlane Court, Placerville, CA

1. CALL TO ORDER

Meeting called to order at 8:40 a.m. Present: Commissioners Mac Cready, Machado, Mathews, Tolhurst, and Knight; Paula F. Frantz (until noon) and Trish Beck, County Counsel; and Jo Ann Brillisour, Clerk to the Planning Commission.

2. ADOPTION OF AGENDA

Steven Hust asked that the Long Range Work Program be continued to February 8, 2006 (Item 12). The Commission concurred.

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER MACHADO AND UNANIMOUSLY CARRIED, IT WAS MOVED TO ADOPT THE AGENDA, CONTINUING ITEM 12 TO THE MEETING OF FEBRUARY 8, 2007.

3. PLEDGE OF ALLEGIANCE

A Pledge of Allegiance was given by the Commission and those persons in the audience.

4. CONSENT CALENDAR (All items on the Consent Calendar were approved by one motion unless a Commission member requested separate action on a specific item.)

a. **Minutes:** December 28, 2006

Chair Knight introduced Walter Mathews, District IV Planning Commissioner.

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MAC CREADY AND CARRIED BY THE FOLLOWING VOTE: AYES – COMMISSIONERS MAC CREADY, MACHADO, TOLHURST, AND KNIGHT; ABSTAIN – COMMISSIONER

MATHEWS (as he was not on the Commission December 28, 2006), IT WAS MOVED TO APPROVE THE CONSENT CALENDAR.

5. DEPARTMENTAL REPORTS AND COMMUNICATIONS

These items were considered during the day as time permitted.

Report: Staff reporting on sign at Cambridge Road and U.S. Highway 50 (Design Review DR03-0012).

Staff: Pierre Rivas updated the Commission on the Arco AM/PM facility at Cambridge Road/U.S. Highway 50. No action was taken.

Greg Fuz said the oak woodland fees will be discussed at the next meeting along with the Winery Ordinance. He spoke about holding special meetings. Commissioner Mac Cready would rather hold longer regular meeting than hold special meetings. The Draft EIR for the floor area ratio is available, and the Commission will be taking public input on the document February 8, 2007.

Peter Maurer said the Scharpf Williamson Act Contract application was continued by the Board to January 30 with the intent to continue further as the Board voiced concern regarding agricultural buffers on adjacent properties. Mr. Maurer has heard that the neighbors intend to appeal the Commission's action taken on the Aerometals application at the December 28 meeting.

6. COMMISSIONERS' REPORTS

Commissioner Mac Cready asked about a parcel on Durock Road in the Shingle Springs area. The property owner and neighbors would like the land use designation and zoning changed. Mr. Fuz said this item could be put on a future agenda for discussion and a Resolution of Intention adopted if that is what the Commission decides. Commissioner Mac Cready asked the interested parties be notified.

Commissioner Machado asked about the pole sign on the south side of the freeway in Cameron Park. There was a Burger King in that location which is now a Jim Boy's Taco. The pole sign is along the edge of the freeway. Dennis Small from Western Sign said the pole sign for Jim Boy's is covered under the permits that were pulled (Mr. Small spoke during the Public Forum portion of the agenda).

PUBLIC FORUM/PUBLIC COMMENT – Art Marinaccio encouraged the Commissioners to read the draft EIR for the floor area ratio.

CONSENT CALENDAR/APPLICATIONS

7. WILLIAMSON ACT CONTRACTS (Public Hearing)

WAC06-0012/WAC06-0013 submitted by EDWARD AKIN (Agent: Bill Snodgrass) to reduce the acreage in existing Agricultural Preserve #1 from 323.79 to 123.66 acres and establish a new separate agricultural preserve consisting of the remaining 200.13 acres. The properties, identified by Assessor's Parcel Numbers 089-120-31 and 32, 317-030-01, -06, -09, and -14, are located on the south side of Gold Hill Road, approximately one mile west of the intersection with Cold Springs Road, in the **Gold Hill area**. (Categorically exempt pursuant to Section 15317 of the CEQA Guidelines)

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER TOLHURST AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS FIND THE PROJECT CATEGORICALLY EXEMPT PURSUANT TO SECTION 15317 OF THE CEQA GUIDELINES AND APPROVE WAC06-0012/WAC06-0013 BASED ON THE FINDINGS PROPOSED BY STAFF.

