



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

2850 Fairlane Court • Placerville, CA 95667
<http://www.co.el-dorado.ca.us/planning>
Phone: (530) 621-5355
Fax: (530) 642-0508

MINUTES

Regular Meeting of the Planning Commission May 10, 2007 – 8:30 A.M. BUILDING C HEARING ROOM 2850 Fairlane Court, Placerville, CA

1. CALL TO ORDER

Meeting called to order at 8:35 a.m. Present: Commissioners Mac Cready, Machado, Mathews, Tolhurst, and Knight; Paula F. Frantz, County Counsel (after 9:00 a.m.); and Jo Ann Brillisour, Clerk to the Planning Commission.

2. ADOPTION OF AGENDA

MOTION: COMMISSIONER MATHEWS, SECONDED BY COMMISSIONER MACHADO AND UNANIMOUSLY CARRIED, IT WAS MOVED TO ADOPT THE AGENDA, AS AMENDED, WITH ADDENDUM.

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: April 26, 2007

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER MATHEWS, IT WAS MOVED AND UNANIMOUSLY CARRIED TO APPROVE THE CONSENT CALENDAR.

5. DEPARTMENTAL REPORTS AND COMMUNICATIONS

These items were considered during the day as time permitted.

Report – Bass Lake Park

Staff: Lawrence Appel gave the Commission a brief update. No action was taken.

Report – Reorganization

Staff: Gregory Fuz gave the Commission a brief overview on the departmental organization. No action was taken.

Report – Rare Plant Fees

Staff: Steve Hust gave the Commission some background information on the fee program and a brief update. No action was taken.

6. COMMISSIONERS' REPORTS

Commissioner Mac Cready would like to revisit the home occupation aspect of the Zoning Ordinance with the Agricultural Commission. He would like a workshop scheduled. Larry Appel asked if it is home occupations in general. Commissioner Mac Cready said it is the ordinance in general. Mr. Appel said the Board has directed that the home occupations relating to wineries be included in the winery ordinance. He would be willing to discuss the home occupation ordinance with the Commission (June 28).

Commissioner Machado spoke about the shopping center where Sam's Town was located and the fact he believes it is out of character with the Cameron Park area.

Commissioner Mathews spoke about a constituent that has been trying to obtain a building permit since November in a subdivision that is nearly built out. The problem seems to be that he cut down one oak tree. Mr. Appel said Gregory Fuz will be talking to the Commission about criteria that will allow staff the authority to make reasonable use determinations under certain circumstances (with regard to Policy 7.4.4.4(A)).

Commissioner Knight asked about the improvements at El Dorado Hills Boulevard/Highway 50. Eileen Crawford, Department of Transportation, explained work is being done; adding to the climbing lane; restriping; additional shoulder work; and additional lighting.

Commissioner Knight said he has heard that Sierra Pacific Industries is looking at a rezone for their property in El Dorado Hills. Mr. Appel has heard nothing about such an application.

Commissioner Knight said he has heard discussion about various planning commissioners getting together, i.e., Rancho Cordova, El Dorado County, to discuss related issues. That is something that may be coming up sometime in the future.

PUBLIC FORUM/PUBLIC COMMENT - None

7. FINDING OF CONSISTENCY (Public Hearing)

GOV07-0006 submitted by the DIAMOND SPRINGS/EL DORADO FIRE PROTECTION DISTRICT for a finding of consistency with the General Plan on the Capital Improvement Program funded by the District's Facilities Impact Fee Study.

Staff: Jason Hade recommended the Commission find the request consistent with the County General Plan.

Todd Cunningham, representing the fire district, was present. Chair Knight asked that Mr. Cunningham explain the special tax. Chair Knight asked about the 50 percent reduction for sprinklers. Mr. Cunningham said it is not a straight 50 percent reduction. He further explained.

There was no one in the audience wishing to give input.

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FIND THE CAPITAL IMPROVEMENT PROGRAM FUNDED BY THE DIAMOND SPRINGS/EL DORADO FIRE PROTECTION DISTRICT FACILITIES IMPACT FEE STUDY CONSISTENT WITH THE GENERAL PLAN.

8. TEMPORARY USE PERMIT (Public Hearing)

TUP07-0003 submitted by WESTERN WATER CONSTRUCTORS/Coolwater Creek Road Construction Storage Yard to allow a temporary construction storage yard for the Hangtown Creek Water Reclamation Facility upgrade on property identified by Assessor's Parcel Number 323-200-04 located at 2440 Coolwater Creek Road, one mile south of the intersection with Cold Springs Road, in the **Placerville area**, Supervisorial District III. (Exempt pursuant to Section 15300.1 of the CEQA Guidelines)

Staff: Jason Hade recommended conditional approval. One letter was received from an adjacent property owner asking about the duration of the use.

Commissioner Mac Cready asked how you determine when the upgrade is complete. Mr. Hade commented staff will be relying on the City of Placerville staff and the contractor to determine when the project is complete. Commissioner Tolhurst said the project is complete when the Notice of Completion is recorded. The Commission concurred the Notice of Completion should be added to the conditions. Commissioner Machado said the neighbors want to make sure this does not become a three or four year project. Paula Frantz, County Counsel, said a condition could be added that the permit come back to the Commission for review in two years.

Luke McGarva, representing the applicant, said once the Notice of Substantial Completion is filed, they will be off the site. They are well ahead of schedule and are 50 percent complete. They feel they will be finished six months earlier than anticipated. They should be mostly off the site by fall. There may be times they will have three deliveries a week. Some weeks there may be no deliveries. Commissioner Mathews said two deliveries a week seems prohibitive. Mr.

McGarva spoke about an average of three deliveries a week. Ms. Frantz suggested a number per month. Chair Knight suggested ten per month. Mr. McGarva agreed. Most of the automobiles are gone, and the remaining cars will be gone within 30 days. They would like to be able to keep the canopy for their sensitive equipment. Commissioner Machado said if they are allowed to use the canopy, include in the condition that the facility be removed before they leave the site. Mr. McGarva asked about the knox box. Chair Knight said they should work with the fire district.

Maureen DeLapp asked if a fence could be installed along her property line until the project is completed. Commissioner Tolhurst suggested a six-foot tall solid fence.

There was no further input.

Mr. McGarva has no problem installing the fence by July 1, matching the height of the existing fence.

