

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



**Agenda of:** October 8, 2009  
**Item No.:** 8  
**Staff:** Tom Dougherty

**PLANNED DEVELOPMENT**

**FILE NUMBER:** PD09-0003/Auburn Lake Trails Common Areas

**APPLICANT:** Auburn Lake Trails Property Owners Association

**REQUEST:** Development plan to address the existing common area recreational, utility, storage and institutional uses and improvements on 20 lots within Auburn Lake Trails Subdivision.

**LOCATION:** The 20 common area lots are located within the Auburn Lake Trails subdivision which has its primary entrance located on the north side of State Route 193 approximately 0.75 mile east of the intersection with State Route 49 in the Cool area, Supervisorial District IV. (Exhibit A)

**APNS:** 072-051-01, 072-052-01, 072-153-03, 072-153-04, 072-153-05, 072-153-10, 072-233-01, 072-160-03, 072-371-34, 072-431-15, 073-341-14, 073-341-15, 073-341-16, 073-341-19, 073-502-05, 073-502-02, 073-502-03, 073-452-08, 073-471-04 and 073-472-05 (Exhibits E1 to E11)

**ACREAGE:** 294.9 (20 common lots only)

**GENERAL PLAN:** Medium Density Residential (MDR), High Density Residential (HDR), Open Space (OS), and Commercial (C) (Exhibits F1 and F2)

**ZONING:** Recreational Facility (RF), Commercial (C) (Exhibits G1 and G2)

**ENVIRONMENTAL DOCUMENT:** Exempt from CEQA review pursuant to Section 15061(b)(3) of the CEQA Guidelines

**RECOMMENDATION:** Staff recommends that the Planning Commission take the following actions:

1. Certify that the project is Exempt from CEQA pursuant to Section 15061(b)(3); and
2. Approve Development Plan PD09-0003, as the official Development Plan, subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

**BACKGROUND:** Auburn Lake Trails subdivision was originally approved in 1970. The option to file a Planned Development application was not available at that time. Nine phases carrying out the original approval of the subdivision followed. Because Auburn Lake Trails was approved 39 years ago, history of established uses is vague. The following table is presented to summarize known development:

Auburn Lake Trails Final Map Phase Number	Recorded Subdivision Map Number	Date Recorded	Book/Page
Auburn Lake Trails Unit 1	E-055	March, 1970	72/6-16
Auburn Lake Trails Unit 2	E-056	March 1970	72/17-22
Auburn Lake Trails Unit 3	E-060	May 1970	72/23
Auburn Lake Trails Unit 3			73/05
Auburn Lake Trails Unit 4	E-061	May 1970	72/29
Auburn Lake Trails Unit 4	Amended Map		73/10
Auburn Lake Trails Unit 5	E-085	March, 1971	73/16
Auburn Lake Trails Unit 5	F-091, AMD1290-95	January, 1979	73/43
Auburn Lake Trails Unit 6	E-113	March, 1972	73/45
Auburn Lake Trails Unit 7	E-066	August, 1970	72/35
Auburn Lake Trails Unit 7	E-083, Amended Map	March, 1971	72/37
Auburn Lake Trails Unit 8	F-010	January, 1973	72/40
Auburn Lake Trails Unit 8			73/53
Auburn Lake Trails Unit 9	F-011	January, 1973	72/41

At the time of the approvals of the above Final Maps, the zoning designation of all the common area lots was Agricultural (A), except Lot B which was zoned Commercial (C) as it is today. The Cool-Pilot Hill Area Plan, adopted in January of 1983, rezoned all the common area lots to Recreational Facility (RF) except Lot B which remained C.

There are currently 1,104 residential lots and 20 common area lots, (see Exhibit B), within Auburn Lake Trails. The 20 common area lots are managed by the Auburn Lake Trails Property Owner’s Association. Since 1970 various uses and structures have been authorized through Special Use Permits, Variance and building permits and some uses and improvements have occurred without required permits. The subject Planned Development application would bring all the existing uses and structures under one permit.

There have been three code compliance cases issued. All three have been closed. Two cases (C-153394 and C-188522) were related to construction activities performed without building permits

and have been resolved and closed. A third case (C-145510) is regarding the use of a common area lot (APN 072-051-01) being used for storage of RVs. This case is also closed pending approval of such storage under the subject proposed Development Plan.

The following is the discretionary and building permit history for the subject common area lots:

1. **Tentative Map for ALT, Unit 1:** Consisting of 365 SFR lots, 1 Commercial lot; 1 Equestrian lot and 7 common area lots. (Ord. 1038)  
**Approved by the Board:** November 25, 1969  
**Recorded:** February 4, 1970  
**Condition 5 stated:** *Use of lots subject to developer petitioning for appropriate zoning.*
  
2. **S69-67:** Request to allow recreation facilities including equestrian center, golf course, pool, tennis courts, clubhouse and pro shop.  
**APNs:** 059-070-08, -34, and 059-090-52; (500 acre subdivision)  
**Approved:** December 11, 1969  
  1. *Subject to approved site plan.*

**Building Permit History:**

<b>LOT A (072-051-01)</b>	
<b>Permit Number</b>	<b>Use</b>
4547	<b>Gallery</b> (formerly Equestrian Ctr/Temp. Sales Office)
86-47405	Addition
157156	Covered Decks
160663	Stair replacement
4606	<b>Barnloft</b> (formerly Barn & Storage/Ready Room)
6557	Bathroom addition
157162	ADA Ramp
5217	<b>Grandstand</b> (Bleachers & speaker stand)
5398	Lights
<b>LOT C-3 (072-160-02)</b>	
5218 & 6307	<b>Lakeside Clubhouse/Library</b> (formerly Recreation Center/Pro Shop)
157150	Deck Addition to clubhouse
6053	Swimming pools

**V69-38:** Request to allow a real estate sales office for ALT in the Agricultural zone district.

**APN:** 059-090-52

**Approved:** December 11, 1969

“1. Conform to approved site plan.”