Findings

1.0 CEQA FINDING

1.1 The proposed requests for Williamson Act Contracts has been found to be Categorically Exempt from CEQA pursuant to Section 15317 stating that, "Class 17 consists of the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area."

2.0 ADMINISTRATIVE FINDINGS

2.1 The subject parcels satisfy the County's criteria 1, 2, and 3 as contained in Resolution No. 188-2002 for the establishment of an Agricultural Preserve, as discussed in the staff report and pursuant to review by the El Dorado County Agriculture Commissioners.

END OF CONSENT CALENDAR

ADDENDUM

This project was continued from the meeting of December 28, 2006.

REZONES/PLANNED DEVELOPMENTS/TENTATIVE PARCEL MAPS

Z05-0016/PD05-0014/P05-0016 submitted by WILLIAM ORMOND (Engineer: Jeffery Crovitz, MGE Engineering, Inc.) to rezone property from Estate Residential Ten-acre (RE-10) to Estate Residential Ten-acre/Planned Development (RE-10/PD), development plan and tentative

parcel map creating four residential lots ranging in size from 4.03 to 11.47 acres, with a commonly held open space area of 12.59 acres. A design waiver has been requested to reduce the road width improvement requirement for the access road to Lots 2, 3, and 4 from 24 to 20 feet. The property, identified by Assessor's Parcel Number 071-450-03, consisting of 40.1 acres, is located on the east side of Cherry Acres Road, approximately one mile south of the intersection with State Route 193, in the **Cool area**. (Mitigated negative declaration prepared)*

Staff: Daniel Hamilton recommended conditional approval. A revised set of conditions was given to the Commission.

Bill Mc Cluskey is concerned about setting a precedent. Gina Hunter and Mr. Hamilton explained the open space requirements for the planned development.

Commissioner Mathews asked the intent of the planned development overlay instead of doing a four-way split. Mr. Hamilton informed the Commission of the applicant's plans for clustering. There was no further input.

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER MATHEWS AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS ADOPT THE MITIGATION NEGATIVE DECLARATION, AS PREPARED; APPROVE Z05-0016 REZONING ASSESSOR'S PARCEL NUMBER 071-450-03 FROM ESTATE RESIDENTIAL TEN-ACRE (RE-10) TO ESTATE RESIDENTIAL TEN-ACRE/PLANNED DEVELOPMENT (RE-10/PD), BASED ON THE FINDINGS PROPOSED BY STAFF; AND APPROVE PD 05-0014/P05-0016, ADOPTING THE DEVELOPMENT PLAN AS THE OFFICIAL DEVELOPMENT PLAN, BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1.0 CEQA FINDING

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal. A de minimis finding on the project's effect on fish and wildlife resources can be found.
- 1.2 The County finds that through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

- 1.4 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 ADMINISTRATIVE FINDINGS

2.1 Zone Change Z05-0016 and Planned Development Permit PD05-0014 Findings

Zone Change Z05-0016 is a request to change the subject site zoning from Estate Residential Ten-acre (RE-10) to Estate Residential Ten-acre with a Planned Development Combining Zone (PD). Tentative Parcel Map P05-0016 consists of an application to create 4 residential lots ranging in size from 4.03 to 11.47 acres, with a 12.59-acre lot for commonly held open space. Planned Development PD05-0014 is a request to create a Planned Development on the site, with clustered lots designed to reflect topography and allow for dedication and preservation of open space. A design waiver request was submitted to allow the following: (1) Construct a 20-foot roadway in-lieu of the 24-wide roadway required under Standard Plan 101B.

The zone change, planned development, and tentative parcel map shall only be approved or conditionally approved if all of the following findings are made:

2.1.1 The PD zone request is consistent with the General Plan.

In accordance with State law and pursuant to General Plan Policy 2.2.5.3, the County has evaluated the subject rezoning request based on the General Plan's general direction as to minimum parcel size or maximum allowable density and to assess whether changes in conditions are present that would support a higher density or intensity zoning district. Based on this analysis and the conclusions reached in the staff report, the site is found to be suitable to support the proposed density

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

The project is for residential purposes. The subject site is surrounded by residential development and will fit within the context of the existing residential uses. The project includes 30 percent open space as required by General Plan Policy 2.2.3.1.