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER MATHEWS AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FIND THE PROJECT EXEMPT PURSUANT TO SECTION 15300.1 OF THE CEQA GUIDELINES AND APPROVE TUP07-0003 BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1.0 ADMINISTRATIVE FINDINGS

- 1.1 Pursuant to 17.23.020.A.2 of the Zoning Ordinance, the Planning Commission has determined that the construction storage yard use at the subject site is an allowable temporary use for the duration of the Hangtown Creek Water Reclamation Facility upgrade and is not detrimental to the public health and safety.
- 1.2 The temporary use permit is consistent with applicable General Plan policies including 2.2.5.21, 5.3.1.6, and 5.3.1.7. As a temporary use, the project is compatible with the surrounding residential land uses because of project conditions of approval created to minimize short-term noise, lighting, traffic, and fugitive dust impacts. Upgrading the City of Placerville's Hangtown Creek Water Reclamation Facility is consistent with the General Plan policies listed above which require wastewater treatment operators to plan for future development accordingly and for future projects to connect to public wastewater treatment facilities in Community Regions. This temporary construction storage yard use is a necessary component for the success of the reclamation facility upgrade project consistent with the General Plan.

Conditions

1. This temporary use permit is based upon and limited to compliance with the project description, the staff report exhibit marked Planning Commission Exhibit B "Site Plan," dated December 5, 2006, 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: Temporary Use Permit TUP07-0003 consists of the use of Assessor's Parcel Number 323-200-04 as a temporary construction storage yard for the Hangtown Creek Water Reclamation Facility upgrade. The use is permitted until the time of completion of the Hangtown Creek Water Reclamation Facility upgrade work, as determined by the City of Placerville. The temporary use at the site shall be limited to the uses identified on the site plan including one caretaker dwelling, one office, six parking stalls, water/septic systems, and two signs. Hours of operation for the site, including material deliveries, shall be limited to 8:00 AM to 6:00 PM on weekdays and 9:00 AM to 5:00 PM on Saturdays. Deliveries are not permitted on Sundays.

The use and maintenance of the property, the size, shape, arrangement, and location of structures, parking 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 must be submitted for review and approval and shall be implemented as approved by the County.

Air Quality Management District

2. All construction shall adhere to District rules 223 and 223.1 concerning fugitive dust emissions.
3. Prior to ~~the use of the site consistent with this temporary use permit~~ July 1, 2007, a fugitive dust plan application with appropriate fees shall be submitted to and approved by the District.
4. The project staging area shall comply with Chapter 10 – Mobile Source Operational Controls, Article 1 – Motor Vehicles, Division 3, Air Resources Board, Title 13, California Code of Regulations, section 2485 to limit diesel fueled commercial vehicle idling for the duration of the temporary use.

El Dorado County Fire Protection District

5. Prior to ~~occupancy~~ July 1, 2007, under TUP07-0003, a \$150.00 site plan review fee shall be paid to the El Dorado County Fire Protection District.
6. Prior to ~~occupancy~~ July 1, 2007, under TUP07-0003, the project access road shall be improved to an all-weather surface to be a minimum of 20-feet wide with a 25-foot inside turning radius with a 13-foot six-inch vertical clearance capable of supporting a 40,000 pound load.

7. The site address shall be posted at the street with numbers to be a minimum of 12 inches in size prior to ~~occupancy~~ July 1, 2007, under this temporary use permit.
8. The applicant shall install a Knox padlock on the access gate and provide Knox box keys on the exterior of the temporary office prior to ~~occupancy~~ July 1, 2007.
9. Project gates shall comply with fire prevention officer's standard (two feet wider than access road), prior to ~~occupancy~~ July 1, 2007, as determined by the El Dorado County Fire Protection District.
10. Prior to ~~occupancy~~ July 1, 2007, the applicant shall mount one 2A10BC fire extinguisher inside the temporary office.
11. Vegetation control shall be conducted within the fenced area to the satisfaction of the El Dorado County Fire Protection District, prior to site ~~occupancy~~ July 1, 2007.

Planning Services

12. No more than ~~two~~ ten deliveries shall occur at the site each ~~week~~ month during the hours of operation detailed within the project description.
13. Upon demolition of the animal shelter at the reclamation facility site (job site), the office shown on the submitted site plan shall be re-located to the job site.
14. Western Water Constructors, with cooperation from the property owner, shall remove all abandoned vehicles and other unauthorized uses, ~~such as the nursery structure~~, within 30 days from the issuance of a temporary use permit for the uses outlined in the project description.
15. Drainage and erosion control measures shall be implemented at the project site upon issuance of this temporary use permit.
16. All temporary uses and facilities permitted under this temporary use permit shall be removed within 10 days of the ~~completion~~ filing of the Notice of Substantial Compliance, or within two years from the issuance of this special use permit (May 10, 2009), whichever comes first, of the Hangtown Creek Water Reclamation Facility upgrade. Failure to remove the temporary uses by this deadline will result in forfeiture of the submitted \$1,000 bond and potential Code Enforcement action.
17. All temporary outdoor lighting, including the proposed security lighting on the temporary office, shall comply with Section 17.14.170 of County Code.
18. A minimum six-foot tall solid wood fence shall be installed by July 1, 2007, along the southern boundary of the site extending to a point agreeable to the adjacent property

owner and the applicant. If agreement cannot be reached, Development Services staff shall determine the point at which the fence shall end.

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

9. SPECIAL USE PERMIT (Public Hearing)

a. **S06-0017/Bella Vista Bed & Breakfast** submitted by KATHLEEN ASH to allow a three bedroom bed and breakfast in an existing single family residence with a 13.2 square foot non-illuminated, informational sign. The property, identified by Assessor's Parcel Number 006-480-31, consisting of five acres, is located on the east side of Cold Springs Road, southwest of the intersection with Kane Hill Road, in the **Coloma area**, Supervisorial District IV. (Categorically exempt pursuant to Section 15301 of the CEQA Guidelines)

Staff: Thomas Lloyd recommended conditional approval. Peter Maurer said the Department of Transportation would like one condition added. He read from the memo.

Bob and Kathleen Ask were present. At an earlier meeting, the Department of Transportation said they would be happy with 30 feet from centerline of Cold Springs Road. Eileen Crawford, Department of Transportation, said they would be looking for a total width of 60 feet right-of-way.

There was no further input.

After the motion and before voting, Commissioner Mathews said if there is no information about the width of the road in the Surveyor's Office, it is not up to the applicant to prove there is 30 feet but up to the Department of Transportation.

MOTION: COMMISSIONER MATHEWS, SECONDED BY COMMISSIONER KNIGHT AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FIND THE PROJECT CATEGORICALLY EXEMPT PURSUANT TO SECTION 15301 OF THE CEQA GUIDELINES AND APPROVE S06-0017 BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1.0 CEQA FINDING

1.1 This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15301 of the CEQA Guidelines. This exemption applies to permitting or minor alteration of existing public or private structures by such things as interior partitions, plumbing, and electrical conveyances.