3. **V69-0038:** Request to allow a real estate sales office for ALT in the Agricultural zone district.

**APN:** 059-090-52

**Approved:** December 11, 1969

1. *Conform to approved site plan.*

**Building Permit History**

<b>LOT B (072-052-01)</b>	
<b>Permit Number</b>	<b>Use</b>
21300	<b>P.O.A Office</b> (formerly Real Estate Sales Office)
157151	ADA Ramp
89060297	<b>Guard Station</b>
12059	Addition

4. **S73-0106:** Request to allow maintenance center and fire engine storage facilities to service golf course, roads and recreation facilities.

**APN:** 072-160-02

**Approved:** October 11, 1973

1. *Layout to be in conformity with approved site plan.*
2. *Building to be properly screened and maintained with surrounding area.*

**Building Permit History**

<b>LOT C-3 (072-160-02)</b>	
<b>Permit Number</b>	<b>Use</b>
8231, 11971	<b>Maintenance Building</b>
10942	<b>Garage / Fire Truck Storage</b>
11929	<b>Utility Storage</b>
12034	<b>Gas Storage</b>

5. **S73-0112:** Request to allow two tennis courts, restrooms, and 3 gazebos.

**APN:** 073-341-16

**Approved:** October 29, 1973

1. *Layout to be in conformity with approved site plan.*
2. *Lighting shall not interfere with residential development in the area.*
3. *Subject to building permits.*

6. **PA07-0089:** Request to review all uses and structures of the common area lots and determine the best course of action to legitimize them.  
**Approved:** April 23, 2009

**Discussion:** *Submittal of a Development Plan would allow the establishment of common area uses, as well as flexibility in the development standards under the current RF zoning. This process was not available when the subdivision was originally approved or it would have been successfully used then to develop the site rather than through the numerous variance/special use permits that followed over the years. Under this application process all prior discretionary approvals, grandfathered uses and building permit history would be incorporated into a development plan for the common areas, specifically Lots A and all C lots. Lot B could be included to define its development under its current commercial zoning. Any future development not consistent with the approved development plan would then be subject to the revision process under the PD file number. All matters pertaining to the ALT common areas would be contained in this file for clarity and future reference.*

**Conclusion:** This application concluded that the applicants would be best served by submitting a Planned Development application incorporating all prior discretionary approvals and building permit history enumerated above for future reference. That approved Development Plan would allow the RV lot to remain as an amenity offered for the use of the property owners within ALT. Design standards for the lot, such as setbacks and screening, would be applied as conditions of approval, as would restrictions on the number and type of vehicles allowed. Existing outdoor lighting in the grandstand area as well as the occupancy ratings of recreational facilities currently in the common areas would be brought into conformance with County Code.

Lot C-9 (073-341-16)	
Permit Number	Use
6719, 6720, 9217	Restrooms (Campground)
9217	Restrooms (Lake)

**Project Description:** Development plan to address the existing common area improvements on 20 lots within Auburn Lake Trails (ALT) subdivision. The Development Plan would permit the following:

1. All prior discretionary approvals and building permit history for existing structures and uses listed in the table below;
2. Allow the RV storage lot to remain on Lot A as an amenity offered for the exclusive use of property owners within ALT. Permit 62 spaces to accommodate RVs, trailers, boats, campers, and horse trailers;
3. Allow the Barnloft on Lot A to accommodate 201 persons for assembly and 94 for dining;
4. Allow the Gallery located on Lot A to accommodate 144 persons for assembly and 70 for dining;
5. Allow the Clubhouse on Lot C-3 to accommodate 64 persons for assembly and 11 for the library;

6. Allow the existing lighting in the grandstand area in Lot A;
7. Require all other exterior lighting for parking lots, the RV storage facility and any outdoors security lighting to be side and top shielded to prevent any light or glare from leaking onto adjacent properties or roadways in conformance with section 17.14.170 of County Code, and be fully shielded pursuant to the Illumination Engineering Society of North America’s (IESNA) full cut-off designation, (street lights for illumination of public roads are excluded from this provision);
8. Require all external lights used to illuminate a sign or side of a building or wall to be shielded in order to prevent light from shining off the surface to be illuminated;

Exhibits C-1 and C-2 show the 20 common area lots on a map. Exhibits H-1 to H-9 show the existing improvements on the 20 common area lots. Exhibits I-1 to I-14 show aerial photo close-ups of each of the common area lots. Exhibits O-1 to O-8 shows site visit photos of the current common area lots with existing improvements. The following describes the uses and facilities allowed within each common area lot:

