



COUNTY OF EL DORADO PLANNING COMMISSION

Building C Hearing Room
2850 Fairlane Court, Placerville, CA 95667
<http://www.edcgov.us/planning>
Phone: (530) 621-5355 Fax: (530) 642-0508

Lou Rain, Chair, District I
Dave Pratt, First Vice-Chair, District II
Tom Heflin, Second Vice-Chair, District III
Walter Mathews, District IV
Alan Tolhurst, District V

Char Tim Clerk of the Planning Commission

MINUTES

Regular Meeting March 11, 2010 – 8:30 A.M.

1. CALL TO ORDER

Meeting was called to order at 8:35 a.m. Present: Commissioners Rain, Pratt, Heflin, Mathews, and Tolhurst*; Paula Frantz-County Counsel**; and Char Tim-Clerk of the Planning Commission.

*[*Arrived at 8:36 a.m.]*

*[**Arrived at 8:42 a.m. and was in attendance at the start of the public hearing portion.]*

2. ADOPTION OF AGENDA AND ADDENDUM

Motion: Commissioner Heflin moved, seconded by Commissioner Mathews, and carried (4-0), to adopt the agenda and addendum as presented.

AYES: Pratt, Mathews, Heflin, Rain

NOES: None

ABSENT: Tolhurst

3. PLEDGE OF ALLEGIANCE

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

a. Minutes: February 25, 2010

Motion: Commissioner Heflin moved, seconded by Commissioner Pratt, and carried (5-0), to approve the meeting minutes of February 25, 2010.

AYES: Mathews, Tolhurst, Pratt, Heflin, Rain

NOES: None

VARIANCE

b. V09-0002 submitted by PAT and RENATE FRY (Agent: Kristina Hill) to reduce the front-yard setback from 35 feet to 17 feet (measured from the road easement centerline), reduce the rear-yard setback from 15 feet to five feet (measured from the high water line), reduce the northern side-yard setback from five feet to zero feet, and increase the building height from 22 feet for the existing home to 39 feet 8.5 inches for the reconstruction of a single-family residence. The property, identified by Assessor's Parcel Number 021-331-04, consisting of 27,300 square feet, is located on each side of Fallen Leaf Road, approximately three miles south of the intersection with Emerald Bay Road, in the Fallen Leaf Lake area, Supervisorial District V. [Project Planner: Jason Hade] (Categorical Exemption pursuant to Section 15305(a) of the CEQA Guidelines)** [continued from 2/25/10 meeting]

Item was conceptually denied by the Commission on February 25, 2010, and continued to March 11, 2010 Consent Calendar for Findings of Denial to be provided.

Staff Recommendation: Staff recommends the Planning Commission take the following actions:

1. Find that the project is Categorical Exempt pursuant to CEQA Guidelines Section 15305(a); and
2. Deny Variance V09-0002 based on the revised findings in Attachment 1.

Motion: Commissioner Tolhurst moved, seconded by Commissioner Pratt, and carried (5-0), to pull item 4.b from the Consent Calendar for discussion.

AYES: Heflin, Mathews, Pratt, Tolhurst Rain
NOES: None

Chair Rain stated that the applicant has requested the item to be continued although the Commission conceptually denied the project at the last meeting. He wanted to discuss what the options were.

Commissioner Tolhurst said he was in favor of continuing the item as the applicant has indicated a willingness to come up with a different solution. He stated that one of the options is to keep the setback and not increase the building volume as the objection was to the height of the proposed structure.

Renate Fry/applicant stated she was eager to work in good faith but requested some direction as there were no clear community guidelines to follow. She also said that it was difficult to respond to claims when they were brought forth as anonymous.

Commissioner Tolhurst indicated that he would be happy to meet with the applicants.

Chair Rain said that the issue at hand was that the proposed height and mass were too big.

No further discussion was presented.

Motion: Commissioner Tolhurst moved, seconded by Commissioner Pratt, and carried (5-0), to continue the item off-calendar.

AYES: Heflin, Mathews, Pratt, Tolhurst, Rain
NOES: None

END OF CONSENT CALENDAR

**5. DEPARTMENTAL REPORTS AND COMMUNICATIONS
(Development Services, Transportation, County Counsel)**

Peter Maurer provided a summary of events regarding long-range planning:

- General Plan Implementation Workshop: This is scheduled with the Board of Supervisors on March 22, 2010 and an item will be agendaized for an upcoming Commission meeting to discuss what had occurred at the workshop. Roger Trout indicated that this workshop can have ramifications for the future as the Board will be determining an action plan for the Department. Although he was confident that they had included many of the "hot" topics to discuss with the Board, he requested that if any Commissioner had an item that they wanted to be included in the discussion, to contact him as soon as possible.

Pierre Rivas provided a summary of events regarding current planning:

- Noise Workshop: This is scheduled for the April 22, 2010 Commission meeting and a Noise Consultant will be present for this item.

Roger Trout provided a summary of events that occurred at the recent Mid-year Budget Review with the Board of Supervisors in regards to the Department's budget.

6. COMMISSIONERS' REPORTS

Commissioner Tolhurst indicated that they are currently working on the Regional Plan Update in Tahoe and they are looking at different ways to do zoning.

9:00 A.M.

7. PUBLIC FORUM/PUBLIC COMMENT – None

8. REZONE/SPECIAL USE PERMIT

Z09-0004/S09-0011/Brookshire Gardens Events Center and Bed & Breakfast submitted by KURT SOMMERDYKE to rezone from Estate Residential 10-Acre (RE-10) to Planned Commercial (CP) and special use permit to authorize an events center for up to 50 events per year with up to 150 guests per event. A three room bed and breakfast facility and commercial kitchen is

proposed in a future phase. An off-site overflow parking agreement is proposed with a nearby trade school (Assessor's Parcel Number 331-112-12). The property, identified by Assessor's Parcel Number 331-111-05, consisting of 1.55 acres, is located on the north side of North Street, approximately 300 feet east of the intersection with Oriental Street, in the El Dorado area, Supervisorial District III. [*Project Planner: Jason Hade*] (Mitigated negative declaration prepared)*

Jason Hade presented the item to the Commission with a recommendation of approval to the Board of Supervisors. He stated that in an email dated March 4, 2010, the applicant was requesting a portion of graveled parking and a graveled secondary access in lieu of asphalt (this was shown on a revised Site Plan date stamped March 10, 2010) and to defer lighting installation requirements to a later date. Mr. Hade also stated that one public comment had been received in regards to the zone change to Commercial and noise/parking issues.

Commissioner Heflin voiced concern with the hours of operation ending at 10:00 p.m., particularly when the request was to have up to 50 events per year.

Kurt Sommerdyke/applicant provided a history of the parcel and how the weddings started on his property. He stated that he was before the Commission to obtain the proper permits in order to increase these types of events. Mr. Sommerdyke provided the following comments on his project:

- Other businesses will benefit from him bringing the public into the County;
- A good use for the property;
- The trade school located across the street would be used for overflow parking;
- Request for graveling is primarily for cost-savings;
- Closest home is located to the west and a fence would block noise and provide privacy;
- Not his intention on having big events during the week;
- Although he requested 10:00 p.m. as an ending time, most weddings he has had are ending at dusk; and
- Already has lighting around the barn, reception area and dance floor.

County Counsel Paula Frantz stated that the Commission can limit the hours of operation to dusk until lighting conditions are met.

Pierre Rivas said that the lighting is not a requirement by the County, but any proposed lighting by the applicant must meet standards.

Renee Hargrove supported the project and provided the following comments:

- Provides increase in County revenue;
- Preservation of historic site;
- Beautiful grounds and is visually pleasing;
- Applicant is responsible neighbor;
- Gardens promote healthy environment; and
- Fosters small businesses.

Don Wesley/neighbor has been in the area since 1984 and has not been disturbed by past events held at the property and noise, lights or traffic has never been a problem. He supports the project and indicated that the applicant maintains the property very well.

Donna Aguiar, business owner in El Dorado, purchased the old fire station 15 years ago and has seen the development of this property, particularly the aesthetic enhancements to historic El Dorado. She supports the project and indicated that the applicant's past events have been very successful and they provide additional revenue to the community.

Gail Hartwick, owner of Hartwick House, supports the project and stated that the applicant is a good neighbor.

Commissioner Tolhurst said that he was in favor of the project but wanted to ensure that there would be no issues regarding the presence of alcohol and the proximity of schools to the location. He felt that there was a distinction between serving and selling alcohol.

Mr. Rivas stated in response to Commissioner Pratt's inquiry that the rezone request was to bring the zoning into compliance with the General Plan designation. In addition, Mr. Hade stated that a Special Use Permit was being required because the project was more of an events center instead of a Bed and Breakfast.

County Counsel Frantz provided more detail as to what is allowed with the current zoning and stated that she did not find any reference in County code regarding alcohol and the proximity of schools, so it would be an ABC issue if there was a concern.

Commissioner Mathews indicated that he preferred gravel to hardscapes.

No further discussion was presented.

Motion: Commissioner Mathews moved, seconded by Commissioner Pratt, and carried (5-0), to recommend that the Board of Supervisors take the following actions: 1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff; 2. Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the conditions of approval and mitigation measures as presented; 3. Approve rezone Z09-0004 based on the Findings proposed by staff; and 4. Conditionally approve special use permit S09-0011, based on the Findings proposed by staff and subject to the Conditions as presented with the inclusion of the revised site plan dated stamped March 10, 2010.

AYES: Heflin, Tolhurst, Pratt, Mathews, Rain

NOES: None

Findings for Approval

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 The County finds that through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.
- 1.4 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 GENERAL PLAN FINDINGS

- 2.1 As proposed, the project is consistent with the Commercial (C) land use designation of the subject site as defined by General Plan Policy 2.2.1.2, because this land use designation permits the proposed event center use.
- 2.2 The proposal is consistent with all applicable Policies of the General Plan including 2.1.1.7, infrastructure, 2.2.1.2, land use, 2.2.5.3, rezoning, 2.2.5.21, land use compatibility, 5.2.1.4, public water service, 5.3.1.7, public sewer service, 5.7.1.1, fire protection, 6.2.3.2, emergency access, and 10.1.6.1, tourism promotion, because it will provide adequate roadways, utilities and other public services, appropriate land use, compatibility with the surrounding neighborhood, connection to public water and sewer service, availability of emergency water, adequate emergency access, and promote tourism within the project area. The proposal was reviewed against the 19 specific criteria under policy 2.2.5.3 and found to be consistent with applicable criteria such as public water and sewer service availability, capacity of the transportation system serving the area, and existing land use pattern. There are no existing CC & R's. The project provides adequate access and site design that ensures compatibility with the surrounding permitted land uses and 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 event center meets the development standards of the CP zone district pursuant to section 17.32.160 for minimum lot areas and widths, maximum lot coverage, building height, and setbacks.

4.0 ADMINISTRATIVE FINDINGS

4.1 Special Use Permit

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

As proposed, the project conforms to the C General Plan land use designation and applicable General Plan policies including adequate roadways, utilities and other public services, compatibility with the surrounding neighborhood, availability of emergency water, adequate emergency access, and tourism promotion.