2.1.3 Any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography.

The project does require a design waiver to reduce the road width improvement from 24 feet per Standard Plan 101B to 20 feet. Strict application of the County Road

Improvement Standards would result in an increased amount of project grading on steep slopes; therefore, with the constraints of the existing topography and vegetation, the Design Waiver can be supported.

2.1.4 The site is physically suited for the proposed uses.

The project site is developed with a single family home. The planned development and subdivision will allow for the development of three additional single family homes to be developed within the planned development. The project includes 30 Percent open space, which includes a horse barn and related facilities.

2.1.5 Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities.

The Georgetown Divide Public Utility District will provide water to the subject site, and on-site septic systems will be provided for each residential unit. The El Dorado County Department of Transportation has recommended approval of the Project with road improvements made as a requirement of project approval.

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

The project is not within a scenic corridor and is surrounded by residential development.

2.2 Tentative Parcel Map P05-0016 Findings

Tentative Parcel Map P05-0016 consists of an application to create 4 residential lots ranging in size from 4.03 to 11.47 acres, with a 12.59-acre lot for commonly held open space.

2.2.1 The proposed tentative parcel map, including design and improvements, is consistent with the General Plan policies and land use map.

As proposed, the tentative parcel map conforms to the Rural Residential General Plan land use designation and applicable General Plan policies including access, tree canopy retention, water service, wetland setbacks, grading, transportation, fire protection, and wastewater disposal.

2.2.2 The proposed tentative parcel map conforms to the applicable standards and requirements of the County's zoning regulations and the Major Land Division Ordinance.

As proposed and with the approval of the requested design waivers, the tentative parcel map conforms with the development standards within the Estate Residential Ten-acre (RE-10) and Planned Development Combining Zone District and the Major Land Division Ordinance.

2.2.3 The site is physically suitable for the proposed type and density of development.

As shown on the tentative parcel map, adequate building areas for each lot are available considering the required septic replacement area, slope constraints, tree canopy retention, zoning setbacks, and fire safe standards. As such, the site is physically suitable for the proposed type and density of development.

2.2.4 The proposed subdivision is not likely to cause substantial environmental damage.

The proposed subdivision is not likely to cause substantial environmental damage with the implementation of the mitigation measures identified in Attachment 1.

3.0 [Design Waiver Findings](#)

A Design Waiver has been requested to allow for the construction of a 20 foot roadway in-lieu of the 24 wide roadway required under Standard Plan 101B.

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

The requested reduction in roadway width will reduce potential project grading impacts and still provide adequate pedestrian circulation within the subdivision.

3.2 Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.

Strict application of the design and improvement requirements would require a wider roadway resulting in an increased amount of project grading and potential slopes on roadways above fire district standards. The Department of Transportation and El Dorado County Fire Protection District have reviewed the design waiver request and have no objections.

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

The waiver will not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public as the requested waivers will reduce project impacts to visual resources, such as tree canopy, and earth disturbances. As proposed, the reduced roadway width will allow the subdivision to better fit within the context of the surrounding rural residential uses.

3.4 The waivers would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.

The waiver would not result the nullification of the objectives of Article II of Chapter 16 of the County Code, nor any other ordinance applicable to this division.

Conditions

1. This zone change, planned development, and tentative parcel map approval is based upon and limited to compliance with the project description, dated ~~December 28, 2006~~ January 11, 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:

The "Project" is for a zone change (Z05-0016) from Estate Residential Ten-acre (RE-10) to Estate Residential Ten-acre with a Planned Development Combining Zone (PD). In addition, a Tentative Parcel Map P05-0016 has been requested to subdivide the property into four residential lots ranging in size from 4.03 to 11.47 acres, with a 12.59-acre lot for commonly held open space. Planned Development PD05-0014 is a request to create a planned development on the site, with clustered lots designed to reflect topography and allow for dedication and preservation of open space. A design waiver request was submitted to allow the following: (1) Construct a 20-foot roadway in-lieu of the 24-foot wide roadway required under Standard Plan 101B.