<b>Common Area Lots – Uses and Structures</b>				
<b>Lot Identification Number</b>	<b>Assessor’s Parcel Number</b>	<b>General Plan</b>	<b>Zoning</b>	<b>Uses and Structures</b>
Lot A	072-051-01	OS	RF	<p><b>Barnloft:</b> Lot A contains several facilities regularly utilized by Auburn Lake Trails’ residents. The Barnloft is Auburn Lake Trails’ largest building that accommodates 201 for assembly and 94 for dining. This building is utilized by the association for holding town meetings, special board meetings, board of director candidate’s night, and other events. Clubs and other association organizations utilize this facility by reservation.</p> <p><b>The Gallery:</b> It will accommodate 144 for assembly and 70 for dining. This facility is primarily used by committees and clubs of the association, as well as serving as a rental facility for members of the association.</p> <p><b>Equestrian Arena and Grandstands:</b> The association’s equestrian arena and grandstands comprise a 24, 000 sq. ft. (224 ft. long by 116 ft. wide) arena and grandstands with a capacity of 300 persons. Members and clubs utilize these facilities. Pastures and stalls are located on this lot and are rented by members.</p>

				<b>RV Storage Lot:</b> Auburn Lake Trails maintains an RV storage facility for its Association members. The RV lot currently accommodates 62 RVs, trailers, boats, campers and horse trailers owned by association members.
Lot B	072-052-01	C	C	<b>The Association administrative offices and board of directors meeting room:</b> The Boardroom currently accommodates 38 for assembly and no dining. The Boardroom is also utilized by various clubs and committees where fewer attendees are anticipated. This parcel is currently zoned commercial.
Diehl Field	072-153-03 072-153-04 072-153-05 072-153-10 072-233-01	HDR	RF	Diehl Field is a recreation area consisting of several parcels owned by the association. The current facilities within these parcels include a large grass field that is utilized by members as open space recreation area. There is also a volleyball court, basketball court, and parking to be utilized by members.
Lot C-1 and C-2	072-160-03	HDR	RF	These are common areas currently utilized as open space.
Lot C-3	072-160-03	HDR	RF	Contains several amenities owned by the Association including a golf course, tennis courts, playground, clubhouse, library, swimming pool, man-made fishing pond, a park with several picnic tables, and the Association's maintenance facilities. The Lakeside Clubhouse accommodates an occupancy of 64 for assembly and 11 for the library.
Lots C-4, C-5, C-6, C-7, C-8, C-11, C13	072-160-03 (C-4 - C-7), 072-431-15 (C-8), 073-452-08 (C-11), 073-472-05 (C-13)	C-4 to C-7, HDR C-8, C-11, C-13, MDR	RF	<b>Open Space:</b> These are commonly owned parcels and are currently undeveloped but are utilized as open space for equestrian and hiking trails.
Lot C-9	072-341-14 073-341-15 073-341-16 073-341-19	MDR	RF	Currently utilized as a recreational area for association members. The amenities on this parcel include a tennis court, basketball court, play area, picnic area, and a small

				man-made lake utilized for swimming and fishing. This parcel also contains a parking lot and restroom facilities.
Lot C-10	073-502-05	MDR	RF	This lot contains the Association's Black Oak Campground which is utilized by members and their guests. There is also a small man-made pond on this parcel called Ring Lake. There are two restrooms on this parcel and approximately six improved campsites with power and water, and 50 unimproved campsites. Several Association clubs and organizations also use this parcel for various events. The other identified parcels, Lots 1638 & 1639, contain a small arena and pasture utilized for riding by Association members.
Lot C-12	073-471-04	MDR	RF	Generally undeveloped exclusive of a dirt road. This area is open space generally used as access to equestrian and hiking trails.

**Site Description:** The Auburn Lake Trails subdivision is developed with residential, commercial and recreational uses accompanied by existing supporting roads and utilities. The common lot areas, excluding the common road lots, comprise approximately 294.9 acres within the 3,400-acre subdivision which is located at approximately the 1,500 to 2,000-foot elevations above sea level. The varied terrain consists primarily of annual grasslands mixed with native blue and interior live oak trees, foothill pines mixed primarily with Manzanita, toyon and buck brush shrubs. The portions north facing or within watershed passageways contain mixed conifers primarily including ponderosa pines and Douglas firs mixed with black oaks. The entire project site drains either north to the Middle Fork of the American River or south to the South Fork of the American River. There are a few recreational ponds used by the residents and some reservoirs which are all supplied with water from a Georgetown Divide Public Utility District (GDPUD) irrigation ditch which travels from east to west through the southern portion of the subdivision.



**Adjacent Land Uses:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Sites</b>	RF/C	MDR/HDR/ OS/C	Recreational, utility, storage and institutional uses and improvements.
<b>North</b>	R1A, R2A, RE-5	MDR/HDR/ OS/C	Residential, single-family dwellings, some vacant.
<b>South</b>	R1A, R2A, RE-5	MDR/HDR/ OS/C	Residential, single-family dwellings, some vacant.
<b>East</b>	R1A, R2A, RE-5	MDR/HDR/ OS/C	Residential, single-family dwellings, some vacant.
<b>West</b>	R1A, R2A, RE-5	MDR/HDR/ OS/C	Residential, single-family dwellings, some vacant.

**Discussion:** The table above lists the surrounding zoning and land use designations typically surrounding the common area lots. These lots have been developed for the mutual benefit of the residents within ALT and can be found to be compatible with the surrounding residential subdivision.