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

As proposed, the project is compatible with the surrounding residential and commercial land uses and will not create land use conflicts with surrounding properties. Noise mitigation measures are proposed to ensure consistency with applicable General Plan noise policies.

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

The proposed use is permitted pursuant to Section 17.32.150.D of the Zoning Ordinance.

Conditions of Approval

I. PROJECT DESCRIPTION

1. This special use permit is based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits A-J, 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:

Rezone from Estate Residential 10-Acre (RE-10) to Planned Commercial (CP) and a Special Use Permit authorizing an events center for up to 50 events per year with up to 150 guests per event. A three room bed and breakfast facility and commercial kitchen is also authorized. The facility may operate from 8:00 A.M. to 10:00 P.M. An off-site overflow parking agreement is required with a nearby trade school (APN 331-112-12) or other authorized parking. Signage is authorized as shown in Exhibit G. The project will include the construction of an off-site water line extension along North Street from Oriental Street to

Hinman Alley and the improvement of North Street to a 20-foot wide roadway. Proposed project access will be a connection to North Street.

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

II. MITIGATED NEGATIVE DECLARATION CONDITIONS

2. Prior to occupancy, a six-foot tall noise barrier shall be constructed along the southern half of the western property line as identified in Appendix A of the noise study.

Timing/Implementation: Prior to occupancy

Enforcement/Monitoring: El Dorado County Planning Services

III. PROJECT CONDITIONS

Planning Services

3. In the event that previously unknown cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archeologist shall make recommendations on the measures to be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds, in accordance with § 15064.5 of the CEQA Guidelines. Cultural resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites.
4. If human remains are encountered during earth-disturbing activities within the project area, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. 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).
5. Developer shall defend, indemnify and hold harmless the County or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of the Special Use Permit. In the event that the County fails promptly

- to notify the applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
6. The applicant shall submit to Planning Services a \$50.00 recording fee and a \$2,010.25 Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No permits shall be issued or occupancy granted until said fees are paid.
 7. Prior to issuance of any permits, the applicant shall pay all Development Services fees.
 8. 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.
 9. Pursuant to County Code Section 17.22.250, implementation of the project must occur within twenty-four (24) months of approval of this permit, otherwise the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with conditions of approval.
 10. Lighting shall be substantially compliant with Exhibits E and H and shall conform to Section 17.14.170 requiring full shielding pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. 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 the Development Services Director or his designee.
 11. The applicant is responsible for providing 45 off-street parking spaces at all times while the facility is in operation pursuant to 17.18.060 of the Zoning Ordinance. Thirty-nine parking spaces shall be provided as shown on the approved site plan, Exhibit E. The remaining six required parking spaces shall be provided off-site. Prior to occupancy, a parking agreement subject to the approval of Planning Services shall be submitted between all concerned parties ensuring the continued availability of the off-site parking facilities for the life of the use that it is intended to serve.
 12. In accordance with the Parking Lot Landscaping and Buffering Standards (Section 17.18.090, El Dorado County Zoning Ordinance), the applicant shall submit a final landscape plan consistent with the approved landscape plan, Exhibit F, prior to issuance of a building permit. Additionally, staff will make an on-site inspection to verify compliance with the final landscape plan prior to occupancy.
 13. At time of building permit submittal, the revised site plan shall reflect the relocation of the "multi-purpose room" to meet the minimum 10-foot front-yard setback from the edge of the road easement

Air Quality Management District

14. During construction, all activities shall apply standard Best Management Practices (BMPs) to control dust during construction. These practices shall be incorporated into the project and include:
 - a. Application of water on disturbed soils and unpaved roadways a minimum of three times per day
 - b. Using track-out prevention devices at construction site access points
 - c. Stabilizing construction area exit points
 - d. Covering haul vehicles
 - e. Restricting vehicle speeds on unpaved roads to 15 miles per hour
 - f. Replanting disturbed areas as soon as practical and other measures as deemed appropriate to the site, to control fugitive dust
15. Prior to grading permit issuance, a fugitive dust plan and asbestos dust mitigation plan shall be submitted to the Air Quality Management District (AQMD) for review and approval.
16. Burning of vegetative wastes that result from "Land Development Clearing" must be permitted through the District Rule 300 Open Burning. Only vegetative waste materials are permitted to be disposed of using an open outdoor fire.
17. The applicant shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
18. The project construction will involve the application of architectural coating which shall adhere to District Rule 215, Architectural Coating.
19. As the subject site is located within the Asbestos Review Area, all driveways must be paved or surfaced with asbestos free gravel a minimum of three inches in depth prior to occupancy.

Department of Transportation

20. **Access Road Improvements:** The applicant shall be required to improve North Street in accordance with El Dorado County Design and Improvements Standard Manual (DISM) Standard Plan 101C and the 2007 CA Fire Code with a 20-foot wide roadway capable of supporting 75,000 pounds. These off-site improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to issuance of building permit.
21. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the driveway encroachment(s) from the proposed private driveways onto North Street to the provisions of County Design Std 103C with a minimum encroachment width of 24-feet. The improvements shall be completed to the satisfaction

of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to issuance of building permit.

22. **Road Improvement Agreement & Security:** A condition of approval will be that the developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to approval of improvement plans.
23. **Grading Plan:** A grading and erosion control plan may be required for this project. At the time that an application is submitted for improvement plans or a grading permit, the applicant must file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB).
24. **Grading Permit / Plan:** A commercial grading permit may be required for the project. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation 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 and grading shall be completed to the satisfaction of DOT prior to occupancy clearance.
25. **Soils Report:** At the time of the submittal of the grading or improvement plans, 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 and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
26. **Drainage Study / SWMP Compliance:** 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. The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:
 - a. The site can be adequately drained.
 - b. The development of the site will not cause problems to nearby properties, particularly downstream sites.

- c. The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
- d. The ultimate drainage outfall of the project.

The improvements shall be completed to the approval of the Department of Transportation, prior to issuance of a building permit or the applicant shall obtain an approved improvement agreement with security.

- 27. **Drainage Easements:** The site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans.
- 28. **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
- 29. **Storm Water Drainage BMPs:** Storm drainage from on-and off-site impervious surfaces (including roads) shall be collected and routed through specially designed water quality treatment facilities (BMPs) for removal of pollutants of concern (e.g. sediment, oil/grease, etc.), as approved by DOT. This project is located within the area covered by El Dorado County's municipal storm water quality permit, pursuant to the National Pollutant Discharge Eliminated System (NPDES) Phase II program. Project related storm water discharges are subject to all applicable requirements of said permit. BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) storm water runoff in accordance with "Attachment 4" of El Dorado County's NPDES Municipal Storm water Permit (State Water Resources Control Board NPDES General Permit No. CAS000004).

With the Improvement Plans, the applicant shall verify that the proposed BMPs are appropriate to treat the pollutants of concern from this project. A maintenance entity of these facilities shall be provided by the project applicant. DOT shall review the document forming the entity to ensure the provisions are adequate prior to issuance of building permit.

- 30. **Easements:** All applicable existing and proposed easements must be shown on the project plans.
- 31. **TIM Fees:** Payment of Traffic Impact Mitigation Fees will be required.

Diamond Springs – El Dorado Fire Protection District

32. Prior to occupancy, all fire access roads shall be improved to a width of 20 feet with an all weather surface and be capable of supporting 75,000 pounds of static weight with an approved turnaround. Fire access roads 20 to 29 feet wide shall be posted on both sides as a fire lane with no parking allowed on either side of the roadway.
33. If the use of the barn is changed to a gift shop, the structure may be subject to the installation of a monitored fire alarm system prior to occupancy, as determined by the Diamond Springs – El Dorado Fire Protection District (DSEDFPD).
34. Prior to occupancy, documentation shall be submitted to the DSEDFPD confirming a minimum fire flow of 1,500 gallons per minute for two hours at 20 pounds per square inch. Two additional fire hydrants shall be installed to the satisfaction of the DSEDFPD prior to occupancy.
35. Prior to occupancy, a Knox Box shall be installed to the satisfaction of the DSEDFPD.
36. Prior to building permit issuance, the subject site shall be annexed into the Community Facilities District established by the DSEDFPD for the provision of public services.

9. **PLANNED DEVELOPMENT/PARCEL MAP**

PD08-0020/P08-0029/Serrano Village J5 Commercial Center Phase II submitted by SERRANO ASSOCIATES, LLC for a Development Plan to allow four buildings totaling 32,584 square feet and the buildings would consist of three retail buildings and a fueling station; and a Parcel Map to create four parcels ranging in size from 0.90 acres to 1.43 acres and two remainder parcels. The property, identified by Assessor's Parcel Number 123-040-07 (portion), consisting of 24.91 acres, is located on the south side of Bass Lake Road, east of the intersection with Serrano Parkway, in the El Dorado Hills area, Supervisorial District II. *[Project Planner: Pierre Rivas]* (Statutory Exemption pursuant to Section 15162(a) of the CEQA Guidelines)**

Pierre Rivas presented the item to the Commission with a recommendation of approval. He referenced numerous maps displayed on the wall showing circulation, building elevations, residential components and landscaping plan. Mr. Rivas referenced a memo submitted by the applicant, dated March 11, 2010, requesting changes to Condition #1 and stated staff was not in favor of the requested changes, with the exception of the changes in section (a). He stated that the project description (Condition #1) was not the appropriate place to inject language for items that are codified, which is why the code section is referenced. Mr. Rivas also stated that in section (f), the requested strikeout of the "excluding car wash" was not being recommended because the proposed use is problematic as it is adjacent to a residential project and is not an appropriate use. He also said that staff had recommended a Statutory Exemption from CEQA for this project but if the car wash was to be included, then he felt that there would be a need for a Mitigated Negative Declaration to address the noise issues since it is adjacent to a residential project and a car wash had not been included in the area plan. Mr. Rivas also reminded the

Commission that since this action will be approving the official Development Plan, it needs to specifically identify exactly what is being approved which is why staff is recommending that the last paragraph in Condition #1 be left as-is. He also said that since that particular paragraph is codified, staff must follow County Code.

County Counsel Paula Frantz stated that there wasn't an issue with the requested change in the sentence above the table in Condition #1 and in fact suggested leaving both lines in (original and strikeout/underline versions). However, she did agree that there was a problem with the requested changes for the last paragraph in that condition. She also stated that the EIR did not contemplate a car wash and has not had the opportunity to review it to determine if it covered it. County Counsel Frantz felt that preparing a Mitigated Negative Declaration would be a safe course to take, but would defer to the applicant's attorney, Mr. Cook.

Commissioner Pratt felt the words "substantially consistent", "approximate" and "minor" all meant the same to him as a lay person, and that it could be defined in the scope of the project. Mr. Rivas responded that staff uses 10% as a leeway, which is taken from Code.

Mike Cook/applicant's attorney said that the EIR covers car washes and they submitted an acoustical study to show that the thresholds could be met. He stated that the residential project adjacent to the car wash is the applicant's development and the car wash is being proposed at the farthest corner from other residences and Bass Lake Road. They want to retain the flexibility of having a car wash in that location.