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.

MITIGATION MEASURES

The following mitigation measure is required as a means to reduce potential significant environmental effects to a level of insignificance:

2. The applicant shall utilize vegetated areas and catch basins to ensure that no additional storm water volumes are added to the existing storm drainage system, based on pre-construction water levels.

MONITORING: The on-site drainage study shall be reviewed by the Department of Transportation prior to issuance of a grading permit to ensure that pre-construction storm water volumes are maintained.

Department of Transportation

3. ~~The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department for review and approval. The plan shall be in conformance with the County of El Dorado *Design and Improvement Standards Manual*, the *Grading, Erosion and Sediment Control Ordinance*, the *Drainage Manual*, the *Off-Street Parking and Loading Ordinance*, and the State of California Handicapped Accessibility Standards. The improvements shall be substantially completed, to the approval of the Department of Transportation, prior to filing the parcel map.~~

Upon discretionary approval, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department for review and approval. The plan shall be in conformance with the County of El Dorado “*Design and Improvement Standards Manual*”, the “*Grading, Erosion and Sediment Control Ordinance*”, the “*Drainage Manual*”, the “*Off-Street Parking and Loading Ordinance*”, and the State of California Handicapped Accessibility Standards. 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 recordation of the parcel map.

4. ~~The developer shall enter into an Improvement Agreement with the County, for the roadway improvements to Cherry Acres Road, and provide security to guarantee performance of the Improvement Agreement. The roadway improvements to Cherry Acres Road shall be substantially complete, as determined by the Department of Transportation, prior to filing the parcel map.~~

Upon discretionary approval, the developer shall enter into an Improvement Agreement with the County, for the roadway improvements to Cherry Acres Road, and provide security to guarantee performance of the Improvement Agreement for all required improvements, prior to the recordation of the parcel map.

5. The developer shall construct or verify existence of half width improvements (12 feet from existing centerline) on Cherry Acres Road, along the project frontage, to the General Plan requirements for a Two Lane Regional Road standards (i.e. 50-foot right of way and 24-foot roadway) and Standard Plan 101C, including signage (i.e. stop signs, street name signs, etc.). The roadway improvements to Cherry Acres Road shall be substantially complete or the applicant shall obtain an approved improvement agreement with security, as determined by the Department of Transportation, prior to filing the parcel map.

6. The developer shall construct the off-site portion of Cherry Acres Road ~~that is not County maintained~~, to a minimum 18-foot width per Standard Plan 101C and Fire Safe Standards

- ~~from the project to the County maintained portion of Cherry Acres Road, prior to filing the map. Overton Road to the northern project boundary along Cherry Acres road. The roadway improvements to Cherry Acres road shall be substantially complete or the applicant shall obtain an approved improvement agreement with security as determined by the Department of Transportation prior to recordation of the parcel map.~~
7. The developer shall construct or verify onsite roads to minimum fire safe standards, consistent with the requirements of the El Dorado County and the Fire District, including signage (i.e. stop signs, street name signs, "not a County maintained road", etc.) prior to filing the parcel map. to Standard Plan 101C, with a 40-foot road and public utility easement and 18-foot roadway width, including signage (i.e. stop signs, street name signs, "Not a county Maintained Road, etc.) from Cherry Acres road to the driveway access for Lot 4. The roadway improvements for the on-site roads shall be substantially complete or the applicant shall obtain an approved improvement agreement with security as determined by the Department of Transportation prior to the recordation of the parcel map.
 8. The developer shall irrevocably offer to dedicate, the right of way as easement with a public utilities easement (to be rejected) on the parcel map for all on-site roadways prior to recordation of the parcel map.
 9. The applicant shall join, or verify membership in good standing, and/or form an entity, satisfactory to the County, to maintain all roads not maintained by the County, both on-site and for those roads (Cherry Acres Road) that are required for access to County or State maintained roads. If a Zone of Benefit, Home Owner Association or informal road maintenance association cannot be formed to maintain non-County maintained roads, the applicant should be aware that Civil Code 845 requires that the owner of any easement in the nature of a private right-of-way, or of any land to which any such easement is attached, shall maintain it in repair, and in the absence of an agreement, the cost shall be shared proportionately to the use made of the easement by each owner prior to the recordation of the parcel map.
 10. The applicant shall pay the traffic impact fees in effect at the time when a building permit application is issued deemed complete. ~~Until such time as updated traffic impact fees are adopted pursuant to the General Plan, any subdivisions will be required to either (1) execute an agreement agreeing to pay the higher fees, even after building permits have been issued or (2) have a notice of restriction placed on the final map prohibiting the issuance of building permits until the updated traffic impact fees are adopted.~~
 11. ~~If blasting activities are to occur in conjunction with grading or improvements, applicant shall ensure that such blasting activities are conducted in compliance with state and local regulations.~~
 16. The applicant shall provide a soils report at time of improvement plan or grading permit application addressing, at a minimum, grading practices, compaction, slope stability of

- existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
- ~~12. If burning activities are to occur during the construction of the project improvements, applicant shall obtain the necessary burning permits from the California Department of Forestry and air pollution permits from the County prior to said burning activities.~~
 - ~~13. The location of fire hydrants and systems for fire flows are to meet the requirements of the responsible Fire Protection District.~~
 - ~~14. The emergency vehicle circulation requirements for roads and driveways, and the location of hydrants, shall be shown on the improvement plans, which shall be subject to the approval of the responsible Fire Protection District. The Department of Transportation will require plans to meet Fire Safe Standards, but only the responsible Fire Protection District may waive or relax those Fire Safe Standards.~~
 - ~~15. If human remains are discovered at any time during the grading or 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 Deputy Director of Planning Services or designee.~~
 16. Now Condition 11.
 12. 17. Any import or export to be borrowed or deposited within El Dorado County shall require an additional grading permit for that offsite grading.
 13. 18. The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.
 14. 19. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to the Department of Transportation with the approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.
 15. 20. Improvement plan centerline stationing shall conform to as-built plans. If there is any question about the stationing, the Department of Transportation will be the sole authority in setting the stationing.

El Dorado County Fire Protection District

16. ~~21.~~ The applicant shall submit review fee of \$120.00
17. ~~22.~~ The required fire flow for this project is 1,000 gallons per minute at 20 psi for two hours.
18. ~~23.~~ An additional hydrant on Cherry Acres Road at the property line between Lot 2 and 4 will be required for this map.
19. ~~24.~~ The applicant shall provide documentation from GDPUD and the Fire District to show that the system will meet required fire flow for this project.
20. ~~25.~~ The private roadway access for Lots 2-4 is required to be 20' wide and, if paved, can be a maximum 20 percent grade.
21. ~~26.~~ Common Driveway #2 is only required to be 12 feet wide.
22. ~~27.~~ Where the private road and common driveway #2 meet, the inside turning radius must be increased to 25 feet or provide a 50 foot inside radius cul-de-sac.
23. ~~28.~~ A Fire Safe Plan is required prior to construction.
24. ~~29.~~ Any gates constructed on site will require fire district approval.

Planning Services

25. ~~30.~~ Prior to occupancy/issuance of a building permit or commencement of any use authorized by this permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services prior to occupancy/issuance of a building permit for verification of compliance with applicable conditions of approval.
26. ~~31.~~ The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. The fees shall be paid at the time of filing the final map.
27. ~~32.~~ The subdivider shall be subject to a \$150.⁰⁰ appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.

Georgetown Divide Recreation District

28. ~~33.~~ Applicant shall pay all fees to the District required by County Ordinance.

29. ~~34.~~ A fifteen foot dedicated easement shall be required to comply with the El Dorado County and the Georgetown Divide Recreation District Trails Master Plan. The easement shall run adjacent to Cherry Acres Road. In absence of this easement, the applicant could provide evidence that the public easements for equestrian and other trails are already dedicated on the area to provide point-to-point access sought by this easement dedication.