**Project Issues:**

**RV Storage Facility:** The existing fenced RV storage facility area on Lot A has been used for RV storage since the 1970's. In 1985 the ALT Board funded the addition of new gravel and chip/oil seal and chain link fencing for the area as it exists today. The storage facility currently has 62 spaces to accommodate the storage of RVs, trailers, boats, campers and horse trailers for the ALT residents. The associations governing documents prohibit the storage of RV's on private properties if they are visible from any common area or adjacent lot. The CC&Rs for ALT do not permit the storage of these within the residential lots if they cannot be contained from view. A 70 percent majority vote of all property owners would be required to modify this restriction which is unlikely (pursuant to the opinion of the applicant). The storage facility is located near the westernmost boundary of ALT and is currently surrounded by a six-foot tall chain link fence. The storage facility would be conditioned to have evergreen shrubs planted around the fenced perimeter and to have either brown or green plastic slats placed on the chain link fencing. Planning is recommending a Condition of Approval be added to restrict the RV storage lot for the exclusive use by the ALT residents. This would maintain the communal nature of the storage facility for the benefit of the residents exclusively as opposed to establishing a commercial RV storage facility which would be inconsistent with the General Plan absent an amendment to the General Plan.

**Wetlands:** A *Wetlands Delineation for the Auburn Lake Trails Common Areas* was prepared by Davis Consulting Earth Scientists dated May 31, 2006. The objective was to identify areas that may be considered jurisdictional under Section 404 of the Clean Water Act for possible impacts to the wetlands for any future projects within the common areas. The following table lists the wetlands found on the seven lots within common areas that were found:

<b>Lot</b>	<b>Wetland Types</b>	<b>Acres</b>
A	Man-made ponds (two)	0.89
	Seasonal wetland	0.04
	Emergent marsh	0.10
	Isolated wetland	<u>0.12</u>
		1.15 total
B	Seasonal wetland	3.07
Lot C-2	Seasonal stream	0.65
Lots C-3 and C-7	Ephemeral stream	0.02
	Man-made pond	1.33
	Perennial stream	<u>0.43</u>
		1.78 total
Lot C-10	Man-made pond	0.39
	Seasonal wetland	2.25
	Seasonal stream	0.37
	Ephemeral stream	<u>0.01</u>
	3.02	
Lot C-9	Man-made pond	6.05
	Man-made ditch	0.06
	Seasonal wetlands	0.73
	Seasonal stream	0.02
	Perennial stream	0.27
	Emergent marsh	<u>0.12</u>
		7.25 acres
Lots C-12 and C-13	Seasonal stream	0.43
	Perennial stream	<u>1.83</u>
		2.26 total

The study concluded that the man-made and isolated wetlands are likely not jurisdictional. It further stated that if projects can avoid wetlands, there would be no federal permit requirements. Also, if filing of wetlands amounts to less than 0.1 acre, there is no notification under the Nation-Wide Permit Program but a map showing the location and amount of fill would need to be filed with the U.S. Army Corps of Engineers. For fills over 0.1 acres require other Corps permits.

This application would legitimize the current developments and does not propose any new developments which would be subject to review under a Planned Development revision application. The common area parcels that contain wetlands have been determined by Planning staff to have developments located within the required wetland area setbacks. Since these were approved prior to the adoption of the 2004 General Plan, these improvements may remain. Any new development or expansion of those current improvements into wetland protection setbacks would require an analysis of the potential impacts by that particular proposal, as required by the General Plan.

**General Plan:** The General Plan designates the common area lots as either Medium Density Residential, High Density Residential, Open Space or Commercial. (MDR/HDR/OS/C).

**Lot A** is the only lot with an OS designation. *This land use category can be used to designate public lands under governmental title (County, State Parks, BLM, U.S. Bureau of Reclamation, U.S. Forest Service, etc.), where no development other than that specifically needed for government-related open space uses is desired. This land use includes State parks, ecological preserves, and public lands acquired specifically for open space uses. It may also be used on private lands to maintain natural features within clustered development where a General Plan amendment is processed.*

Discussion: Lot A had been designated MDR by the 1996 General Plan and OS by the 2004 General Plan. As discussed above in the history section, the zoning designation was changed from A to RF in 1983. The majority of the existing improvements, including the RV storage lot, had already been constructed within Lot A. Permit research by staff for prior application PA07-0089 concluded that the uses and structures as they exist today could be found to be legal nonconforming except the RV storage lot which would be authorized upon approval of the Development Plan.

**Lot B** was designated C by both the 1996 General Plan and the 2004 General Plan. The purpose of the C land use designation is to *provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County.*

Discussion: The zoning designation of the lot was not changed in 1983 by the adoption of the Area Plan. The uses include offices and a meeting room and therefore can be found consistent the General Plan land use designation of Commercial.

**The other 18 common area lots** are designated either HDR or MDR which both are compatible with the underlying Recreational Facility (RF) zone district designation which allows recreational uses. The majority of the improvements were constructed prior to the zone change by the Area Plan in 1983 when the lots were zoned Agricultural. The 18 common area lots are used for or include facilities for the recreational uses of ALT residents or the support facilities needed to maintain them. And therefore may be found to be consistent with the General plan land use designations of either HDR or MDR.

Additionally, the following General Plan policies also apply to this project:

Planned Developments: **Policy 2.2.3.1** states that the Planned Development (-PD) Combining Zone District allows *residential and commercial uses consistent with the density specified by the underlying zoning district with which it is combined.*

**Consistent**: This application does not require that the PD designation be added as a Zoning overlay but is an independent Development Plan. The Development Plan, although be guided by the underlying Zoning designation, would be considered comprehensive as a whole. As proposed, and with the establishment that the existing uses within the common areas are legal nonconforming or permitted, the project would be compatible with the General Plan MDR, HDR, OS and C land use designations and the zoning districts of RF and C.