Kirk Bone/applicant indicated that the requested changes would provide them flexibility of the allowed square footage and these conditions mirrored what was approved in December 2009. He also stated that he would like the ability to have this flexibility as they had submitted the application in August 2008, it was deemed complete in October 2008, but is just now being heard by the Commission and since it is unclear when the economy will turn around, this flexibility is critical. Mr. Bone also said that he learned of staff's strong opinions on the car wash in early February, but just discovered at today's hearing that the environmental document may not be adequate enough for the car wash.

Mr. Rivas read a section out of the Zoning Ordinance and stated that there is a lot of flexibility that is already allowed.

John Thompson, President of the Bass Lake Action Committee, made the following comments:

- Supported the car wash and suggested limiting the hours of operation;
- Have met with the applicant and the Committee generally supports the project; and
- Concerned with impacts to Bass Lake Road from the three Serrano projects being proposed today.

Bob Gilbert stated there are seven gas stations within three miles of each other and two of them have car washes. He is concerned with the car wash and the noise of the blowers and not sure if another car wash is required.

County Counsel Frantz read into the record proposed language for Condition #1 in the sentence above the table and recommended that the proposed changes in the last paragraph not be accepted.

Commissioner Pratt was in support of the car wash due to the supporting documentation submitted and having the hours of operation end at 10:00 p.m. Chair Rain was very sensitive to the adjacent residents and suggested having the hours of operation end at 9:00 p.m. Mr. Bone agreed with the proposed ending time of 9:00 p.m.

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Heflin, and carried (5-0), to take the following actions: 1. Certify that the project is Statutorily Exempt from CEQA pursuant to Section 15162(a) of the CEQA Guidelines; 2. Approve Planned Development PD08-0020, adopting the Development Plan as the official Development Plan, based on the Findings proposed by staff and subject to the Conditions as modified; and 3. Approve Tentative Parcel Map P08-0029 based on the Findings proposed by staff and subject to the Conditions as modified: (a) Amend Condition #1 in sentence above table to reflect changes as identified by County Counsel; (b) Amend Condition #1.a. to reflect changes as identified in memo from applicant dated March 11, 2010; and (c) Amend Condition #1.f. to reflect changes as identified in memo from applicant dated March 11, 2010 and to include language that any car wash is limited to the hours of operation of 7:00 a.m. to 9:00 p.m.

AYES: Mathews, Tolhurst, Heflin, Pratt, Rain
NOES: None

This action can be appealed to the Board of Supervisors within ten (10) working days.

Findings for Approval

1.0 CEQA Findings

- 1.1 The project is a commercial project and a part of an adopted El Dorado Hills Specific Plan and as addressed in the certified El Dorado Hills Specific Plan EIR. This project is statutorily exempt from the requirements of CEQA pursuant to Section 15162(a) which states that once an EIR has been prepared for a project, a subsequent environmental document is not required unless substantial changes to the project or the project circumstances occur. The proposed project would be consistent with the commercial development established within the El Dorado Hills Specific Plan. No changes to the circumstances have occurred, therefore, no further environmental analysis is necessary.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 Administrative Findings

2.1 The project is consistent with the El Dorado Hills Specific Plan

The proposed neighborhood commercial center would be consistent with the permitted uses- and development standards established for Village J within the El Dorado Hills Specific Plan.

2.2 The project is consistent with the Zoning Ordinance

The project site is zoned Planned Commercial (CP). The proposed neighborhood commercial center will be consistent with the parking requirements and the development standards of the CP Zone District. All outdoor lighting will be designed in conformance with the County Code. The proposed signage exceeds the maximum square footage allowed within the CP Zone District, but is authorized through approval of the Development Plan.

3.0 Tentative Parcel Map Findings

3.1 The proposed map is consistent with the applicable general and specific plans;

The project will be the second phase of commercial development within Village J5 of the El Dorado Hills Specific Plan. The project would be consistent with the Specific Plan objectives and guidelines for the establishment of a commercial center within the Plan area. The proposed Parcel Map will not violate any policies of the Specific Plan.

3.2 The proposed map is consistent with the Development Plan;

The Parcel Map will be complimentary to the Development Plan by creating a parcel for each of the proposed buildings. The Parcel Map will not create conflicts with the project design or configuration of the proposed buildings.

3.3 The design or improvement of the proposed subdivision is consistent with the applicable general and specific plans;

The proposed Parcel Map design will be consistent with the development standards of the Zoning Ordinance and design guidelines of the El Dorado Hills Specific Plan. The proposed road improvements will be consistent with the El Dorado Hills Specific Plan Circulation Element and will match the required road improvements within the Bass Lake Hills Specific Plan.

3.4 The site is physically suitable for the type of development;

The El Dorado Hills Specific Plan and EIR identify Village J as containing 45 acres of commercial lands. The 4.46 acre commercial development is consistent with the El Dorado Hills Specific Plan. The proposed project will be consistent with the design guidelines of the Specific Plan and the environmental impacts analyzed in the EIR.

3.5 The site is physically suitable for the proposed density of development;

The proposed project density will be suitable for the site. Adequate parking areas and encroachments onto access roads will allow for adequate circulation through the project.

3.6 The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and will not avoidably injure fish and wildlife or their habitat;

The project will not likely result in substantial environmental damage. The existing jurisdictional wetlands on-site have been impacted pursuant to issued state water permits.

3.7 The design of the subdivision or the type of improvements is not likely to create serious public health and safety problems or unacceptable fire risks to occupants or adjoining properties;

The project will provide encroachments onto Bass Lake Road and will create a new extension of Sienna Ridge Drive to the Bass Lake Specific Plan area. The road improvements will provide adequate circulation and emergency access through the project site.

3.8 The design of the subdivision or the type of improvements will not conflict with easement, acquired by the public at large, for access through or use of property within the proposed subdivision.

The project includes an extension of Sienna Ridge Drive through the project site and improvements to Bass Lake Road. The project includes the necessary dedication for road right-of-way and will not conflict with public access through the site.

4.0 Planned Development Findings

4.1 The Planned Development request is consistent with the Specific Plan;

The El Dorado Hills Specific Plan requires that projects include submittal of a Planned Development application. The project request is consistent with the Specific Plan and would propose a range of uses that are consistent within the Village J area. The proposed project design would be consistent with the design guidelines of the Specific Plan.

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

The project has been designed with landscaping features throughout the project area and within the parking areas to provide shade and visual interest. Adequate parking areas and encroachments have been provided to allow for adequate internal circulation. The

proposed buildings have been designed to allow a cohesive design theme throughout the site.

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

The project would comply with the development standards of the Planned Commercial Zone District. An exception to the signage requirements of the CP Zone District is requested as part of the Sign Program. The exception would be allowed as the monument signage would consolidate the commercial signage on two monument signs. The proposed increase in allowable signage would be consistent with the Phase I commercial project and the existing subdivision signage throughout the Specific Plan area.

4.4 The site is physically suited for the proposed uses.

The project site is easily accessed from Bass Lake Road and the future extension of Sienna Ridge Road. The project will require road improvements and signal construction to reduce the future traffic impacts associated with the project. The construction of sound walls will reduce any impacts of site operation on the surrounding residential uses. The removed oak canopy will be mitigated through the preservation of additional oak canopy within the Village J area.

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

There is existing public water and sewer services are available to serve the project. The required infrastructure would be extended to the site and would be located within the future extension of Sienna Ridge Road. The project will include road improvements and signal construction to reduce the future traffic impacts associated with the project.

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

The project site is currently undeveloped and does not contain any scenic value. The proposed commercial development will be consistent with the anticipated improvements in the Specific Plan area and will provide a benefit to the existing and future residential uses in the area.

Conditions of Approval

Planning Services

1. This Planned Development and Parcel Map is based upon and limited compliance with the project description, the Staff Report Exhibits E through I, and conditions of approval set forth below. Any deviations from the project description; exhibits or conditions must

be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

The project allows for a Commercial Development Plan and Parcel Map. The Parcel Map allows four parcels, one right-of-way parcel and two remainder parcels. The Development Plan allows a commercial building on each of the numbered parcels. The parcel sizes and improvement square footages in the following table are approximate. The parcel sizes and building square footages may be adjusted by up to 25 percent as a minor modification. The total building square footage and improvement area shall not be increased without a revision. shall be substantially consistent with the table included below:

Parcel Number	Use	Improvements (Square Feet)	Net Area (Acre)
1	Retail A	5,750	1.18
2	Retail B	14,500	1.43
3	Fueling Station C	3,134	0.90
4	Retail D	9,200	0.95

The Development Plan includes the following components:

- a. Site Plan & Parking: The location and arrangement of the buildings and uses shall be substantially consistent with as shown on the approved Site Plan. At a minimum, A total of 159 parking spaces and two commercial loading zones shall be provided pursuant to Chapter 17.18 of the Zoning Ordinance (“Off-Street Parking and Loading”).
- b. Sign Package: All signage installed as part of the project shall demonstrate consistency with the approved Sign Package – *Graphics and Signage Criteria*.
- c. Buildings and Elevations/ Color Palette: All buildings shall substantially conform to the approved elevations and color palette. Planning Services shall verify consistency with the approved exhibits prior to issuance of a building permit.
- d. Outdoor Lighting: All outdoor lighting shall substantially conform to the Lighting Plans approved as part of the Development Plan. Planning Services shall verify consistency with the approved plans prior to issuance of building permit.
- e. Landscaping: All landscaping shall be substantially consistent with the approved Landscaping Plans. Planning Services shall verify consistency with the approved plans prior to issuance of a building permit.

- f. Uses: All uses shall conform to the table included above which may include the following or similar uses: grocery store, drug store, variety store, beauty-barber shops, restaurant- coffee shops, cleaners, and fueling station-convenience store, with excluding a car wash. Any car wash developed will have the hours of operation limited to 7:00 a.m. to 9:00 p.m. Minor modifications may be allowed consistent with the approved uses within Section 3.2.2 of the El Dorado Hills Specific Plan.

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.

Minor modifications to the approved Development Plan may be administratively approved by the Development Services Director in accordance with the findings under County Code Section 17.04.070. Major modifications shall require approval of a revision to this Development Plan subject to approval by the Planning Commission.

2. **Meter Award Letter:** The project shall connect to EID services for water and waste water services. The applicant shall submit an EID Water Meter Award Letter or similar document to Planning Services prior to issuance of a building permit or filing of the parcel map.
3. **Acoustic Mitigation:** The applicant shall implement the acoustical mitigation measures as recommended in the noise impact analysis prepared by The Acoustics & Vibration Group dated August 5, 2008. Planning Services and the acoustical engineer shall review and approve the sound barriers prior to issuance of any building permit for the project.
4. **Subsequent Acoustical Analysis:** The applicant shall submit an acoustical analysis for any outdoor mechanical equipment proposed on the Fueling Station or Building D. Planning Services shall review and approve the acoustical analysis prior to issuance of a building permit.
5. **Oak Canopy:** The project shall remove 1.112 acres of oak canopy. The required 20 % retention of oak canopy as established by the El Dorado Hills Specific Plan EIR shall be achieved through limited development of Village J6 and J7 areas.
6. **Pre-Construction Survey:** A minimum of 30 days prior to initiating any construction activities during raptor nesting season (February 1 to July 31), the developer shall have a qualified biologist complete a nest survey on the site and within 0.25 miles of the proposed grading and construction areas. The nesting survey shall be completed

following the California Department of Fish and Game guidelines, and completed copies of the survey report shall be forwarded to the El Dorado County Planning Services and the Resources Conservation District. Planning Services shall review and approved the survey report prior to issuance of a grading permit.