1.2 The documents and other materials which constitute the record of proceedings upon which the decision is based are in the custody of the Development Services Department-Planning Services at 2850 Fairlane Court, Placerville, CA 95567.

2.0 GENERAL PLAN FINDINGS

- 2.1 The proposed use is consistent with applicable policies in the 2004 El Dorado County General Plan, as discussed in the General Plan section of this staff report.

3.0 SPECIAL USE PERMIT FINDINGS

- 3.1 *The issuance of the permit is consistent with the General Plan;*

This project meets the intent of the General Plan through the application of Policy 10.1.6.1 which encourages the expansion of local industries, like bed and breakfast inns, to promote tourism.

- 3.2 *The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood;*

This project has been found to have adequate parking for both residents and guests. Additionally, there will be no additional lighting installed on the exterior of the property, thus light encroachment on neighboring properties will be unchanged. Traffic will not be an issue as there are only three guest rooms and direct access to a well-maintained County road. Finally, the closest neighbors to the property are several hundred feet away and across the street. The adjacent parcels are undeveloped. With no special events allowed, the use will not be detrimental to the neighborhood.

- 3.3 *The use is found to comply with the requirements of Chapter 17.22, Special Use Permits, as well as the El Dorado County Bed & Breakfast Inns—Interim Guidelines adopted by the Planning Commission on July 24, 1997;*

The project parcel is the property owner's principal residence, meal service is limited to breakfast and an afternoon snack of wine and cheese as a portion of the overall room rate, access and parking meet or exceed Zoning Ordinance requirements, and a valid Health Permit and business license are required prior to operation.

- 3.4 *The proposed use will allow signage in excess of the 6 square foot size allowable by right.*

The proposed signage will not affect pedestrians or vehicular traffic, nor conceal from view any public signs by being placed outside the road and public utilities easement. Supported by two (2) wooden poles, the total height of the sign will not exceed eight (8) feet, per 17.28.190 (D), which prescribes sign usage by right in the Estate Residential Five-acre (RE-5) Zone District. The decorative nature of the sign is not out of character with the existing Gold Hill Vineyard signage, located approximately 0.5 miles south on Cold Spring Road.

Conditions

El Dorado County Planning Services

1. This special use permit is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits D and E, dated August 30, 2006, 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 special use permit to allow a three-guestroom bed and breakfast in an existing single family residence. Along with the three bedrooms, the bed and breakfast will consist of a common area and dining room for guests. Proposed signage will consist of a 4-foot x 3-foot 4-inch non-illuminated, informational sign, as shown in Exhibit E. This sign will be located outside the existing road and public utilities easements, on the south side of the existing asphalt driveway, as shown in Exhibit D. This sign will be supported by two wooden posts, and total height shall not exceed eight (8) feet. Meal service will be limited to breakfast and an afternoon snack of local wine and cheese, as a portion of the room rate. No special events are proposed, and the owners will operate the bed and breakfast. Access is from Cold Springs Road, and the structure will continue to be served by private well and septic system.

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.

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 developer and land owner 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 special use permit, which action is brought within the time period provided for in Section 66499.37.

The County shall notify the applicant of any claim, action, or proceeding, and the County will cooperate fully in the defense.

4. Prior to issuance of any permits, the applicant shall pay all Development Service fees.
5. The applicant shall post a valid County Business license in a conspicuous place on the premises prior to operation of the bed and breakfast inn.
6. No special events (e.g., wedding receptions, outdoor events) shall be permitted.

El Dorado County Fire Protection District:

7. The applicant shall install a home sprinkler system supported by one (1) 300 gallon water storage tank to substitute for the required fire hydrant, per negotiation with the Fire Protection District. The water tank shall be located outside of required setbacks.
8. The facility shall not be placed into operation prior to inspection and testing of the home sprinkler system.

El Dorado County Environmental Management Department:

9. The applicant shall maintain a valid El Dorado County Environmental Health Permit for the inn. Issuance of the permit shall occur prior to operation of the bed and breakfast.
10. The applicant shall irrevocably offer to dedicate, in fee, right-of-way for Cold Springs Road along the entire property frontage, prior to the issuance of the special use permit. The width shall be a minimum of 30 feet, or as necessary to provide a total road right-of-way width of 60 feet for that portion of Cold Springs Road fronting the property, but not to exceed 40 feet. This offer will be accepted by the County.

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

- b. **S06-0020/Kallabis Preschool** submitted by HARRY and CINDRA KALLABIS to allow an existing single-family residence to be used as a preschool with a maximum of 30 students and three teaching staff members, and a 10-square foot sign in excess of an unlighted six square foot sign permitted by right within the One-acre Residential (R1A) Zone District. The property, identified by Assessor's Parcel Number 329-050-19, consisting of 1.0 acre, is located on the north side of Mother Lode Drive, approximately 1,221 feet east of the intersection with El Dorado Road, in the **Placerville area**, Supervisorial District III. (Categorically exempt pursuant to Section 15303(c) of the CEQA Guidelines)

Staff: Jason Hade recommended conditional approval. One comment was received regarding possible traffic problems. Staff believes any possible problems have been taken care of in the conditions of approval.

Commissioner Machado asked about the intersection of Mother Lode and El Dorado Road. There was a church approved in this location several years ago. Will there be a signal at Mother Lode? Eileen Crawford, Department of Transportation, said the sight distance appears to be significant enough so there will be no problems. The drop-off space also appears to be adequate. Peter Maurer explained the drop-off area.

Harry Kallabis said this is not a day care center but a pre-school. He explained their operation. Chair Knight asked about the age of the children. Mr. Kallabis replied three and a half years to five years. His engineer does not believe culverts are necessary. Eileen Crawford, Department of Transportation, received a request from the applicant earlier this week regarding the culverts. She suggested revision to Condition 10.

Walter Ehrlich, resident at the intersection of Mother Lode and El Dorado Road for 30 years, said this is the most dangerous intersection in El Dorado County.

Douglas Becker, resident in the area, said there is a passing lane in front of the proposed day care facility. There will be a traffic problem. The sight distance coming out of this site is very poor.

Robert Johnson, resident 100 yards from the entrance of the pre-school, said this is a dangerous intersection. There should be a stop sign at Mother Lode and the speed reduced.

Reece Chambers agreed there is a traffic situation in the area. She recommends there be a fence around the building. Mr. Hade said the playground will be fenced.

There was no further input.

Mr. Kallabis agrees there are traffic problems in this area. He does not have a problem working with the Department of Transportation, cutting limbs, reducing the speed limit, etc. There is a state requirement for fencing.