**Compatibility: Policy 2.2.5.21** directs that new development be compatible with the surrounding neighborhood.

**Consistent:** As discussed in the Background section, the existing recreational, utility, storage, and institutional facilities and uses being considered by this Development Plan were developed as a part of the Auburn Lake Trails subdivision for use by the residents therein and the ALT Home Owner's Association. With the exception of the RV Storage Facility, these facilities and uses have been determined to be legal non-conforming uses with respect to the current zoning. The existing facilities and uses provide necessary recreational and intutional amenities for residents of the existing 1,104 lot subdivision. Conditions have been placed on the Development Plan to address outdoor lighting impacts associated with the Equestrian Arena and the RV Storage Lot. Landscape screening is to be provided to reduce visual impacts associated with RV storage.

**Lighting Impacts: Policy 2.8.1.1** directs that *excess nighttime light and glare be limited from the parking area lighting, signage and buildings and that consideration be given to the use of motion detectors or automatic shutoffs for lighting features in rural areas.*

**Consistent:** All outdoor lighting within the common area lots would be conditioned to 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. This requirement applies to the three 24-foot tall RV Storage lot lights, as well as all other lights within the common area lots. The three RV Storage lights are located as shown in Exhibits L and M1 and would be required to be improved as shown in Exhibit M2.

The arena on Lot A has existing outdoor lights (Exhibits L and M3). The outdoor Equestrian Arena has unique lighting needs. Illumination levels vary, depending on the nature of the event. The recommended Condition of Approval below is intended to allow adequate lighting for such events while minimizing light pollution or skyglow, reducing glare and unwanted light trespass onto surrounding streets and properties, and maintaining energy efficiency. In lieu of the lack of regulation for performance facility lighting in the County Code, Planning would recommend using the standards adopted by the IESNA as follows:

1. *The lights surrounding the arena shall comply with Exhibits L and M3. A design plan shall be received by Planning Services that includes performance standards for the Arena area and how those requirements will be met based on the following:*
  - a. *The performance standards shall not be subject to addressing pole height or lumens per acre limitations;*
  - b. *Floodlights shall not be aimed above 62 degrees from the vertical plane, and shall use internal louvers and external shields to focus light on the Arena in order to eliminate light trespass, in compliance with IESNA recommendations, as amended from time to time.*

2. *The remainder of the facility, to include but not be limited to grandstand, public seating, concession areas, pedestrian walkways, and parking lots shall be subject to lighting plan requirements under 17.35.030.*
3. *The main lighting of the Arena shall be turned off no later than 30 minutes after the end of the event, or by 10:30 pm, whichever comes first.*

As conditioned, the project would be in compliance with the General Plan Policy.

**Adequate Public Utilities:** **Policy 5.1.2.1** requires that there be *adequate public utilities and services including water supply, wastewater treatment and disposal, solid waste disposal capacity, storm drainage, fire and police protection, and ambulance service exist or be available to the subject discretionary project.*

**Consistent:** Solid waste disposal services exist for the common area lots. The Cool substation of the El Dorado County Fire Protection District is located across SR 49 from Northside Drive and would provide service to the site. GDPUD, PG&E and AT&T facilities exist within the improved ALT common area lots. The project would be in compliance with this General Plan Policy.

**Water Supply and Fire Protection:** **Policy 5.2.1.2** directs that *an adequate quantity and quality of water for all uses, including fire protection, shall be provided for discretionary development.* **Policy 5.7.1.1** directs that *the applicant demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or would be provided concurrent with development.*

**Consistent:** Potable water and adequate fire protection services, fire protection fire hydrants and minimum fire flow requirements are available at the developed common area lots. The project was distributed to the El Dorado County Fire Protection District for comments and they did not respond with any concerns or recommended conditions for the existing improved and developed common area lots. The project would be in compliance with these General Plan Policies.

**Adequate Access for Emergencies:** **Policy 6.2.3.2** directs *the applicant to demonstrate that adequate access exists, or can be provided for emergency vehicles and private vehicles to access and evacuate the area.*

**Consistent:** The majority of the existing project improvements have been approved through the County building permit process which includes review by the El Dorado County Fire Protection District for minimum Fire Safe standards for the access road and turnaround capacity prior to issuance of a permit. The project would be in compliance with the General Plan Policy.

**Conclusion:** The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies and it has been determined that the project is consistent with the applicable policies of the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

**Zoning:** The subject common area lots, except Lot B, are zoned Recreational Facility. Lot B is zoned Commercial. The purpose of the RF zone district is to *provide for the orderly development and maintenance of lands and areas suitable and desirable for recreational pursuits and to protect them from the encroachment of unrelated uses having an adverse effect to this resource.* The purpose of the C zone district is to provide retail and offices facilities for commercial ventures.

**Discussion:** The proposed application is for a development plan to address the existing common area improvements on 20 lots within Auburn Lake Trails (ALT) subdivision.

The permitted uses for an approved Development Plan would be limited to those listed within the basic zone with which the Planned Development zone is combined. In this case, the RF and C are the base zones for the common area lots. With the addition of the Planned Development overlay, Section 17.04.030.B of the Zoning Ordinance requires that any future development plan modification requires the submittal of a new Development Plan which then requires Planning Commission review.