7. **Payment of Processing Fees:** Development Services shall verify that all fees have been paid prior to issuance of a building permit or filing of the parcel map.
8. **Fish and Game Fee:** The applicant shall submit to Planning Services the required Department of Fish and Game fee and filing fee prior to filing of the Notice of Determination by the County. No permits shall be issued or Parcel Map filed until said fees are paid.
9. **Conditions Compliance:** Prior to issuance of a building permit or commencement of any use authorized by this permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services prior to issuance of a building permit for verification of compliance with applicable conditions of approval.
10. **Hold Harmless Agreement:** 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, or employees from any claim, action, or proceedings against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

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

Department of Transportation

DOT Project Specific Conditions

11. **Sienna Ridge Road Improvements:** The applicant shall construct realigned Sienna Ridge Road from the boundary of the Bass Lake Hills Specific Plan to form a 4-way intersection with Serrano Parkway and Bass Lake Road. The improvements shall be as follows (starting on the north side of Sienna Ridge Road):
 - a. 6-foot sidewalk with Type 2 vertical curb and gutter
 - b. 8-foot shoulder to include a type II Bike path

- c. 11-foot AC travel lane
- d. 12-foot striped median
- e. 11-foot AC travel lane
- f. 4-foot shoulder to include a type II Bike Path
- g. 6-foot sidewalk with Type 2 vertical curb and gutter

A transition to the existing road (Sierra Ridge Road) must be provided to the satisfaction of the Department of Transportation. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior the filing of the parcel map.

12. **General Vacation:** An application for general vacation shall be filed for the unused segment of Sienna Ridge Road from the intersection of the proposed local road to Bass Lake Road prior to occupancy.
13. **Irrevocable Offer of Dedication:** The applicant shall irrevocably offer to dedicate in fee, 60-foot wide on-site road and public utility easement for the on-site portion of Sienna Ridge Road, prior to the filing of the parcel map. This offer will be acknowledged but rejected by the County, subject to completion of said improvements.
14. **Encroachment Restriction:** The easterly driveway encroachment onto Bass Lake Road shall have a restricted turn movement to a right-in and right-out only. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to filing of the parcel map.
15. **Left Turn Pocket:** A left turn pocket shall be provided on Bass Lake Road for the driveway between Buildings B and C. A letter from the traffic engineer shall be provided stating the required length of the turn pocket. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.
16. **Traffic Signal:** A traffic signal shall be placed at the intersection of Serrano Parkway/Sienna Ridge Road and Bass Lake Road. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.
17. **Bus Turnout:** The location of the bus turnout located on Sienna Ridge Road shall be located as shown on the preliminary plans submitted September 10, 2007 by R.E.Y. Engineers, Inc. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.

18. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment(s) from the driveways onto Bass lake Road to the provisions of County Design Std 110, or as required by the approved traffic study. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.
19. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment(s) from the driveways onto Sienna Ridge Drive the provisions of County Design Std 110, or as required by the approved traffic study. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.
20. **Sidewalk, Curb and Gutter:** In Accordance with Policy TC-5 of the County of El Dorado General Plan, sidewalks and curbs shall be required along the future road as well as along Bass Lake Road per DISM 101A. The concrete curb and gutters shall be in accordance with DISM Standard Plan 104 Type 2. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.
21. **Class II Bike Lane:** Pursuant to the Bicycle Transportation Plan, a Class II Bike Lane is to be provided along both sides of Bass Lake Road. The applicant shall verify or construct the Bike Lane, or provide striping for this improvement (if sufficient pavement exists), or, at the discretion of DOT, contribute funds towards its construction, prior to filing of the parcel map.
22. **Off-Site Easements:** Applicant shall provide all necessary recorded easements for any drainage, slope and road improvements crossing the property line prior to approval of the improvement plans.

DOT Standard Conditions

23. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
24. **Vehicular Access Restriction:** Prior to filing of the final map, the applicant shall record a vehicular access restriction along the entire frontage of Bass Lake Road and Sienna Ridge Drive, excluding the locations of the approved access encroachments.
25. **Sidewalks:** Sidewalks may be located outside the right-of-way and meander as a means to provide interest and variety in alignment. The alignment and design of the sidewalks shall be reviewed and approved by the Department of Transportation prior to issuance of building permits. Pedestrian easements shall be provided where necessary. Final lane

- configurations, including the need for additional rights-of-way, shall be subject to review and approval of the Department of Transportation prior to improvement plan approval.
26. **Curb Returns:** All curb returns, at pedestrian crossing, will need to include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp.
 27. **Maintenance Entity:** The proposed project must form an entity for the maintenance of any shared or common: private roads, parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping, signs, and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the parcel map.
 28. **Common Fence/ Wall Maintenance:** The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Conditions, Covenants and Restrictions (CC&Rs).
 29. **Water Quality Stamp:** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.
 30. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.
 31. **DISM Consistency:** 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 the filing of the parcel map.
 32. **Road Improvement Agreement & Security:** The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the parcel map.
 33. **Import/ Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.

34. **Grading Permit/ Plan:** The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation 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. All applicable plan check fees shall be paid at the time of submittal of improvement plans. All applicable inspection fees shall be paid prior to issuance of a permit. The improvements and grading shall be completed to the satisfaction of the DOT prior to the filing of the parcel map.
35. **Grading Plan Review:** Grading and improvement 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. 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.
36. **RCD Coordination:** 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.
37. **Soils Report:** At the time of the submittal of the grading or improvement plans, 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 and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
38. **Drainage Study / SWMP Compliance:** 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. The Drainage Study must demonstrate the subject

property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:

- a. The site can be adequately drained;
- b. The development of the site will not cause problems to nearby properties, particularly downstream sites;
- c. The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
- d. The ultimate drainage outfall of the project.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. The improvements shall be completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security.

39. **Drainage (Cross-Lot):** Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easements and included in the County Service Area Zone of Benefit (ZOB), Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the parcel map.
40. **Drainage Easements:** Pursuant to Section 4.D of the DISM, the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and on the parcel map.
41. **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
42. **Off-site Improvements (Security):** Prior to the filing of a parcel map, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required offsite improvements, including the full costs of acquiring any real property

interests necessary to complete the required improvements. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in the amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.

43. **Off-site Improvements (Acquisition):** As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the applicant's expense and within 120 days of filing the parcel map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any parcel map, the applicant shall submit the following to the Department of Transportation Right-of-Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20% contingency:
- a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
 - b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
 - c. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements.

In addition to the agreement the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

44. **Electronic Documentation:** Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
45. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.

El Dorado Hills Fire Department

46. The project was plan checked as "B" occupancy. All building occupancies 3,600 feet or greater shall have fire sprinklers installed in accordance with NFPA 13, 2007 Edition. Fire sprinkler plans shall be submitted to the El Dorado Hills Fire Department for review and approval prior to installation.

47. All building occupancies less than 3,600 square feet shall have a fire alarm system installed per NFPA 72, 2007 Edition. Fire alarm plans shall be submitted to the El Dorado Hills Fire Department for review and approval prior to installation.
48. A KNOX box shall be installed on this building, the exact location to be coordinated with the El Dorado Hills Fire Department prior to installation. A master key for all occupancies shall be placed in the Knox key box prior to occupancy. The purchase form for the Knox box is available at the El Dorado Hills Fire State 85 located at 1050 Wilson Blvd.
49. Address numbers shall be a minimum of 16 inches high with a 1 ½ inch stroke and shall be visible from Bass Lake Road and Sienna Ridge Roads. All exterior doors shall be numbered (3" stenciled) in accordance with the EDHFD standard. Coordinate exact location with El Dorado Hills Fire Department.
50. In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to framing any combustible members as specified by El Dorado Hills Fire Department Standard 103.
51. Any roadway shall be prohibited from installing any type of traffic calming device that utilize a raised bump or a lower dip section of roadway. The District shall review and approve the roadways prior to approval of the improvement plans.
52. This development shall install Mueller Dry Barrel fire hydrants conforming to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 300 feet. The exact location of each hydrant and all fire protection system devices shall be determined by the Fire Department. The Department shall review and approve all hydrant locations prior to approval of the improvement plans.
53. To enhance the nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations. The Department shall verify compliance with this condition prior to approval of the improvement plans.
54. All trash enclosures shall conform to the 2007 edition of the California Fire Code, Chapter 3, and section 304.3.3 and shall be approved by the El Dorado Hills Fire Department during the plan review process.

Air Quality Management District

55. The applicant shall make applications and pay appropriate fees for an Asbestos Dust Mitigation Plan. The District shall review and approve the Plan prior to issuance of a grading permit.

56. The applicant shall adhere to all District rules during project construction.

Surveyor's Office

57. All survey monuments must be set prior to filing the Parcel Map.
58. Situs addressing for the project shall be coordinated with the El Dorado Hills Fire Department and the County Surveyors Office prior to filing the Parcel Map.
59. Prior to filing the Parcel Map, a letter will be required from all agencies that have placed conditions on the map. The letter will state that "all conditions placed on Tentative Parcel Map P08-0029 by (that agency) have been satisfied." The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.

10. REZONE/PLANNED DEVELOPMENT/TENTATIVE MAP

Z08-0031/PD08-0019/TM08-1479/Serrano Village J5 & J6 submitted by SERRANO ASSOCIATES, LLC to: (1) Rezone Assessor's Parcel Number 115-400-13 (approximately 0.35 acres) from Recreational Facility (RF) to One-Family Residential-Planned Development (R1-PD); Rezone an approximate 6.99-acre portion of Assessor's Parcel Number 123-040-07 from Planned Commercial-Planned Development (CP-PD) to One-Family Residential-Planned Development (R1-PD); and Rezone an approximate 20.01-acre portion of Assessor's Parcel Number 123-040-09 zoned Planned Commercial-Planned Development (CP-PD) to One-Family Residential-Planned Development (R1-PD); (2) Phased Tentative Map creating 204 clustered residential lots (Alternative I) ranging in size from 2,555 square feet to 10,667 square feet, 15 landscape lots, one park lot, and one remainder lot; (3) Development Plan for the proposed subdivision with modifications to the Development Standards of the One-Family Residential (R1) Zone District including minimum lot size, lot coverage, and setbacks; and (4) Design Waiver requests of the following El Dorado County Design and Improvement Standard Manual (DISM) road standards: (a) Modification to Standard Plan 101B including a reduction of right-of-way width from 60 feet to 36 feet, reduction of road pavement from 28 feet to 27 feet, construction of a 4-foot wide sidewalk on one side only, and construction of modified rolled curb; (b) Reduction of turnaround cul-de-sac right-of-way from 60 feet to 47 feet and road width radius from 50 feet to 40 feet at the end of Streets A, B and C; and reduction of centerline curve radius length from 100 feet to 38.5 feet for an elbow on A Street; and (c) Modification of standard road encroachment under Standard Plan 110 to allow for an entry gate and landscaping median. The property, identified by Assessor's Parcel Numbers 123-040-07, 123-040-09, and 115-400-13, consisting of 50.06 acres, is located east of the intersection of Serrano Parkway and Bass Lake Road, in the El Dorado Hills area, Supervisorial Districts I and II. [*Project Planner: Pierre Rivas*] (Statutory Exemption pursuant to Section 15182 of the CEQA Guidelines)**

Pierre Rivas presented the item to the Commission with a recommendation of approval to the Board of Supervisors.