Chair Knight asked Eileen Crawford about improvements in this area. Ms. Crawford said there is a CIP project for Mother Lode/El Dorado Road. She explained the proposed improvements in the area.

Commissioner Mac Cready asked what happens if there are more children and more cars going in and out of the site. Mr. Maurer explained the process for speed limit reductions.

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MATHEWS AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FIND THE PROJECT CATEGORICALLY EXEMPT PURSUANT TO SECTION 15303(c) OF THE CEQA GUIDELINES AND APPROVE TUP07-0003 BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1.0 CEQA FINDINGS

- 1.1 The Planning Commission has determined that the proposed project will have no significant impact on the environment and is exempt from CEQA pursuant to 15303(c) of the CEQA Guidelines.
- 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 GENERAL PLAN FINDINGS

- 2.1 As proposed, the project is consistent with the Medium-Density Residential (MDR) land use designation of the subject site as defined within General Plan Policy 2.2.1.2 because the MDR land use designation permits such uses where the character of an area is single-family residences.
- 2.2 The proposal is consistent with General Plan Policies 2.2.5.21, TC-Xe ,TX-Xf, TC-4e, 5.5.2.1, 6.2.3.2, 6.5.1.7, and 6.5.1.8 concerning land use compatibility, traffic, bicycle transportation, solid waste capacity, fire safe access, and noise. Because of the project's compatibility with surrounding land uses, insignificant traffic impacts, provision of adequate waste containers and fire safe access and insignificant noise levels, it is consistent with the General Plan policies identified above.

3.0 ZONING FINDINGS

- 3.1 The proposed use is permitted by special use permit in the One-acre Residential (R1A) Zone District, pursuant to Section 17.28.070.B provided that the administrative findings outlined below can be made by the Planning Commission.
- 3.2 As proposed, the project meets all applicable development standards contained within the *El Dorado County Zoning Ordinance* because sufficient landscaping and parking is provided.

4.0 ADMINISTRATIVE FINDINGS

- 4.1 *The issuance of the permit is consistent with the General Plan.*

As discussed above, the issuance of the permit is consistent with the General Plan because of the project's consistency with policies 2.2.5.21, TC-Xe ,TX-Xf, TC-4e, 5.5.2.1, 6.2.3.2, 6.5.1.7, and 6.5.1.8 concerning land use compatibility, traffic, bicycle transportation, solid waste capacity, fire safe access and noise.

- 4.2 *The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood; and*

The proposed use would not be detrimental to the public health, safety and welfare or injurious to the neighborhood as it will fit within the context of the surrounding mix of residential and commercial land uses adjacent to Mother Lode Drive and result in insignificant noise and traffic impacts to surrounding residents and businesses.

- 4.3 *The proposed use is specifically permitted by special use permit pursuant to this Title.*

The proposed use is specifically permitted by special use permit pursuant to Section 17.28.070.B of the *El Dorado County Zoning Ordinance* as the required findings detailed above may be made by the Planning Commission.

Conditions

Planning Services

1. This special use permit is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Planning Commission Exhibit E, "Site Plan," and Exhibit F, "Signage," dated November 29, 2006, 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: Special Use Permit S06-0020 shall consist of the use of an existing single-family residence at the subject site as a preschool with a maximum of 30 students and three teaching staff members. Hours of operation are 8:30 a.m. to 4:30 p.m. Monday through Friday. The school may only operate from mid-August to May 31 each year. One 10 square foot sign is permitted consistent with Exhibit F. Site improvements shall include the provision of a drop-off area with five parking spaces. A five-foot wide landscape buffer shall be installed consistent with Exhibit E. Access is provided by Mother Lode Drive. Public water is provided to the site by the El Dorado Irrigation District and a septic system will provide sewage disposal subject to Environmental Management Department review and approval.

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.

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 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 the project, which action is brought within the time period provided for in Section 66499.37.

County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

3. Prior to building permit issuance, the applicant shall provide a written description, together with appropriate documentation, demonstrating conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services permit center staff prior to final occupancy for verification of compliance with applicable conditions of approval.
4. The applicant is responsible for providing five off-street parking spaces at all times while the preschool is in operation pursuant to 17.18.060 of the Zoning Ordinance. All on-site parking shall meet the parking lot design standards contained in Section 17.18.030 of the County Code.
5. The Parking Lot Landscaping and Buffering Standards (Section 17.18.090, El Dorado County Zoning Ordinance) shall be incorporated into the site plan and final landscape plan and be approved by Planning Services prior to issuance of a building permit. The applicant shall submit a final landscape plan at the time of building permit submittal which will be reviewed by planning staff at that time. Additionally, staff will make an on-site inspection to verify compliance with the final landscape plan prior to occupancy.
6. Trash containers are to be kept within the garage except for pick-up days or fully screened from public view by fencing and/or landscaping.
7. Prior to final building occupancy, all outdoor lighting shall conform to Section 17.14.170 of the County Code and be fully shielded pursuant to the Illumination Engineering Society of North America (IESNA) full cut-off designation, as determined by Planning Services.
8. Prior to occupancy of the structure as a preschool, the applicant shall pay all Development Services fees.
9. Directional signs shall be installed prior to occupancy, providing one-way vehicular movement in the access driveway and drop-off area.

Department of Transportation

10. The applicant shall improve the property frontage with a four (4) foot wide paved shoulder, measured from the existing white edge line, along the property frontage from the eastern boundary to the western encroachment of this site. This paved shoulder shall be constructed to the requirements of El Dorado County DOT, prior to occupancy, as determined by DOT.
11. The applicant shall construct both driveway encroachments onto Mother Lode Drive to the provisions of County Standard Plan 103C and ~~provide new cross culverts and~~ improve the roadside drainage facility along the frontage of this parcel between these encroachments. The applicant shall obtain an encroachment permit from DOT for the construction of these facilities and the required paved shoulder, prior to occupancy, as determined by DOT.
12. 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 commencement of any improvements on the project facilities.
13. 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.
14. The developer 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 occupancy.
15. Any import or export to be deposited within El Dorado County shall require an additional grading permit for that offsite grading.
16. 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.
17. The applicant shall submit a 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.
18. The project applicant shall incorporate final drainage plans into the improvement plans and obtain approval of the El Dorado County Department of Transportation. These final drainage plans shall demonstrate that future post-development storm water discharge levels from the project will remain at existing storm water discharge levels and detention basins will be permanently maintained. The drainage plan shall be prepared by a certified Civil Engineer and shall be in conformance with the El Dorado County Drainage Manual adopted by the Board of Supervisors in March 1996. The drainage plans shall include, at a minimum, written text addressing existing conditions, the effects of project improvements, all appropriate calculations, a watershed map, potential increases in downstream flows, proposed on-site improvements, and drainage easements, if necessary, to accommodate flows from the site and implementation and maintenance responsibilities. The plan shall address storm drainage during construction and proposed Best Management Practices to reduce erosion and alter quality degradation. All onsite drainage facilities shall be constructed using El Dorado County Minimum Construction Site Storm Water Management Practices (March 31, 2004) and to the satisfaction of El Dorado County Department of Transportation. BMPs shall be implemented throughout the construction process and permanent BMPs shall be included in the grading plan.
 19. 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. The County shall issue no building permits until the Department of Transportation approves the final grading and erosion control plans and the grading is completed.
 20. 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.
 21. 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 drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
 22. Construction activities shall be conducted in accordance with the County noise regulation or limited to the following hours and days: 7:00 a.m. and 5:00 p.m. on any weekday; 8:00 a.m. and 5:00 p.m. on Saturdays; and prohibited on Sundays and holidays.