**Planned Development Request:** The subject application is not subject to a rezone application pursuant to 17.22.340.B, *General Plan Consistency Options*, which states the following:

*If proposed development does not conform to General Plan policies pursuant to the site plan review as set forth above, no permit shall be issued for the development unless:*

- B. The applicant applies for and is granted a planned development application after discretionary review and CEQA analysis. The planned development application is hereby authorized whether or not a planned development is otherwise required by ordinance and would not require a rezone to add the planned development combining zone, but in all other respects, the planned development application will be processed in accordance with Section 17.04, and any appeals will be processed in accordance with Section 17.22.220.*

The review of the development plan includes review of the land uses, site plan, building elevations, access, signage, landscaping, and other issues which may impact surrounding uses. Planned Development is defined in the Zoning Ordinance, Section 17.02.030, *to an area to be developed as a single entity, the plan for which may not correspond in lot size, land use, density, lot coverage, and required open space to the regulations established in any one district created under the provisions of the County Zoning Ordinance.* Planned developments are further defined in Section 17.02.030 as being *a method that potentially allows the use of modern planning and development techniques, effect more efficient utilization of land and to allow flexibility of development, and potentially aid in the reduction of development costs, as well as provide for a combination of different land uses which compliment each other but which may not in all aspects conform to the existing zoning regulations.*

In this particular case, as discussed in detail in the *Background* section above, the current facilities and uses under construction have received County approvals with the exception of the RV storage lot. The approval of the Development Plan would resolve the Code Compliance

issues and bring all existing uses and improvements to the common areas under one permit. Staff has found that the proposed project, as conditioned, would meet the intent of planned developments as defined in the Zoning Code.

**Building Designs:** This application does not concern any new structure or use not already existing or currently under an issued permit.

**Signage:** No new signage is proposed with this current application request. Any future signage within the 20 common area lots would need to comply with Chapter 17.34.020.F and Chapter 17.16 of the El Dorado County Zoning Ordinance and would need to be provided to, and then approved by the Development Services Director or designee prior to issuance of a building permit for the proposed sign, if determined to be a minor change to the Development Plan (Section 17.04.070). The two existing entrance signs are included as Exhibits K1 and K2.

**Landscaping:** All existing facilities within the common area lots have existing landscaping. The applicants have provided a landscape plan for outside the fenced perimeter of the RV Storage Lot which complies with Zoning Code Chapter 17.18.090. Drip irrigation and mulch would be provided. A Water Conservation Landscape Statement is not required because the proposed landscaped area is less than 2,500 square feet. The landscape plan for the RV Storage Lot is provided in Exhibits J1 to J3

**Lighting:** Lighting is discussed above in the General Plan, Policy 2.8.1.1 section. Project lighting shall be consistent with Section 17.14.170 of the County Code.

**Project Access:** Auburn Lake Trails has three main gated entrances off of State Route 193. Each of the common area lots have access from interior paved roads.

**Parking:** The existing structures were approved by the County with the existing parking spaces. Any new proposal for the common area lots would be conditioned to comply with Section 17.18.060 of the County Code as well as the current Codes for providing handicap accessible parking. Existing parking is shown in Exhibits H1 to H9.

**Conclusion:** Staff finds that the necessary findings can be made to support approval of the proposed Development Plan. The findings are contained in Attachment 2.

**Environmental Review:** CEQA does not apply to this project pursuant to Section 15061, "Review for Exemption," which states in subsections (b) and (3) that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The project is to legitimize the existing improvements and uses of the common area lots, with no additional supporting infrastructure improvements required. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. A \$50.00 administrative processing fee is required by the County Recorder to file the Notice of Exemption.

**SUPPORT INFORMATION**

**Attachments to Staff Report:**

Attachment 1 .....Conditions of Approval  
Attachment 2 .....Findings

Exhibit A .....Vicinity Map  
Exhibit B .....Common Areas map  
Exhibits C-1, C-2 .....Close-up Common Areas west and east ALT map  
Exhibit D .....Planned Development APN table  
Exhibits E1 to E11 .....Assessor’s Parcel maps  
Exhibits F1, F2 .....General Plan Land Use maps for west and east ALT  
Exhibits G1, G2 .....Zoning maps for west and east ALT  
Exhibits H1 to H9 .....Development Plan maps  
Exhibits I1 to I14 .....Aerial close-ups of common area lots  
Exhibits J1 to J3 .....Landscape plan for RV storage lot  
Exhibits K1, K2 .....Entrance signs  
Exhibit L .....Arena and RV storage area lighting site plan  
Exhibits M1, M2, M3 .....RV Storage and Arena lights  
Exhibits N1, N2 .....Overall aerial maps for west and east ALT  
Exhibits O1 to O8 .....Site visit photos



**ATTACHMENT 1  
CONDITIONS OF APPROVAL**

**FILE NUMBER PD09-0003/Auburn Lake Trails Common Areas Development Plan**

October 8, 2009 Planning Commission Hearing

1. This planned development is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits A-O8, 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 Development plan for recreational, utility, storage, and institutional uses and improvements on 20 common area lots within Auburn Lake Trails (ALT) subdivision. The common area lots are identified by the following APN numbers: 072-051-01, 072-052-01, 072-153-03, 072-153-04, 072-153-05, 072-153-10, 072-233-01, 072-160-03, 072-371-34, 072-431-15, 073-341-14, 073-341-15, 073-341-16, 073-341-19, 073-502-05, 073-502-02, 073-502-03, 073-452-08, 073-471-04 and 073-472-05.