Andrea Howard/applicant stated that one of the reduced development standards they are requesting is actually the result of a code that will be going into effect soon. This new code allows fire sprinklered units to have side setbacks reduced from 5 feet to 3 feet. Brad Ballenger, El Dorado Hills Fire Marshall, briefly commented on this new code. Mr. Rivas said that staff was in agreement with amending the side yard setback to 3 feet.

Kirk Bone/applicant referenced his memo dated March 11, 2010 requesting changes to Conditions #15 and #29. He particularly wanted to amend Condition #15 to detail what the rules are instead of delaying the discussion to a later date.

Craig McKibbin/DOT said the disagreement between DOT and the applicant is not what the requirements are but if this additional language should be put in the conditions (as requested by the applicant) or placed in the subdivision agreement and reviewed by County Counsel, which is the current practice. He stated that at this time, it would be difficult for DOT to identify where the frontage requirements would be as this is normally done when the final map is submitted. Mr. Bone responded that he understood DOT's standard practice but was interested in memorializing this now and considered it would be more efficient than having to discuss it at a later date. Significant discussion ensued between the applicant, DOT and the Commission on this subject and possible options to resolve the issue. Mr. Rivas reminded the Commission that this item was being forwarded to the Board of Supervisors which would allow time to possibly resolve the issue and also allow for additional discussion at the Board level.

Mr. Rivas indicated that there was some standard language missing from Finding 6.1 and requested that it be added.

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Heflin, and carried (5-0), to recommend the Board of Supervisors take the following actions: 1. Certify the project is Statutorily Exempt pursuant to Section 15182 of the CEQA Guidelines; 2. Approve Rezone application Z08-0031 based on the Findings proposed by staff; 3. Approve PD08-0019, adopting the Development Plan as the official development plan, based on the Findings proposed by staff and subject to the Conditions as modified; 4. Approve Tentative Map TM08-1479 based on the Findings proposed by staff and subject to the Conditions as modified: (a) Amend Finding 6.1 by adding the identified language; (b) Amend table in Condition #1 to reflect Side Yard Setback as 3 feet; and (c) Amend Condition #15 by replacing the first paragraph and three lettered sub-items with the first two paragraphs and three bulleted items identified on page 2 of the applicant's memo dated March 11, 2010 and place them in the order identified; and 5. Approve the following design waiver requests as the appropriate findings have been made: (A) Modification to Standard Plan 101 B including a reduction of right-of-way width from 60 feet to 36 feet, reduction of road pavement from 28 feet to 27 feet, construction of a 4-foot wide sidewalk on one side only, and construction of modified rolled curb; (B) Reduction of turnaround cul-de-sac right-of-way from 60 feet to 47 feet and road width radius from 50 feet to 40 feet at the end of Streets A, B and C; and reduction of centerline curve radius from 100 feet to 38.5 feet for

an elbow on A Street; and (C) Modification of standard road encroachment under Standard Plan 110 to allow for an entry gate and landscaping median.

AYES: Mathews, Tolhurst, Heflin, Pratt, Rain
NOES: None

Findings for Approval

1.0 CEQA FINDING

- 1.1 The project is a residential project and a part of an adopted El Dorado Hills Specific Plan EIR, This project is statutorily exempt from the requirements of CEQA pursuant to Section 15182 stating that a residential project is exempt where a public agency has prepared an EIR on a specific plan after January 1, 1980. No impacts have been identified which were not discussed and mitigated in the EIR. Implementation of the project is subject to conformance with applicable mitigation measures detailed in the Mitigation Monitoring Plan in the EIR. No further environmental analysis is necessary
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 ADMINISTRATIVE FINDINGS

2.1 General Plan

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

2.2 Specific Plan

The proposed residential development is located within the Village J portion of the El Dorado Hills Specific Plan area. The design of the development conforms to the applicable standards under specific policies of the plan. The development would be served by existing public services and have access to amenities provided by Serrano Associates. Therefore, the proposed tentative map/planned development is found to be consistent with the El Dorado Hills Specific Plan.

3.0 ZONE CHANGE FINDINGS

- 3.1 *The zone change is consistent with applicable general and specific plans.*

The proposed zone change to One-Family Residential- Planned Development (R1-PD) would be consistent with the El Dorado Hills Specific Plan and the Development Agreement. The Specific Plan requires all residential projects to include be zoned R1 with the PD zoning overlay. The requested zone change from Recreational Facilities and Planned Commercial are authorized by the Specific Plan which allows changes in density within the Specific Plan boundaries.

4.0 SUBDIVISION FINDINGS

4.1 *The proposed map is consistent with applicable general and specific plans;*

The proposed development would create a total 204 clustered residential lots in conformance with the standard and design provisions of the adopted El Dorado Hills Specific Plan.

4.2 *The design or improvement of the proposed division is consistent with applicable general and specific plans;*

The improvement of the subdivision has been designed in conformance with the identified residential land use requirements in the Specific Plan. The subdivision shall adhere to applicable improvements of the DISM and shall be constructed in accordance to construction plans and permit requirements.

4.3 *The site is physically suitable for the type of development;*

The site is relatively flat. The majority of the oak canopy would be preserved within the park area. No significant topographic or biological features exist on the site that would be negatively impacted by the project.

4.4 *The site is physically suitable for the proposed density of development;*

The project site is physically suitable to accommodate the proposed development. The site predominantly flat, does not contain sensitive vegetation, and shall conform to the established surrounding residential development in the area. With its proximity to the Bass Lake overflow, appropriate construction measures shall be adhered to avoid impacts to the resource subject to verification by affected agencies. The infill site shall have direct access and connection to public utilities available in the area. Modified standards and improvement requirements would sufficiently accommodate the development.

4.5 *The design of the division or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;*

4.6 *The design of the division or the type of improvements would not cause serious public health hazards;*

Development of the residential subdivision is subject to the applicable provisions of El Dorado Hills Specific Plan and mitigation measures under the Environmental Impact Report (EIR) including regulation of proper pad design and layout minimizing impacts to natural resources, adherence to air quality measures, and reduction of noise impacts. Prior to issuance development permit, construction and improvement plans shall be reviewed for conformance to applicable County standards and Serrano Architectural Control Committee requirements. Therefore, the project is not likely to cause substantial environmental damage.

- 4.7 *The design of the division or the improvements is suitable to allow for compliance of the requirements of section 4291 of the Public Resources Code;*

The development is subject to the applicable Specific Plan policies involving site design and maintenance of open areas susceptible to brush fires. Further, the subdivision is subject to specific project conditions from the El Dorado Hills Fire Department regarding location of hydrant, construction of non-combustible fencing material, and adherence to Wildfire Fire Safe Plan provisions. Therefore the proposed subdivision conforms to the requirements of Section 4291 of the Public Resource Code;

- 4.8 *The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection the approving authority may approve a map if it finds that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.*

Utility easements necessary to serve the subdivision have been adequately depicted on the Tentative Subdivision Map and shall be further verified for any conflicts by the County Surveyor's Office at the time of filing of the final map.

5.0 PLANNED DEVELOPMENT FINDINGS

- 5.1 *The PD zone request is consistent with the general plan;*

The PD is consistent with the El Dorado Hills Specific Plan which requires a PD application as part of any residential development.

- 5.2 *The proposed development is so designed to provide a desirable environment within its own boundaries;*

The proposed residential project includes design amenities such as landscaping lots throughout the area and a park site. The proposed circulation plan would allow for

multiple vehicular ingress/ egress points and sufficient emergency access. Sufficient parking and guest parking will be provided by street day parking and off-street parking stalls.

- 5.3 *Any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography;*

The proposed project would incorporate a halfplex design to accommodate a high density residential project while providing architectural and design elements of detached single family residential homes. The proposed modifications to the Development Standards of the R1 Zone District would facilitate this design concept. The proposed modifications would allow for the proposed density but would maintain the design integrity of the overall project.

- 5.4 *The site is physically suited for the proposed uses;*

The site is relatively flat. The majority of the oak canopy would be preserved within the park area. No significant topographic or biological features exist on the site that would be negatively impacted by the project.

- 5.5 *Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities;*

The project would be served by EID which has indicated that all necessary services are available to serve the project.

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

The primary natural feature of the site is the oak woodlands which would largely be preserved within the park site.

6.0 DESIGN WAIVER FINDINGS

The following design waiver requests are approved subject to the following findings for approval:

- 6.1 **Design Waiver 1: Modification of road improvements under Standard Plan 101 B including reduction of right-of-way width from 60 to 36 feet, reduction of road pavement from 28 feet to 27 feet, construction of 4-foot wide sidewalk on one side of the street, and construction of modified rolled curb;**

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

Given the irregular configuration of the property and close proximity to the overflow, the proposed residential development would be sufficiently served by the reduced right-of-way and related improvement of the internal street. The proposed street improvements would adequately accommodate the anticipated traffic and on-site utilities necessary to serve the development. The streets shall be privately owned and maintained by the master Homeowner's Association.

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

Application of the standard street right-of-way would require wider pavement and related improvements and additional disturbance to the site, thereby posing an encumbrance to the design and functionality of the infill development.

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

The modified street right-of-way would not affect the private streets that would sufficiently serve the private residential development. The associated improvements shall be constructed in accordance to standards of the DISM, subject to improvement and other construction plans. Implementation of project condition of approvals and applicable mitigation measures shall be verified during review and prior to issuance of any construction permits. Therefore, the proposed deviation has been determined to not be detrimental to health, safety, and welfare of the public.

- 6.1.4 *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

The modified standard would not have the effect of nullifying the objectives of this article or ordinance applicable to the subdivision as this modified standard would not negatively affect the private streets serving the clustered residential development. These streets shall be privately maintained by the HOA. Other applicable improvement standards shall be enforced and verified during review construction plans.

- 6.2 **Design Waiver 2: Reduction of turnaround cul-de-sac right-of-way from 60 feet to 47 feet and road width radius from 50 feet to 40 feet at end of Streets A, B and C; and reduction from 100 feet centerline curve radius to 38.5 feet for an "elbow" curve on Street A.**

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

The requested Design Waiver would match the roadway design commonly found within the El Dorado Hills Specific Plan. The proposed reduction in the cul-de-sac design standards would be consistent with the modified roadway standards.