23. The applicant shall pay the traffic impact fees in effect for the changed use at the time of occupancy of the structure as a preschool.

Diamond Springs – El Dorado Fire Protection District

24. Prior to building permit issuance, the applicant shall meet with the Fire District to determine the appropriate location for fire lane and signage installation.
25. Prior to final occupancy, a fire alarm system shall be installed to the satisfaction of the Fire District.
26. Prior to final occupancy, a fire apparatus access road shall be provided within 150 feet of all portions of the building, as determined by the Fire District.

Environmental Management Department

27. Prior to building permit issuance, the Environmental Management Department will require a complete septic system evaluation be submitted for review and approval.
28. Prior to final occupancy, the applicant shall contact El Dorado Disposal to create a commercial garbage account to provide adequate size enclosures for the required garbage and mixed recyclables containers and provide evidence of such contact to the Environmental Management Department.

State of California – Health and Human Services Agency, Department of Social Services, Community Care Licensing Division Child Care Offices

29. Prior to final occupancy, the applicant will be required to obtain the appropriate license to operate the preschool from the State of California – Health and Human Services Agency, Department of Social Services, Community Care Licensing Division Child Care Offices, and provide proof of receipt of such license to permit center staff.

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

10. PLANNED DEVELOPMENT (Public Hearing)

PD95-0013R/Village Green Commercial Center submitted by PARKER DEVELOPMENT COMPANY (Agent: Kirk Bone) for the following: 1. Revision of the approved conditions to allow new signage proposed for the development through ministerial building permits rather than approval by the Planning Commission as is currently required; and 2. Approval of a new sign located at the entrance of the commercial center. The sign would be mounted on the architectural feature on the entrance median. The property, identified by Assessor's Parcel Number 121-210-26, consisting of 1.10 acres, is located northeast of the intersection of Village Green Drive and Serrano Parkway, just east of Silva Valley Parkway, in the **El Dorado Hills area**, Supervisorial District II. (Categorically exempt pursuant to Section 15311 of the CEQA Guidelines)

Staff: Tim Chamberlain recommended conditional approval.

Commissioner Machado referred to Exhibit B and asked if those lots are already approved. Chair Knight replied they are approved lots.

Andrea Brown, representing Parker Development, had nothing to add. They concur with the proposed conditions of approval.

There was no further input.

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER TOLHURST AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FIND THE PROJECT EXEMPT PURSUANT TO SECTION 15311 OF THE CEQA GUIDELINES AND APPROVE PD05-0013R BASED ON THE FINDINGS AND SUBJECT TO THE CONDITIONS PROPOSED BY STAFF.

Findings

1.0 CEQA FINDINGS

- 1.1 The Planning Commission has determined that the proposed project will have no significant impact on the environment and is exempt from CEQA pursuant to 15303(c) of the CEQA Guidelines.
- 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 GENERAL PLAN FINDINGS

- 2.1 As proposed, the project is consistent with the Medium-Density Residential (MDR) land use designation of the subject site as defined within General Plan Policy 2.2.1.2 because the MDR land use designation permits such uses where the character of an area is single-family residences.
- 2.2 The proposal is consistent with General Plan Policies 2.2.5.21, TC-Xe ,TX-Xf, TC-4e, 5.5.2.1, 6.2.3.2, 6.5.1.7, and 6.5.1.8 concerning land use compatibility, traffic, bicycle transportation, solid waste capacity, fire safe access, and noise. Because of the project's compatibility with surrounding land uses, insignificant traffic impacts, provision of adequate waste containers and fire safe access and insignificant noise levels, it is consistent with the General Plan policies identified above.

3.0 ZONING FINDINGS

- 3.1 The proposed use is permitted by special use permit in the One-acre Residential (R1A) Zone District, pursuant to Section 17.28.070.B provided that the administrative findings outlined below can be made by the Planning Commission.
- 3.2 As proposed, the project meets all applicable development standards contained within the *El Dorado County Zoning Ordinance* because sufficient landscaping and parking is provided.

5.0 ADMINISTRATIVE FINDINGS

- 4.1 *The issuance of the permit is consistent with the General Plan.*

As discussed above, the issuance of the permit is consistent with the General Plan because of the project's consistency with policies 2.2.5.21, TC-Xe ,TX-Xf, TC-4e, 5.5.2.1, 6.2.3.2, 6.5.1.7, and 6.5.1.8 concerning land use compatibility, traffic, bicycle transportation, solid waste capacity, fire safe access and noise.

- 4.2 *The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood; and*

The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood as it will fit within the context of the surrounding mix of residential and commercial land uses adjacent to Mother Lode Drive and result in insignificant noise and traffic impacts to surrounding residents and businesses.

- 4.4 *The proposed use is specifically permitted by special use permit pursuant to this Title.*

The proposed use is specifically permitted by special use permit pursuant to Section 17.28.070.B of the *El Dorado County Zoning Ordinance* as the required findings detailed above may be made by the Planning Commission.

Conditions

1. This planned development revision approval is based upon and limited to compliance with the project description, Planning Commission Exhibits E and F, dated May 10, 2007, and Conditions of Approval set forth below. Any deviations from the project description, exhibits of 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

Project Description: A revision of the Conditions of Approval to allow new signage proposed for the development to be allowed through ministerial building permits.

Currently, the conditions of approval would require a preliminary approval of any new sign from the Planning Commission.

A new sign, two feet tall by 12 feet wide, located at the entrance of the commercial center. This sign will be mounted on the architectural feature on the entrance median (Exhibit F). This feature without the sign has already been approved by an obstruction permit through the Department of Transportation.