The Development Plan shall supersede all previously approved land use approvals including S69-0067, V69-0038, S73-0106 and S73-0112:

The Development Plan permits the following uses, structures and improvements that are shown in Exhibits A-O8 and are listed in the table below:

<b>DEVELOPMENT PLAN</b>		
<b>Common Area Lots – Uses and Structures</b>		
<b>Lot Identification Number</b>	<b>Assessor's Parcel Number</b>	<b>Uses and Structures</b>
Lot A	072-051-01	<p><b>The Barnloft:</b> The Barnloft accommodates 201 for assembly and 94 for dining. This building is utilized by the association for holding town meetings, special board meetings, board of director candidate's night, and other events for large crowds. Several clubs and other association organizations may utilize this facility by reservation.</p> <p><b>The Gallery:</b> The Gallery may accommodate 144 for assembly and 70 for dining. Use of the building by committees and clubs of the Association, and as a rental facility for members of the Association.</p>

		<p><b>Equestrian Area:</b> The association's equestrian arena and grandstands comprise a 24, 000 sq. ft. (224 ft. long by 116 ft. wide) arena and grandstands with shall have a capacity of 300 persons. Members and clubs may utilize these facilities. Pastures and stalls may only be rented and used by members.</p> <p><b>RV Storage Facility:</b> The RV storage facility is for exclusive use by ALT members. The RV lot includes 62 storage spaces for RVs, trailers, boats, campers and horse trailers. The existing chain link fencing enclosing the area shall be screened with landscape shrubs and shaded with landscape trees with wood or dark brown or dark green plastic slats installed in the fencing.</p>
Lot B	072-052-01	<p><b>Administrative Building:</b> The existing Association administrative office building and board of directors meeting room may accommodate 38 people for assembly with no dining. The Boardroom may also be utilized by various clubs and committees by reservation where fewer attendees are anticipated.</p>
Diehl Field	072-153-03, 072-153-04, 072-153-05, 072-153-10, 072-233-01	<p><b>Diehl Field:</b> The Diehl Field recreation area consisting of five lots includes a large grass field to be utilized by members as open space recreation area, a volleyball court, basketball court, and parking lot to be utilized by members and their guests.</p>
Lot C-1 and C-2	072-160-03	<p><b>Open Space:</b> The common areas shall be left in open space and utilized for passive recreation.</p>
Lot C-3	072-160-03	<p><b>Recreational Facilities:</b> (1) Nine-hole golf course, (2) tennis courts, (3) playground, (4) swimming pool, (5) man-made fishing pond, (6) park with several picnic tables.</p> <p><b>Institutional Uses:</b> (1) The Association's maintenance facilities, (2) the Lakeside Clubhouse/Library, may accommodate occupancy of 64 for assembly and 11 for the library. Clubhouse portion is 920 sq. ft., library portion is 420 sq. ft.</p>
Lots C-4, C-5, C-6, C-7, C-8, C-11, C13	072-160-03 (C-4 to C-7), 072-431-15 (C-8), 073-452-08 (C-	<p><b>Open Space:</b> These commonly owned parcels are currently undeveloped and utilized as open space for equestrian and hiking trails.</p>

	11), 073-472-05 (C-13)	
Lot C-9	072-341-14, 073-341-15, 073-341-16, 073-341-19	<b>Recreation Area:</b> The recreational area is for association members. Facilities include: (1 ) tennis court, (2) basketball court, (3) play area, (4) picnic area, (5) a small man-made lake utilized for swimming and fishing, and (6) a parking lot and restrooms.
Lot C-10 Lot 1638 Lot 1639	073-502-05 073-502-02 073-502-03	<b>The Black Oak Campground:</b> Utilized by members and their guests. Facilities include: (1) the man-made pond called Ring Lake, (2) two restrooms, (3) six improved campsites with power and water, (4) 50 unimproved campsite areas. Association clubs and organizations for various events may utilize this facility by reservation. <b>Lot 1638:</b> Riding arena utilized by members. <b>Lot 1639:</b> Pasture utilized for riding by members.
Lot C-12	073-471-04	Undeveloped lot exclusive of a dirt road. Open space for use as access to equestrian and hiking trails.

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 must be submitted for review and approval and shall be implemented as approved by the County.

**Planning Services**

2. All outdoor lighting lights shall conform to Section 17.14.170 of the County Code and be fully shielded pursuant to the Illumination Engineering Society of North America’s (IESNA) full cut-off designation. In addition, the following apply:
  - a. All security lighting shall be designed with motion-sensor activation.
  - b. Three pole lights are permitted lights surrounding the RV Storage Lot on Lot A and shall comply with Exhibit L for location. They shall conform to Section 17.14.170 of the County Code and be fully shielded pursuant to Exhibit M2 *Planned Lighting Alteration*.
  - c. The lights surrounding the Equestrian Arena on Lot A shall comply with Exhibits L and M3. A lighting plan shall submitted to Planning Services, for review and

approval no later than February 28, 2010, that includes a discussion of the lighting requirements for the Arena and how those requirements are met based on the following standards:

- i. The Arena shall not be subject to pole height or lumens per acre limitations;
  - ii. Floodlights in the performance area should not be aimed above 62 degrees from the vertical plane, and should use internal louvers and external shields to focus light on the Arena in order to eliminate light trespass, in compliance with IESNA recommendations, as amended from time to time.
  - iii. The remainder area, to include but not be limited to grandstand, public seating, concession areas, pedestrian walkways, and parking lots shall be subject to lighting plan requirements under 17.35.030.
  - iv. The main lighting of the Arena shall be turned off no later than 30 minutes after the end of the event, or by 10:30 pm, whichever comes first.
- d. All external lights used to illuminate a sign or side of a building or wall to be shielded in order to prevent light from shining off the surface to be illuminated.