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

The proposed modified cul-de-sac standard would be consistent with the existing cul-de-sacs already constructed within the Specific Plan Area. The reduced standards would be necessary to match the roadway designs that are found throughout the Specific Plan area.

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

The modified design of the cul-de-sac would not be injurious to adjacent properties or detrimental to the welfare of the public as this improvement would be confined entirely within the project site, serving the residents of the subdivision.

- 6.2.4 *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

Granting of the waiver would not have any effect of nullifying effect on the objectives of the Subdivision Ordinance or other applicable subdivision development standards. The modified design of the cul-de-sac and roadway curve “elbow” which have been previously used in other Serrano villages, would sufficiently serve the subdivision.

6.3 Design Waiver 3: Modification of standard road encroachment under Standard Plan 110 to allow for an entry gate and landscaping median.

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

The project site is located within the El Dorado Hills Specific Plan which adheres to different architectural design features than throughout the County. The modified encroachment would be necessary to maintain a common design throughout the Specific Plan area.

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

The proposed encroachment design would be consistent with existing encroachments throughout the Specific Plan area. Adherence to the Standard Plan 110 encroachment would result in an atypical design in the Specific Plan Area and would disrupt the harmonious designs utilized throughout the Specific Plan area.

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

The modified design of encroachment entrance would not be injurious to adjacent properties or detrimental to the welfare of the public as this improvement would be confined entirely within the project site, serving the residents of the subdivision.

- 6.3.4 *The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.*

Granting of the waiver would not have any effect of nullifying the objectives of the Subdivision Ordinance or other applicable subdivision development standards. The modified encroachment entrance, which has been previously used in other Serrano villages, would sufficiently serve the subdivision as well as provide an aesthetically unique amenity for the subdivision.

Conditions of Approval

Project Description

1. The Planned Development, Tentative Map and Design Waivers are based upon and limited to compliance with the project description, the hearing exhibit marked Exhibit E 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 the proposed subdivision and lotting pattern with modifications to One-Family Residential (R1) Zone District and miscellaneous development standards including minimum lot size, lot coverage, and setbacks;
- B. Tentative Subdivision Map to allow 204 residential lots ranging from 2,555 square feet to 10,667 square feet in size, 15 landscape lots, park site, and a remainder parcel. A Phasing Notice accompanies this approval; and
- C. Design Waiver of the following El Dorado County Design and Improve Standard Manual (DISM) road standards:
 1. Modification of subdivision road improvements under Standard Plan 101 B including reduction of right-of-way width from 60 to 36 feet, reduction of road payment from 28 feet to 27 feet, construction of 4-foot wide sidewalk on one side of the street, and construction of modified rolled curb;
 2. Reduction of turnaround cul-de-sac right-of-way from 60 feet to 47 feet and road width radius from 50 feet to 40 feet at the end of Streets A, B, and C; and

- reduction of centerline curve radius length from 100 feet to 38.5 feet for an elbow on A Street;
- Modification of standard road encroachment under Standard Plan 110 to allow for a gated entry and landscaping median.

Modifications to One-Family Residential (R1) Zone District Standards

The following table contains the modified One-Family Residential (R1) Zone District Development Standards that apply to the residential lots with Village J5/J6.

Modified One-Family-Planned Development (R1-PD) Zone District and Miscellaneous Development Standards for Serrano Village J5/J6

Standard	Required by Zoning Ordinance	Proposed Modifications	Notes
<i>Maximum Building Coverage (all buildings)</i>	35%	Maximum 60% coverage	
<i>Minimum Lot Area</i>	6,000 sf	2,555 sf	
<i>Minimum Lot Width</i>	60 feet	Varies	As shown on map;
<i>Maximum Building Height</i>	35 feet	35 feet ^A	
<i>Front Yard Setback</i>	20 feet	5 feet	Request includes ability to construct zero lot line homes on one side of the lot, adjacent to a zero lot line of the adjoining lot, as long as the opposite side setback is no less than 5'.
<i>Rear Yard Setback</i>	15 feet	10 feet	
<i>Side Yard Setback</i>	5 feet	3 5 feet/0 foot ^A	
<i>Setback for AC/Pool Equipment</i>	Side: 5' Rear: 15'	Side: 2.5' Rear: 2.5'	Shall be screened by solid fence
<i>Setback for Solid Fences and Walls over 40 inches tall</i>	Solid Fence Walls not to exceed 40" in height with in front yard	Front: 5' Side, and Rear: 0'	
<i>Setback for Open fences and walls (50% or more) and over 40 inches tall and less than 7' tall</i>	Front Yard with fence/wall 50% open or more, below 7' tall	Front, Side, and Rear: 0'	
<i>Setback for any structure such as a permanent BBQ or spa, not over 40 inches high</i>	Front: 20 feet Rear: 10 feet Side: 5 feet	Front: 0' Side and Rear: 2.5'	
<i>Setback for Pergola/Trellis</i>	Side: 5' Rear: 15'	Side: 2.5' Rear: 2.5'	
<i>Setback for any structure over 30 inches high.</i>	Rear: 15'	Rear: 5'	Subject to Building Code
<i>Minimum Side and Rear Yard Setback: Swimming pool (underground)</i>	Side: 5 feet Rear: 15 feet	Side and Rear: 5'	As measured from edge of footing
<i>Minimum Side and Rear Yard Setback: Portable sheds (120 square feet or</i>	NA	Side and Rear: 5'	

Standard	Required by Zoning Ordinance	Proposed Modifications	Notes
<i>less)</i>			
<i>Setback for architectural extensions of the dwelling (uninhabitable space)</i>	May extend into any yard by not more than 50% of width or depth	Side and Rear: 2.5'	
<i>Setback for chimneys – attached or detached</i>	Side: 5 Feet Rear: 15 feet	Side: 3' Rear: 7'	

Note A: Increases in side yard setback due to building height over 25' are not applicable.

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

Planning Services

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

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

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

3. **Payment of Processing Fees:** Prior to filing of final map, the applicant shall remit payment of any outstanding fees as detailed and required in the *Agreement for Payment of Processing Fees* authorized for this project.
4. **Meter Award Letter:** A Final Subdivision Map shall not be recorded until an EID Water Meter Award Letter or similar document has been issued for all of the lots included in the final map, and a copy filed with the Planning Department.
5. **Expiration:** The map shall remain in effect for three years from the date of approval. If the map has not been recorded within this timeframe, an extension may be requested prior to expiration of the map. Appropriate fees shall be paid to process the time

extension. The expiration of the Development Plan adopted as part of the project shall run concurrently with the map.

6. **Minor Modifications Allowed:** Minor changes in the adopted Development Plan may be approved by Planning Services provided that the changes:
 - a. Do not change the boundaries of the subject project property;
 - b. Do not change any use as shown on the official development plan; and
 - c. Do not change the intent of the official development plan.

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

7. **Acoustical Analysis:** An acoustical analysis shall be conducted and submitted by a qualified acoustical consultant to Planning Services which identifies that recommended measures to shield noise of affected lots have been employed per Policy 1.4.1.4 (Noise) of the El Dorado Hills Specific Plan. Planning Services shall verify all measures have been incorporated in the project design prior to filing a Final Map.
8. **Park Dedication:** An irrevocable offer of dedication (IOD) shall be made by the applicant to the El Dorado Hills Community Services District (District) for the 2.28 acre private park site. The IOD shall include conditions under which the District may accept the IOD and assume the maintenance and operational responsibility from the Serrano Master Owners Association for the facility. The IOD shall be in the form and substance provided in agreements provided for previous subdivisions within Serrano. Planning Services shall verify the provision of this dedication prior to final occupancy of the first building permit within the final map phase that creates the park site. The park site shall be maintained in perpetuity.
9. **Zero Lot Line:** Any lot developed with a zero lot line shall provide a 5-foot easement on the adjoining lot for maintenance purposes and access. Said easement shall be shown on the final map with a notation on the map cover sheet. Planning Services shall verify the provision of this easement prior to filing the Final Map.

Department of Transportation

Project Specific Conditions

10. **Road Design Standards:** The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM), as shown in Table 1. The improvements shall be completed to the satisfaction of the Department of Transportation (DOT) or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map: (the requirements outlined in Table 1 are minimums)

Table 1				
ROAD NAME	DESIGN STANDARD PLAN	ROAD WIDTH* / SIDEWALK WIDTH	RIGHT OF WAY	EXCEPTIONS/ NOTES
A, B, C, D, E and F Street <i>(onsite)</i>	Modified Std Plan 101B (3"AC over 8"AB Min.)	27 ft / 4 ft sidewalk on one side	36 ft	Modified Type 1 rolled curb & gutter on one side and a type 3 barrier curb on the other side. Sidewalk is measured from back of walk to back of curb.

* Road widths are measured from curb face to curb face. Curb face for rolled curb and gutter is 6" from the back of the curb.

11. **Offsite Road Improvement:** The applicant shall construct realigned Sienna Ridge Road from the boundary of the Bass Lake Hills Specific Plan to form a 4-way intersection with Serrano Parkway and Bass Lake Road. The improvements shall be as follows (starting on the north side of Sienna Ridge Road):
 - a. 6-foot sidewalk with Type 2 vertical curb and gutter
 - b. 8-foot shoulder to include a type II Bike path
 - c. 11-foot AC travel lane
 - d. 12-foot striped median
 - e. 11-foot AC travel lane
 - f. 4-foot shoulder to include a type II Bike Path
 - g. 6-foot sidewalk with Type 2 vertical curb and gutter

A transition to the existing road (Sienna Ridge Road) must be provided to the satisfaction of the Department of Transportation. The improvements shall be completed prior to the filing of the final map for Phases noted as 3 & 4 that include Lots 98 through 204 as shown on the approved Tentative Map. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.

12. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the driveway encroachment from A Street onto Sienna Ridge Drive and E Street onto Bass Lake Road in accordance to the Encroachment Entrance exhibit dated October 29, 2009 prepared by REY Engineers. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
13. **General Vacation:** An application for general vacation shall be filed for the unused segment of Sienna Ridge Road from the intersection of the proposed local road to Bass Lake Road prior to occupancy.

14. **Turnaround:** The applicant shall provide a turn around at the end of the roadways to the provisions of County Standard Plan 114 or approved equivalent. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
15. **Offsite Road Improvements:** The applicant will be responsible for the following frontage shall construct the improvements of Bass Lake Road contiguous to the applicant's subdivision ("Applicant's Frontage Improvements") ~~new alignment along the property frontage~~ in accordance with DISM Standard Plan 101B ~~to as follows:~~
 - a. 6-foot sidewalk measured from back of curb with Type 2 vertical curb and gutter
 - b. 8-foot shoulder measured from face of curb to include a type II Bike path
 - c. 12-foot AC roadway

The Applicant has offered for dedication to the County, including the underlying fee thereto, for any and all public purposes, a 120-foot wide right-of-way for portions of Bass lake Road shown as Lots MM, NN, and PP on the map of "El Dorado Hills Specific Plan, Unit No. 2" recorded February 25, 1994 in Book H, Page 81. Upon completion of the Bass Lake Road Widening Project, County shall quitclaim to the applicant all portions of Lots MM, NN, and PP not required for the Bass Lake Road Widening Project.