The development and maintenance of the property, the size, and the shape, arrangement, and location of sign, 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 signage plan) must be submitted for review and approval and shall be implemented as approved by the County.

2. Development of this property is subject to review and issuance of a building permit from El Dorado County Building Services.
3. Planned Development PD95-0013 Conditions of Approval originally approved by the Planning Commission on January 11, 1996, shall be revised to remove the original Condition 9.
4. Signage for this project shall meet the requirements of El Dorado County Zoning Code Section 17.16 and shall be consistent with the requirements of the Commercial Zone District under Section 17.32.020 (D). Any new sign shall be approved by a Development Services Building permit and is subject to ministerial review by all applicable County departments.
5. Prior to issuance of any building permit, all Planning Services fess shall be paid.

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

11. ZONE CHANGE/SPECIAL USE PERMIT (Public Hearing)

Z06-0031/S88-0016R submitted by ANTON SCHUH/Sierra Pines Mobile Home Manor to rezone the property from Estate Residential Five-acre (RE-5) to Mobile Home Park (MP) District. The special use permit would allow installation and use of an additional manufactured home and two-car detached garage. The property, identified by Assessor's Parcel Number 088-290-17, consisting of 16.51 acres, is located on the west side of State Route 193, approximately 0.25 mile north of the intersection with Bayne Road, in the **Kelsey area**, Supervisorial District IV. (Negative declaration prepared)

Staff: Tom Dougherty recommended approval.

Commissioner Tolhurst said this is a zone change. Why is there a use permit? Peter Maurer said the zone district requires a special use permit for a mobile home park.

Commissioner Machado asked about expanding the park. It appears the mobile home is one of the affordable houses in El Dorado County. Mr. Maurer commented staff did not look at possible expansion.

Anton Schuh said it is possible to put in more units, but you would have to put in another septic system. There are six fire hydrants in the park. There have been some people living in the park for 19 years. Commissioner Machado suggested that the applicant explore the prospect of adding more units.

There was no further input. Mr. Maurer explained the conditions are modifications of the 1988 permit. He suggested modification of Condition 21.

MOTION: COMMISSIONER MATHEWS, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS ADOPT THE NEGATIVE DECLARATION, AS PREPARED; APPROVE Z06-0031 REZONING ASSESSOR'S PARCEL NUMBER 088-290-17 FROM ESTATE RESIDENTIAL FIVE-ACRE (RE-5) TO MOBILE HOME PARK (MP) BASED ON THE FINDINGS PROPOSED BY STAFF; AND APPROVE S88-0016R BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1.0 CEQA Findings

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of the Development Services-Planning Services at 2850 Fairlane Court, Placerville, CA.
- 1.3 A deminimus finding on the project's effect on fish and wildlife resources cannot be found. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,50.00 after approval, but prior to the County filing the Notice of Determination for the project. This fee, less \$50.00 processing fee, is forwarded to the State Department of Fish and game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

2.0 General Plan Findings

- 2.1 As proposed, the project is consistent with the High-Density (HDR) land use designation of the subject site as defined by General Plan Policy 2.2.1.2 because HDR allows a density range between 1-5 dwelling units/acre. The resulting density for the mobile home park is 1.9 dwelling units/acre conforming to the allowed density.
- 2.2 The proposal is consistent with the intent of General Plan Policies 2.1.2.3, 2.2.1.2, 2.2.5.2, 2.2.5.3, 7.3.3.4, and HO-4a concerning uses appropriate to be located in a rural center, and the issues required to be looked at for zone changes. Because the project's provisions of adequate access, site design, existing supporting infrastructure, and density fit within the context of the surrounding uses, there is an appropriate setback from wetlands, and the project provides affordable housing for senior citizens, it is consistent with the General Plan policies identified above.

3.0 Zoning Findings

- 3.1 The project and the existing structures, infrastructure, and uses are consistent with the El Dorado County Zoning Ordinance designation of Mobile Home Park (MP) and sections 17.40.010 to 17.40.210.
- 3.2 The project, as proposed and conditioned, and along with the zone change to Mobile Home Park (MP), is consistent with the El Dorado County Zoning Ordinance Development Standards because the addition of one mobile home and associated detached garage development conforms to the standards of Section 17.40.

4.0 ADMINISTRATIVE FINDINGS

4.0 Special Use Permit Findings

- 4.1 **The issuance of the permit is consistent with the General Plan.** The proposal has been determined to be consistent with the High Density Residential (HDR) land use designation of the subject site as defined by General Plan Policy 2.2.1.2. All project-related environmental issues have been evaluated. Therefore, staff finds that the project, as conditioned, conforms to the General Plan.
- 3.2 **The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.** The use will not conflict with the adjacent uses as it is the same use in an established mobile home park. After review of the submitted site plan and upon consultations with concerned agencies, it has been determined that the impacts of allowing the addition of one mobile home and associated detached garage on an existing pad will not have a detrimental affect nor be injurious to the neighborhood.
- 3.3 **The proposed use was previously permitted by special use permit pursuant to County Code Section 17.28.200** which was used to approve S88-0016, so the approval of

one more mobile home and associated detached is in conformance with the original special use permit approval.

Additions made during this hearing are indicated by double underlining.

Conditions

1. This rezone and special use permit revision are based upon and limited to compliance with the project description, the Planning Commission/Board of Supervisor hearing exhibits marked Exhibits A-H, approved May 10, 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 revision Special Use Permit S88-0016R to allow the installation and use of a double wide, 24-foot by 60-foot manufactured residence and two-car detached garage proposed to measure approximately 24 feet by 24 feet constructed on an existing concrete pad. The proposed new residence will be served by treated water supplied by Georgetown Divide Public Utility District (GDPUD) and on-site septic system. Access to the facility and residence is off Mobile Manor Road, which connects off State Route 193 on the south end of the property.

This sSpecial Use Permit S88-0016 authorizesd the expansion of the Sierra Pines Mobile Manor by the addition of 13 mobile home spaces., a chapel and one mobile home space to accommodate a maximum of six residential care persons. This special use permit supercedes the provisions and requirements of S67-15 and S67-15 becomes null and void with the issuance of this permit. Special Use Permit S88-0016R authorizes the addition of one mobile home and detached two-car garage to space number 28 as shown on Exhibit F. The totality of existing and new uses allowed by this permit is 26 28 mobile home spaces (including the owner/manager's) and one mobile home space to accommodate a maximum of six residential care persons four apartment units in one four-plex unit. and a chapel. No other new structures or uses are authorized by this permit.