Surveyor's Office

30. ~~35.~~ All survey monuments must be set prior to filing of the parcel map.
31. ~~36.~~ The roads serving the development shall be names by filing a completed Road Name Petition with the County Surveyors Office prior to filing the parcel map.
32. ~~37.~~ Prior to filing the parcel map, a letter to the County Surveyor will be required from all agencies that have conditions placed on the map. The letter will state that all conditions placed on the map by that agency have been met.

Georgetown Divide Resource Conservation District

33. ~~38.~~ The applicant shall submit a detailed, site-specific soils report, prepared by a Registered Civil Engineer or Certified Engineering Geologist, identifying existing soil and groundwater conditions in the project area and, if necessary, identifying potential mitigation measures.
34. ~~39.~~ In order to comply with the District's Erosion Control Requirements and Specifications, the applicant will need to implement erosion control measures, including runoff control measures and soil stabilization measures, and sediment control measures, including straw rolls, sediment fence, and sediment basins, as necessary. The applicant is encouraged to contact the District to identify suitable measure to include in the final construction documents.
35. ~~40.~~ The applicant shall mimic existing drainage patters to the extent practicable, accounting for runoff flowing onto the site from adjacent development, and ensure that the post-construction storm-water volumes and peak discharges from the site approximate existing conditions. The applicant should maximize vegetated area to reduce runoff volume and peak flow and use basins as a secondary practice. A description of the proposed storm water management system design shall be included with applications for building permits.

El Dorado County Air Quality Management District

36. 41- If the project includes the disturbance of 20 cubic yards or more of earth, the applicant shall comply with AQMD Rule 223-2 Fugitive Dust Asbestos Hazard Mitigation, which includes an asbestos Dust Mitigation Plan submittal, fugitive dust prevention, speed limits, warning signs, trackout prevention, excavated soil management and post-construction mitigation. This must be submitted to the AQMD along with the \$315 application fee plus \$20/disturbed acre, prior to issuance of a permit.

8. TENTATIVE MAP CORRECTION (Public Hearing)

TM89-1147C submitted by ROBERT and VERA DOETTLING, DANNY and SANDRA MAROSTICA, VCO, a California Limited Partnership (Agent: Gene E. Thorne & Associates, Inc.) to amend the recorded final map for Longview Estates, Unit 3 (Lots 35 through 38) to reconcile the map with the correct location of the right-of-way for the cul-de-sac that fronts the four subject parcels. The properties, identified by Assessor's Parcel Numbers 325-420-11, -12, -13, and -14, are located on the west end of Morel Way, approximately 500 feet west of the intersection with Fieldstone Drive, in the **Placerville Periphery area**. (Statutorily exempt pursuant to Section 15268(b) (3) of the CEQA Guidelines)

Staff: Tom Dougherty recommended conditional approval. Gene Thorne was present and concurred with the conditions. There was no further input.

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MATHEWS AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FIND THE PROJECT STATUTORILY EXEMPT PURSUANT TO SECTION 15268(b)(3) OF THE CEQA GUIDELINES AND APPROVE TM89-1147C BASED ON THE FINDINGS AND SUBJECT TO THE CONDITIONS PROPOSED BY STAFF.

Findings

1.0 Map Correction Findings

1.1 That there are changes in circumstances which make any and all of the conditions of such a map no longer appropriate or necessary.

In light of the fact that the development plans reflecting the existing right-of-way and cul-de-sac locations have had previous County approval, there is no conflict with amending the final subdivision map to reconcile the map with the correct location of the right-of-way for the cul-de-sac that fronts the four subject parcels.

1.2 That the modifications proposed do not impose any additional burden on the present fee owner of the property.

Affected property owners are in agreement with the purpose of the map correction.

1.3 That the modifications proposed do not alter any right, title or interest in the real property reflected in the recorded map.

The correcting of the final subdivision map to reflect the current cul-de-sac location will not alter any right, title or interest in the real property reflected in the recorded subdivision map J-31.

1.4 That the map as modified conforms to the provisions of *Section 66474* of the *Government Code*.

The applicable portion of Section 66474(g) requires that the County find the change to the final map will not conflict with easements for access through or use of, property within the subdivision map. The map correction simply adjusts the locations of the property and right-of-way lines subject of this permit request.