The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.

16. **Offer of Dedication (onsite roadways):** An irrevocable offer of dedication, in fee, for the required rights-of-way (R/W) as indicated above, shall be made for the proposed roads, with slope easements where necessary. Said offer shall be rejected at the time of the Final Map. The offer shall be subject to that agreement between Serrano and the County, recorded as document 98-0015833-00 on March 26, 1998. Subject to the above agreement, all roads are offered in fee to the Master Owner's Association simultaneously with the filing of the final map.
17. **Offer of Dedication (onsite roadways):** An irrevocable offer of dedication in fee shall be made of 47 feet in radius for the cul-de-sacs with slope easements where necessary. Said offer shall be rejected at the time of the final map. The offer shall be subject to that agreement between Serrano and the County, recorded as document 98-0015833-00 on March 26, 1998. Subject to the above agreement, all roads are offered in fee to the Master Owner's Association simultaneously with the filing of the final map.
18. **Offer of Dedication (Sienna Ridge Drive):** An irrevocable offer of dedication in fee shall be made of 60 feet wide on-site road and public utility easement for the on-site portion of Sienna Ridge Drive prior to the filing of the final map. This offer will be acknowledged but rejected by the County, subject to completion of said improvements.

19. **Road & Public Utility Easements:** The applicant shall provide a 36 foot wide non-exclusive road easement for the on-site access roadways A, B, C, D, E and F Streets prior to the filing of the final map.

DOT Standard Conditions

20. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
21. **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Department of Transportation prior to the filing of the map. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
22. **Sidewalks:** Sidewalks may be located outside the right-of-way and meander as a means to provide interest and variety in alignment. The alignment and design of the sidewalks shall be reviewed and approved by the Department of Transportation prior to issuance of building permits. Pedestrian easements shall be provided where necessary. Final lane configurations, including the need for additional rights-of-way, shall be subject to review and approval of the Department of Transportation prior to improvement plan approval.
23. **Curb Returns:** All curb returns, at pedestrian crossing, will need to include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp.
24. **Maintenance Entity:** The proposed project must form an entity for the maintenance of the private roads, parking facilities, landscaping, and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the final map.
25. **Common Fence/Wall Maintenance:** The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Conditions and Restrictions (CC&Rs).
26. **Water Quality Stamp:** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.
27. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.

28. **DISM Consistency:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
29. **Subdivision Improvement Agreement & Security:** The developer shall enter into a Subdivision Improvement Agreement (SIA) with the Department of Transportation for all onsite roadways, frontage improvements along Bass Lake Road, drainage infrastructure, grading, etc. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the SIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the final map.
30. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
31. **Grading Permit / Plan:** A grading permit is required for the project. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation 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. All applicable plan check fees shall be paid at the time of submittal of improvement plans. All applicable inspection fees shall be paid prior to issuance of a permit. The improvements and grading shall be completed to the satisfaction of DOT prior to occupancy clearance.
32. **Grading Plan Review:** Grading and improvement 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. 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.
33. **RCD Coordination:** 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.

34. **Soils Report:** At the time of the submittal of the grading or improvement plans, 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 and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
35. **Drainage Study / SWMP Compliance:** 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.

The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:

- a. The site can be adequately drained.
- b. The development of the site will not cause problems to nearby properties, particularly downstream sites.
- c. The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
- d. The ultimate drainage outfall of the project.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. The improvements shall be completed to the approval of the Department of Transportation prior to the filing of the final map or the applicant shall obtain an approved improvement agreement with security.

36. **Drainage, Cross Lot:** Cross lot drainage shall be avoided wherever possible. The CC&Rs for Villages J5 and J6 shall include a requirement for a grading and drainage plan to be submitted for review and approval of the Architectural Control Committee of the Master or Village Homeowners' association at the time of building permit application. The CC&Rs shall require all "downhill" lots must be designed to accept any drainage from uphill lots and the Master or Village Homeowners' Association shall enforce this condition.
37. **Drainage Maintenance:** Drainage maintenance shall be the responsibility of the Master Owner's Association. Therefore, all easements for drainage facilities shall first be offered to the County of El Dorado with rejection; the offer shall be subject to that

agreement between Serrano and the County recorded as document 98-0015834-00 on March 26, 1998. Pursuant to the terms of said Agreement, upon rejection by the County, all drainage easements will be subsequently offered to the Master Owner's Association simultaneously with the filing of the final Map.

38. **Drainage Easements:** The site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and / or on the final map.
39. **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
40. **Off-site Improvements (Security):** Prior to the filing of a final map, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required offsite improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in the amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.
41. **Off-site Improvements (Acquisition):** As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the applicant's expense and within 120 days of filing the Final Map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map, the applicant shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20% contingency:
 - a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
 - b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.

- c. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements.

In addition to the agreement the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

42. **Off-site Access Easements:** The applicant shall provide proof of access to the project site from a State or County maintained road. Said proof shall be provided by and through a "Map Guarantee" which shall be submitted to the County Surveyor's Office with the first map check for the map.
43. **Electronic Documentation:** Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
44. **TIM Fees:** The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.

El Dorado Hills Fire Department

45. The proposed project shall have two points of egress while maintaining the secondary egress point for Bridlewood Canyon off Birmingham Road. This condition shall be further verified prior to approval of Improvement Plans by the Department.
46. Due to the exposure factor created by the close setback from structure, each structure shall have fire sprinklers installed that conform to NFPA 13D This condition shall be further verified prior to approval of Improvement Plans by the Department.
47. On-street day parking shall be allowed on one side only. This parking shall be allowed only on roads that are 27 feet measured from curb face to curb face or greater. To assure conformance, all parking shall be monitored by the onsite security patrol to maintain a 20-foot wide emergency access between parked vehicles and the face of curb. Fire Department approved "No Parking" signs shall be installed in accordance with the 2007 California Fire Code.
48. This development shall be conditioned to develop, implement, and maintain a Wildland Fire Safe Plan. Said plan shall be subject to the review and approval of the El Dorado Hills Fire Department prior to filing of final map.
49. All homes that are adjacent to open land shall have non-combustible fencing.
50. This development shall install Mueller Dry Barrel Fire Hydrants conforming to the El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 500 feet.

The exact location of each hydrant and all fire protection system devices shall be determined by the Fire Department.

51. To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with blue reflective marker as specified by the Fire Department and the Fire Safe Regulations.
52. In order to provide, this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed in service prior to framing of any combustible members as specified in the El Dorado Hills Fire Department Standard 103.
53. This development shall be prohibited from installing any type of traffic calming devices that utilize a raised bump or a lower dip section of roadway.
54. Address numbers shall be visible from the main street by way of a street sign type sign. The sign shall be located at the intersection of the court and four pack entrance. The final details shall be approved by the Fire Department prior to installation.
55. The entrance road at the gate off of F Street shall be a minimum of 20 feet in width.
56. The Birmingham Drive gate shall remain for a secondary means of egress for the Bridlewood Canyon Subdivision. The Bridlewood Canyon residents shall be allowed to use the new Serrano Village J6 or J7 subdivision streets as a mean of exiting to Bass Lake Road subject to the terms of that certain Reciprocal Road Easement Agreement between El Dorado Hills Development Company and El Dorado Hills Association, Ltd. Recorded January 17, 1990 at Book 3277, Page 685.

Air Quality Management District

57. Project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM10) in the form of dust. Then, District Rules 223 and 223.1 and 223.2, which address the regulations and mitigation measures for fugitive dust emissions and asbestos emission, shall be adhered to during the construction process. Mitigation measures for the control of fugitive dust and asbestos shall comply with the requirements of Rules 223, 223.1, and 223.2, whichever rule is appropriate. In addition, the appropriate Fugitive Dust Prevention (FDP) Application or Asbestos Dust Mitigation Plan (ADMP) Application shall be submitted to and approved by the District prior to issuance of a building permit or grading permit.
58. The applicant shall comply with all District Rules during project construction.

Resource Conservation District

59. A minimum of 30 days prior to initiating any construction activities during raptor nesting season, February 1 to July 31, the developer shall have a qualified biologist complete a nest survey on the site and within 0.25 mile of any proposed grading and construction areas. The nest survey shall be completed following the California Department of Fish and Game guidelines, and completed copies of the survey report shall be forwarded to Planning Services and the Resource Conservation District.

County Surveyor

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

11. PLANNED DEVELOPMENT/TENTATIVE MAP

PD07-0029/TM07-1457/Serrano Village J7 submitted by SERRANO ASSOCIATES, LLC for: (1) Development Plan for the proposed subdivision with modifications to One-Family Residential (R1) Zone District development standards including minimum lot size, lot coverage, and setbacks; (2) Tentative Map creating 71 clustered residential lots ranging in size from 2,820 square feet to 6,232 square feet and 14 landscape lots; and (3) Design Waiver requests of the following El Dorado County Design and Improvement Standard Manual (DISM) road standards: (a) Modification of subdivision road improvement Standard Plan 101B including a reduction of right-of-way width from 60 feet to 36 feet, reduction of road pavement from 28 feet to 27 feet, construction of a 6-foot wide sidewalk on one side only, and construction of modified rolled curb; (b) Reduction of turnaround cul-de-sac right-of-way from 60 feet to 50 feet and road width radius from 50 feet to 40 feet at the end of Street B; (c) Reduction of minimum 100-foot centerline curve radius length to reduced lengths identified on the map; and (d) Modification of standard road encroachment under Standard Plan Modified 110 with Serrano entrance design. The property, identified by Assessor's Parcel Number 123-040-11, consisting of 9.8 acres, is located approximately 3,000 feet east of the Serrano Parkway and Bass Lake Road intersection, along Bass Lake Road, in the El Dorado Hills area, Supervisorial District I. [*Project Planner: Mel Pabalinas*] (Statutory Exemption pursuant to Section 15182 of the CEQA Guidelines)**

County Counsel Paula Frantz recommended that since this item's Condition #10 is parallel to Condition #15 from the previous item, Z08-0031/PD08-0019/TM08-1479/Serrano Village J5 & J6, that they amend it identically. She also suggested that the Commission direct staff that if the Board of Supervisors adopts different language for Condition #15 for Z08-0031/PD08-0019/TM08-1479/Serrano Village J5 & J6, then the identical language would be changed in Condition #10 for this project. DOT staff and the applicant were in agreement with this recommendation.

Mel Pabalinas presented the item to the Commission with a recommendation of approval. He stated that there had been some public comment received and the applicant had submitted a memo dated March 11, 2010 requesting amendments to Conditions #1, #7, #9, #10, and #25.

Kirk Bone/applicant said that he had heard from APAC regarding concerns on the three-story element of the homes against the Bridlewood subdivision and this has been mitigated into the proposed conditions. He also stated that the request to amend the sidewalks to 4 feet is an adequate size.

John Thompson, President of the Bass Lake Action Committee, said that since the sidewalks were only on one side of the road that they should be wider than 4 feet in order to allow pedestrians coming from opposite directions to pass each other safely. He also stated that the project should facilitate in the Bass Lake Road improvements, particularly an extension to "Dead Man's Curve" and improving intersection at Bridlewood.