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.

- The use shall conform to the approved site plan except as modified in the condition stated herein. Any minor modifications to the approved site plan are subject to the approval of the County Planning Director, or if significant, the Planning Commission.
2. The applicant shall obtain all necessary permits from the State Department of Housing and Community Development and all other regulating agencies.
 3. All subsequent development on this site shall conform to all provisions of Chapter 17.40 of the County Code.
 4. A detailed landscaping plan, including improvements, shall be submitted to the Planning Division for review and approval prior to issuance of the special use permit.*
 5. The applicant shall secure all necessary permits/approval from the Environmental Health Division regarding sewage disposal and wells.*
 6. A detailed grading, drainage, and erosion control plan prepared by a registered civil engineer shall be submitted for review and comment to the County Department of Transportation.*
 7. The recreational vehicle and utility trailer storage area shall include a minimum of seven (7) parking spaces and shall be surfaced with a minimum of two (2) inches of asphalt concrete over four (4) inches of aggregate base.*
 8. All new utility lines shall be installed underground.
 9. All new internal access roads shall be constructed consistent with County Standard 102(B) with a pavement width of 25 feet.*
 10. Internal roadway grades shall be a maximum of 15 percent grade.*
 11. The encroachment onto the State Highway 193 shall be improved to current Caltrans' standards, and all necessary encroachment permits be obtained from the State.*
 12. The applicant shall install fire protection improvements as specified by the Garden Valley Fire Protection District.
 13. Only one identification sign shall be permitted on the property not to exceed 80 square feet in sign area and a height of 15 feet above the ground. An additional directory sign shall be provided and maintained showing the location and house number of each mobile home unit. The design of all such signs is subject to Planning Division approval.*
 14. Existing trees six inches (6") DBH shall be retained whenever possible. The location of such existing trees shall be shown on the improvement or project plans, and the trees proposed to be removed where the ground is to be disturbed shall be identified. Trees to

be retained within fifty (50) feet of areas of construction shall be fenced or flagged to insure that such trees are not damaged.

15. The applicant shall establish utility easements per the recommendation of PG&E and Pacific Bell. Final determination of said utility easements shall be made by the County Planning Director.*
16. If blasting activities are to occur in conjunction with park improvements, the subdivider shall ensure that such blasting activities are conducted in compliance with State and local regulations.*
17. If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and Native American Heritage Commission shall be contacted per Section 7050.5 of Health and Safety Code and Section 5097.89 of the Public Resources Code, respectively. If archeological artifacts are discovered, the subdivider shall retain an archeologists to make recommendations for treatment of the artifacts. Treatment of Native American remains or archeological artifacts shall be responsibility of the subdivider and shall be subject to review and approval by the County Planning Director.
18. 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.
19. Road names shall be submitted and approved by the Drafting Section of the Surveyor's Office.*
20. The new five road intersection shown on the site plan shall be redesigned for safety purposes as recommended by the County Department of Transportation. The two dead-end access roads terminating at spaces 26 and 27 shall be connected to form a loop with curve radii meeting minimum County standards.*
- ~~21. The design of the chapel is subject to the approval of the County Planning Division.~~
- ~~22. Use of the chapel is restricted to park residents and their guests.~~
- ~~21. NOTE: All conditions marked by an asterisk are conditions imposed with the 1989 approval of S88-0016 use permit and were previously satisfied.~~

12. GENERAL PLAN UPDATE

- a. **A06-0002** initiated by the EL DORADO COUNTY BOARD OF SUPERVISORS to consider amending the Floor Area Ratio to 0.85 for commercial and industrial projects, and 0.50 for Research and Development projects. The Floor Area Ratio regulates the amount of square feet of development allowed within the County. (Environmental Impact Report prepared – SCH#2001082030)

Staff: Shawna Purvines recommend approval.

Art Marinaccio, Cemo Commercial and member of the Taxpayers Association, said the analysis stated there would be no additional impact. He is very disappointed with this item. The first mitigation measure is appropriate. The balance of the measures are not justified. Where did 5.3-1 come from? Why is 5.7-1 included? The same with 5.7-3. What does that have to do with larger buildings? What the Commission has to implement is what the Board has decided. The County does not need to come up with more for staff to do when it cannot do the current implementation measures. If the EIR is adopted, it becomes part of our adopted General Plan. This should be sent back to staff. This EIR should not be approved as a supplemental EIR. It should be adopted as a stand-alone document. The Business Park would be happy with 0.4. 0.6 would be more than adequate for most proposals. This is completely incompatible with the Economic Element. The Taxpayers Association is going to vehemently object to this consultant do any further work with the County.

Commissioner Mac Cready asked why make El Dorado County so it is in line with Folsom and Roseville. Why not make the change in the areas along Highway 50 and basically the Community Regions. That would be more appropriate than what is suggested.

Commissioner Machado asked if the Mixed Use Development (MUD) sites have been mapped yet. Mrs. Purvines said they have not been mapped. Commissioner Machado said these numbers are for commercial, industrial, and Research and Development. He hopes that the MUD helps towards affordable housing. When it comes to the numbers he is for increasing them.

Steven Hust explained why the build-out numbers are included in the Supplemental EIR. He explained the reasons for the mitigation measures. Commissioner Machado asked if a mitigation measure could be deleted. Mr. Hust stated the Commission would have to explain the reasons for deleting a mitigation measure and include that in the motion. Paula Frantz, County Counsel, said there needs to be evidence in the record as to why the mitigation measure is infeasible.

Commissioner Machado, referring to Mitigation Measure 5.7-1, asked if this is how things are being operated today. Do businesses have to retrofit all their equipment? Mrs. Purvines spoke about the County adopting the various ordinances reflected in the mitigation measures.

Chair Knight was expecting something very simple. Most of the equipment would be on-site regardless of whether it is 0.2 or 0.20.

Mr. Hust said all these mitigation measures do is assure this information is included in the Zoning Ordinance update. Commissioner Mac Cready commented he did not know noise was a problem.

Patrick Angel, consultant, said going to a higher number included very different types of buildings. He explained what must be considered in an EIR.

Chair Knight asked for Ms. Frantz’s comments on the General Plan EIR and this document. Ms. Frantz said in 1996 when the General Plan was adopted Judge Bond said the County did not fully analyze build-out.

Commissioner Machado does not want to put another layer of fees and regulations on building in this County.

Commissioner Mac Cready feels it is appropriate to make these changes for Community Regions and leave Rural Centers and Regions as they currently exist.

There was no further input.