Conditions

Planning Services

1. Pursuant to Resolution No. 240-93, a \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption. This fee must be submitted to the El Dorado County Planning Services within five days of the approval of this application by the El Dorado County Board of Supervisors.

County of El Dorado Office of the County Surveyor

2. All survey monuments shall be set prior to the recordation of the final map 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 shall be coordinated with the County Surveyor's Office.
3. The applicant shall file an amended final subdivision map with the El Dorado County Surveyor's office pursuant to the Subdivision Map Act and County Code for review and approval prior to recordation at the County Recorders Office. Said map is to be consistent with Exhibits F-1, F-2, and F-3. The property owners are responsible for all associated processing and recording fees.
4. All owners of record at the time of the recording of the amended final subdivision map must submit appropriate documentation demonstrating their acquiescence of the proposed project as approved, and they must be signature to the corrected Final Subdivision Map as well.

The action can be appealed to the Board of Supervisors within ten working days.

9. NON-CONFORMING USE (Public Hearing)

Consideration of the nonconforming use status of the Olde Coloma Theatre, located at 380 Monument Road, Coloma, CA. The property, identified by Assessor's Parcel Number 006-290-04, is located on the south side of Monument Road, approximately 300 feet west of the intersection with Cold Springs Road, in the Coloma area.

Staff: Peter Maurer briefly went over some background information. The applicant does not want to apply for a special use permit. The main issues are parking and safety.

Commissioner Mathews has talked to the applicant but has not seen most of the backup information on this item. He would like to continue this item so we can meet with the applicant and other people involved so the Commission can reach a conclusion on this item. Commissioner Tolhurst would like to come to an agreement with the State Park for additional parking. Commissioner Mac Cready does not want to see the theater shutdown, but they need to make an effort to obtain more parking.

Dustin Weiland agreed to a continuance. The State Park is not against letting them use the site. He just has to give them a proposal. He will be working with Mr. Gibson at the State Park on this issue.

A gentleman spoke in favor of the theater. Dan Marino also spoke in favor as well a woman from the audience. She would like to know what they can do to make this proceed easier and how they can show their support. Commissioner Tolhurst said perhaps they can indicate to the State Park that they are in favor of this use and would like to see it continue. There was no further input.

MOTION: COMMISSIONER MATHEWS, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO CONTINUE THIS ITEM TO MARCH 8, 2007.

10. ZONING ORDINANCE UPDATE

a. Landscaping Standards

This item was continued from the meeting of December 14, 2006.

Staff: Lillian Mac Leod gave a power point presentation. Input received from Katherine Gilfillian, Art Marinaccio, Valerie Zetner representing the Farm Bureau, and Kathy Lishman. No action was taken.

b. Scenic Corridor

Staff: Lillian Mac Leod went over her staff report. Input was received from Valerie Zetner representing the Farm Bureau, Art Marinaccio, Kim Beal, and Kathy Lishman. No action was taken.

c. Bed and Breakfast Inns

Staff: Lillian Mac Leod presented this item. Input was received from Valeria Zetner representing the Farm Bureau. No action was taken.

d. Signs

Staff: Lillian Mac Leod presented this item. Input was received from Dennis Small, Western Sign Company, Valerie Zetner representing the Farm Bureau, Kim Beal, and Kathy Lishman. No action was taken.

11. GENERAL PLAN UPDATE

Status Report – Conservation and Open Space Element; Public Health, Safety and Noise Element; Public Services and Utilities Element

Staff: Shawna Purvines briefly went over her memo. No action was taken.

12. REPORTS

Long Range Planning Work Program

This item was continued to February 8, 2007, with the adoption of the agenda.

13. DEPARTMENT OF TRANSPORTATION - None

14. COUNTY COUNSEL'S REPORTS - None

15. DIRECTOR'S REPORTS - None

16. ADJOURNMENT

Meeting adjourned at 1:12 p.m.

APPROVED BY THE COMMISSION
Authenticated and Certified:

John Knight, Chair