Should final, installed lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of Planning Services.

3. The existing chain link fencing enclosing the RV Storage Lot area shall be screened with landscape shrubs and shaded with landscape trees, with wood or dark brown or dark green plastic slats installed in the fencing. The landscaping for the RV Storage Lot in conformance with Exhibits J1 through J3, shall be installed no later than February 28, 2010. Applicants shall install, mulch and maintain landscaping in accordance with the approved final landscaping plan in perpetuity or unless otherwise modified through any future permit.
4. The applicant shall make the actual and full payment of Development Services Department processing fees for planned development application immediately following the ten-day appeal period.
5. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place and determine its significance. If the find is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after appropriate measures are taken or the site is determined not to be of significance.

In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American in origin, both the Native American Heritage Commission (NAHC) and any identified descendants shall be notified by the coroner and recommendations for treatment solicited (CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94 and 5097.98).

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit within the common area lots.

6. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the California Government Code. The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a development plan, 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.

7. Prior to 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 for verification of compliance with applicable conditions of approval. The operator shall pay Planning Services for the time spent reviewing the site on a time and materials basis. All future development plans shall include this condition on the submitted plans.
8. A \$50.00 administrative processing fee is required by the County Recorder to file the Notice of Exemption. This fee must be delivered to the El Dorado County Planning Services prior to the issuance of any development permit being issued on the project lots.

# **ATTACHMENT 2 FINDINGS**

## **FILE NUMBER PD09-0003/Auburn Lake Trails Common Area Lots October 8, 2009 Planning Commission Hearing**

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

### **1.0 CEQA Findings**

- 1.1 CEQA does not apply to this project pursuant to Section 15061, "Review for Exemption," which states in subsections (b) and (3) that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Planning Commission has found that the facts that the improvements, access driveways, septic and water facilities exist for all the lots of the 20 common lots that are currently developed, all support the decision that the project complies with the General Rule category.
- 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.

### **2.0 General Plan Findings**

- 2.1 As proposed, the project is consistent with the Medium Density Residential, High Density Residential, Open Space, and Commercial land use designations of the subject 20 common area lots as defined by General Plan Policy 2.2.1.2, because the structures and uses within the lots are of a mutual benefit to the Auburn Lake Trails Property Owner's Association members, are found to be compatible with the surrounding residential development, and therefore are found to be consistent with the General Plan.
- 2.2 The proposal is consistent with all applicable Policies of the General Plan including 2.2.3.1 (Planned Developments), 2.2.5.21 (land use compatibility), 2.8.1.1 (outdoor lighting), 5.1.2.1 (adequate public utilities), 5.2.1.2 and 5.7.1.1(emergency water supply), 6.2.3.2 (fire safe access), concerning the requirement for a planned development request, compatibility with the surrounding parcels, lighting impacts, available utilities or the ability to provide them, emergency access capability and water availability for wildfire suppression. As conditioned, the project provides adequate access, site design, and conditions of approval that ensure compatibility with the surrounding uses, assures lighting meets County Code, supporting utilities would be available as water, power and available solid waste disposal services exist at the site, adequate emergency response capabilities exist, and therefore is consistent with the General Plan policies identified above.

### **3.0 Zoning Findings**

- 3.1 The project, as proposed and conditioned, is consistent with the El Dorado County Zoning Ordinance Development Standards because the proposed project, as conditioned, would be consistent with the intended uses for lots zoned Recreational Facility and Commercial as it provides recreational utility, storage and institutional uses for the residents of Auburn Lake Trails subdivision and the Auburn Lake Trails Property Owners Association.

### **4.0 Administrative Findings**

#### **4.1 Planned Development Findings**

- 4.1.1 *The planned development zone request is consistent with the General Plan.* The planned development request is consistent with the General Plan because the Development Plan recognizes and allows the existing common area uses and improvements on 20 lots within Auburn Lake Trails subdivision, consistent with the Medium Density Residential, High Density Residential, Open Space and Commercial land use designations, and is consistent with applicable policies as stated in Finding 2.2.
- 4.1.2 *The proposed development is so designed to provide a desirable environment within its own boundaries.* The proposed Development Plan provides subdued design features which blend well within the Auburn Lake Trails subdivision.
- 4.1.3 *Any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography.* The project is conditioned to comply with all County Code requirements.
- 4.1.4 *The site is physically suited for the proposed uses.* The site is physically suited for the proposed uses since it is located within a residential environment and provides needed services and recreational services to the residents within the subdivision.
- 4.1.5 *Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities.* As conditioned, all required utilities would be available for the proposed uses, including, but not limited to, water supply, adequate sewage disposal area, roads, power, phone and solid waste disposal services.
- 4.1.6 *The proposed uses do not significantly detract from the natural land and scenic values of the site.* The existing structures, improvements and uses do not significantly detract from the natural land and scenic values of the site since they exist and no new uses or development are proposed at the time of the approval of this Development Plan.