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS ADOPT THE RESOLUTION CERTIFYING THE SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT INCLUDING A STATEMENT OF OVERRIDING CONSIDERATION AND THE FINDINGS OF FACT, AND ADOPT THE RESOLUTION AMENDING THE EL DORADO COUNTY GENERAL PLAN LAND USE ELEMENT (A06-0002), POLICY 2.2.1.5, TABLE 2-3 BUILDING INTENSITIES, AND TO INCLUDE AN AMENDMENT TO THE GENERAL PLAN MITIGATION MONITORING PROGRAM, CHANGING THE FLOOR AREA RATIOS SHOWN BELOW; FURTHER, THESE CHANGES SHOULD BE MADE IN THE COMMUNITY REGIONS, LEAVING THE RURAL CENTERS AND RURAL REGIONS AT THE CURRENT RATIOS.

General Plan Table 2-3
Building Intensities

Land Use Designation	Floor Area Ratio*	
	<u>Community Regions</u>	<u>Rural Centers/Rural Regions</u>
Multifamily Residential		
High-Density Residential		
Medium-Density Residential		
Low-Density Residential		
Rural Residential		
Natural Resource		
Commercial	.25 - 0.85	.25
Research & Development	.25 - 0.50** (delete **)	.25
Industrial	.25 - 0.85	.25
Open Space		
Public Facilities		
Tourist Recreational		

**Ratio of allowable floor area (square footage) to site area (square footage). The FAR can be calculated over an entire integrated development rather than on a project-by-project basis under the following circumstances: 1) the aggregate average FAR within applicable land use designations does not exceed the General Plan maximum; or 2) satisfactory evidence is provided that demonstrates on a site-specific basis that measures will be imposed to keep traffic at levels associated with the applicable FAR threshold.*

***Shall not exceed 0.30 for the El Dorado Hills Business Park based on limitations established on employees in Policy TC-1y. In order to document overall compliance with the purposes of both the FAR limitation herein and the employee cap in Policy TC-1y, all projects within the Business Park that would individually exceed 0.25 FAR must undergo review and approval by the County.*

b. **Draft Affordable Housing Options Report:** Presentation by Pacific Municipal Consultants

Staff: Shawna Purvines presented this item, giving the Commission some background information. Jennifer Gastelum, Pacific Municipal Consultants, went through a power point presentation. Jim Carney from PMC and David Storer from DAS were also present.

The following individuals spoke on this issue: Rich Maher, Board Member of the Affordable Housing Commission in the County; Kathy Russell; John Costa, North State Building Industry, submitted written comments; Zak Schmidt, Sun Equity Development; Nancy Campbell, League of Women Voters; Kim Beal, El Dorado County Association of Realtors; Noah Breal, Member of the Housing Task Force, presented written comments; Kathy Lishman, Member of the Task Force; Art Marinaccio; Mike McDougall, MJM Properties; Kirk Bone, Serrano Associates; Bill Center, No Gridlock Committee, read the letter submitted by the Committee; and David Storer, Consultant.

Shawna Purvines said the responses will go on to the Board of Supervisors. After staff obtains comments from the Board, all the comments will go back to the Task Force.

No action required.

13. SITE PLAN REVIEW

SPR07-0009 submitted by MICHAEL and CHRISTA WISE for a finding of consistency with General Plan Policy 7.4.2.9 for the residential development of property located within an Important Biological Corridor (IBC) Overlay General Plan Land Use Designation, in accordance with the Interim Interpretive Guidelines for Policy 7.4.4.4 (Option A). The property, identified by Assessor's Parcel Number 109-470-23, consisting of 5.0 acres, is located on the east side of Steeple Chase Drive, approximately 760 feet north of the intersection with Amber Fields drive, in the **Barnett Ranch area**, Supervisorial District II).

Staff: This item was taken before Item 12.b. Pierre Rivas recommended the Commission find request consistent with the Interim Interpretive Guidelines for Policy 7.4.4.4.

Michael Wise was present for questions. There was no input.

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO APPROVE SPR07-0009, FINDING THE RESIDENTIAL DEVELOPMENT OF THE SUBJECT PROPERTY CONSISTENT WITH THE INTERIM INTERPRETIVE GUIDELINES FOR POLICY 7.4.4.4 OPTION A.

14. **ZONING ORDINANCE UPDATE** - None
15. **DEPARTMENT OF TRANSPORTATION** - None
16. **COUNTY COUNSEL'S REPORTS** - None
17. **DIRECTOR'S REPORTS** - None

ADDENDUM

Implementation of General Plan Policy 7.4.4.4 Option A – Administration of Interim Guidelines

Gregory Fuz explained his memo and proposal. Commissioner Machado asked about just having a square footage disturbed area for all lots. He can live with the 20,000 square feet for the present time. Kim Beal, resident of Cameron Park, would like to see the 20,000 square feet a little higher. She was going to propose one acre (#2). Also, 10,000 square feet of disturbed area is not enough. Art Marinaccio believes this is a good proposal. It needs fine tuning and needs to be sent forward. Noah Breal, resident of the Bass Lake area, said this area is the most oak free area in the County. The Bass Lake Specific Plan area is tied up in knots. Mr. Fuz commented everyone will still have to meet the same criteria. The Commission is only determining which applications can be handled by staff and which applications come before the Commission.

MOTION: COMMISISONER MACHADO, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED BY THOSE COMMISSIONERS PRESENT (Commissioner Tolhurst was absent), IT WAS MOVED GIVE STAFF THE AUTHORITY TO MAKE REASONABLE USE DETERMINATIONS UNDER THE FOLLOWING CIRCUMSTANCES:

1. The parcel is an existing legal lot;
2. The parcel does not exceed ~~20,000 square feet~~ five acres in area;
3. The proposed development does not involve more than 10,000 square feet of disturbed area (buildings, driveways, graded areas) for parcels greater than one acre in size up to five acres, or 50 percent of the parcel for parcels one acre or less;
4. The proposed reduction in retention requirements to achieve reasonable use does not exceed 50 percent of required retention;
5. The parcel is not within or adjacent to the Important Biological Resources (IBC) or Ecological Preserve (EP) General Plan designation;
6. The development is ministerial or is being processed as a Design Review and would not otherwise require review by the Planning Commission;

7. The findings specified in the Guidelines for approval of a reasonable use determination have been satisfied;
8. Replacement requirements as specified in the Guidelines are fully satisfied using any of the allowable options specified by the Guidelines;
9. All other applicable provisions of the Interim Guidelines remain in effect.

18. ADJOURNMENT

Meeting adjourned at 5:25 p.m.

APPROVED BY THE COMMISSION
Authenticated and certified:

John Knight, Chair
Respectfully submitted,