Eileen Crawford/DOT informed the Commission that DOT is in the final process of paperwork for the Springs Parkway project and the first phase will be Deer Valley and Green Valley Roads. She indicated that the improvements for the connection section to Bass Lake Road is planned for future phases.

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Mathews, and carried (5-0), to take the following actions: 1. Certify that the residential project is Statutorily Exempt pursuant to Section 15182 of the CEQA Guidelines; 2. Approve Planned Development PD07-0029 adopting the Development plan as the official Development Plan based on the Findings proposed by staff and subject to the Conditions of Approval as modified; 3. Approve Tentative Map TM07-1457 based on the Findings proposed by staff and subject to Conditions of Approval as modified: (a) Amend Condition #1.C.1 to reflect 4 foot sidewalks; (b) Amend Condition #7.A to reflect 4 foot sidewalks; (c) Amend table in Condition #7 to reflect 3 feet for Side Yard Setbacks for Plans B and C; (d) Amend table in Condition #9 to reflect 4 foot sidewalks; (e) Amend Condition #10 by replacing the first paragraph and three lettered sub-items with the first two paragraphs and three bulleted items identified on page 4 of the applicant's memo dated March 11, 2010 and place them in the order identified; and (f) Direct staff to amend Conditions #10 and #25 to mirror any amendments made by the Board of Supervisors on Conditions #15 and #29 for Z08-0031/PD08-0019/TM08-1479/Serrano Village J5 & J6; and 4. Approve the following Design Waivers: (A) Modification of standard road improvements Standard Plan 101 B including a reduction of right-of-way width from 60 feet to 36 feet, reduction of road pavement from 28 feet to 27 feet, construction of 4-foot wide sidewalk on one side only, and construction of a modified rolled curb; (B) Reduction of turnaround cul-de-sac right-of-way from 60 feet to 50 feet and road width radius from 50 feet to 40 feet at the end of Street B; (C) Reduction of minimum 100-foot centerline radius length to reduced lengths identified on the map; and (D) Modification of standard road encroachment under Standard Plan 110 with Serrano entrance design.

AYES: Heflin, Tolhurst, Mathews, Pratt, Rain
NOES: None

This action can be appealed to the Board of Supervisors within ten (10) working days.

Findings for Approval

1.0 CEQA FINDING

- 1.1 The project is a residential project and a part of an adopted El Dorado Hills Specific Plan EIR, This project is statutorily exempt from the requirements of CEQA pursuant to Section 15182 stating that a residential project is exempt where a public agency has prepared an EIR on a specific plan after January 1, 1980. No impacts have been identified which were not discussed and mitigated in the EIR. Implementation of the project is subject to conformance with applicable mitigation measures detailed in the Mitigation Monitoring Plan in the EIR. No further environmental analysis is necessary
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 ADMINISTRATIVE FINDINGS

2.1 General Plan

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

2.2 Specific Plan

The proposed residential development is located within the Village J portion of the El Dorado Hills Specific Plan area. The design of the development conforms to the applicable standards under specific policies of the plan. The development would be served by existing public services and have access to amenities provided by Serrano Associates. Therefore, the proposed tentative map/planned development is found to be consistent with the El Dorado Hills Specific Plan.

2.3 Zoning/Planned Development

The development conforms to the One-Family Residential (R1) Zone District standards, as modified under Section 17.04.030.B of the El Dorado Zoning Ordinance (Planned Development). Specifically, the modified standards correspond to the nature of the design and use of the clustered development. Existing public utility services would be adequately provided by local purveyors. The development is designed to conform to the existing residential neighborhood consistent with the policies and standards of EDHSP.

The planning commission shall not approve or conditionally approve a development plan nor recommend the establishment of a PD zone unless it makes the following findings:

- 2.3.1 That the PD zone request is consistent with the general plan;

The project is residential development contemplated by the El Dorado Hill Specific Plan which is consistent with the El Dorado County General Plan.

- 2.3.2 That the proposed development is so designed to provide a desirable environment within its own boundaries;

The residential development has been designed to meet the applicable standards of the EDHSP. Specifically, implementation of the residential subdivision would benefit from the amenities provided by the master developer that create a desirable environment for its future residents. These amenities include use of recreational parks, natural open space, and trails.

- 2.3.3 That any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography;

Implementation of the clustered development would be subject to applicable modified standards of the One-Family Residential (R1) Zone District. The modifications are justified based on the site constraints limiting the property and the design of the residential cluster.

- 2.3.4 That the site is physically suited for the proposed uses;

- 2.3.5 That adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities;

As designed, the proposed cluster residential development can be physically accommodated on the project site. The vacant site is relatively flat with sparse vegetation, is accessible off County Road (Bass Lake Road), and would have utility service readily available from existing development in the area.

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

The site does not contain sensitive natural or scenic value. The proposed residential use is consistent with the existing residential development in the immediate area, as

contemplated in the EDHSP and General Plan. Therefore, development of the site would not detract from any natural land or scenic value.

2.4 Subdivision Ordinance

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

The proposed development would create a total 71 clustered residential lots in conformance with the standard and design provisions of the El Dorado Hills Specific Plan, as adopted by the El Dorado County General Plan.

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

The improvement of the subdivision has been designed in conformance with the identified residential land use requirements in the Specific Plan. The subdivision shall adhere to applicable improvements of the DISM and shall be constructed in accordance to construction plans and permit requirements.

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

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

The project site is physically suitable to accommodate the proposed development. The site predominantly flat, does not contain sensitive vegetation, and shall conform to the established surrounding residential development in the area. With its proximity to the Bass Lake overflow, appropriate construction measures shall be adhered to avoid impacts to the resource subject to verification by affected agencies. The infill site shall have direct access and connection to public utilities available in the area. Modified standards and improvement requirements would sufficiently accommodate the development.

- 2.4.5 That the design of the division or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat; and

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

Development of the residential subdivision is subject to the applicable provisions of El Dorado Hills Specific Plan and mitigation measures under the Environmental Impact Report (EIR) including regulation of proper pad design and layout minimizing impacts to natural resources, adherence to air quality measures, and reduction of noise impacts. Prior to issuance development permit, construction and improvement plans shall be reviewed for conformance to applicable County standards and Serrano Architectural Review Committee requirements. Therefore, the project is not likely to cause substantial environmental damage.

- 2.4.7 That the design of the division or the improvements is suitable to allow for compliance of the requirements of section 4291 of the Public Resources Code;

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

- 2.4.8 That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection the approving authority may approve a map if it finds that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision. (Ord. 3805 §15, 1988: prior code §9702)

Utility easements necessary to serve the subdivision have been adequately depicted on the Tentative Subdivision Map and shall be further verified for any conflicts by the County Surveyor's Office at the time of filing of the final map.

2.5 Design Waivers

The following design waiver requests are subject to specific findings in accordance with Section 16.08.020.A.2a-d of the El Dorado County Subdivision Ordinance. Each request is followed by a response justifying the waiver.

- 2.5.1 Design Waiver 1:** Modification of subdivision road improvement Standard Plan 101 B including a reduction of right-of-way width from 60 feet to 36 feet, reduction of road pavement from 28 feet to 27 feet, construction of a 6-foot wide sidewalk on one side only, and construction of modified rolled curb;

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

Given the irregular configuration of the property and close proximity to the overflow, the proposed residential development would be sufficiently served by the reduced right-of-way and related improvement of the internal street. The proposed street improvements would adequately accommodate the anticipated traffic and on-site utilities necessary to serve the development. The streets shall be privately owned and maintained by the master Homeowner's Association.

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

Application of the standards street right-of-way and related improvements would require wider pavement and additional disturbance to the site, thereby posing an encumbrance to the design and functionality of the residential cluster development.

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

The modified street standards would affect the private streets that would sufficiently serve the private residential development. The associated improvements shall be constructed in accordance to standards of the DISM, subject to improvement and other construction plans. Implementation of project condition of approvals and applicable mitigation measures shall be verified during review and prior to issuance of any construction permits. Therefore, the proposed deviations have been determined not to be detrimental to health, safety, and welfare of the public.

- D. The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.

The modified standards would not have the effect of nullifying the objectives of this article or ordinance applicable to the subdivision as this standard would affect private streets serving the clustered residential development. These streets shall be privately maintained by the HOA. Other applicable improvement standards shall be enforced and verified during review construction plans.

2.5.2 Design Waiver 2: Reduction of turnaround cul-de-sac right-of-way from 60 feet to 50 feet and road width radius from 50 feet to 40 feet at the end of Street B;

- A. There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver; and
B. Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.

The requested deviation would affect the cul-de-sac at the end of Street B. Given its location at the northerly tapered end of the site, accommodating the components for a standard cul-de-sac would be constrained by its proximity to the future Bass Lake Road right-of-way and the common border with the existing subdivision to the east. Construction of a standard cul-de-sac would result in additional unnecessary disturbance from grading activities. The modified cul-de-sac standards, which consists of a 40-foot radius pavement with 10-foot easement clearance, has been designed to sufficiently meet the anticipated vehicular traffic within the residential development and the required turning radius needed to

accommodate common large vehicles, in particular an emergency fire engine apparatus.

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

The modified cul-de-sac standards has been designed to sufficiently accommodate the traffic and turning radius anticipated for the private development. The associated improvements shall be constructed in accordance to standards of the DISM, subject to improvement and other construction plans. Implementation of project condition of approvals and applicable mitigation measures shall be verified during review and prior to issuance of any construction permits. Therefore, the proposed deviation has been determined not to be detrimental to health, safety, and welfare of the public.

- D. The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.

The modified standard would not have nullifying effect on the objectives of this article or ordinance applicable to the subdivision as this standard would affect a cul-de-sac serving the private clustered residential development. Other applicable improvement standards shall be enforced and verified during review of construction plans. Ownership and maintenance of the private streets and enforcement of parking prohibitions along the street shall be conducted by the Homeowner's Association.

2.5.3 Design Waiver 3: Reduction of minimum 100-foot centerline curve radius length to reduced lengths identified on the map

- A. There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver; and
- B. Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.

The property has an irregular shape and configuration affected by its proximity of Bass Lake thereby influencing the design of the private development. Application of the standard would result in a re-design and adjustments of the site layout that could lead in unnecessary disturbance and impacts. As proposed, the modified standards would sufficiently accommodate vehicular traffic and ensure safety with restrictions to parking and vehicular speed along the private streets.

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

The proposed deviation would not be detrimental to health, safety, and welfare of the public. The modified centerline curve radius length has been designed to

sufficiently accommodate the vehicular traffic and speed anticipated for the private development. The required improvements shall be constructed in accordance to standards of the DISM, subject to improvement and other construction plans. Implementation of project condition of approvals and applicable mitigation measures shall be verified during review and prior to issuance of any construction permits.

- D. The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.

The modified standard would not have any nullifying effect on the objectives of this article or ordinance applicable to the subdivision as this standard would affect a street design serving the streets within private clustered residential development. Construction of this improvement would be conducted in accordance with the DISM, subject to approved plans. The design would sufficiently accommodate on-site traffic and circulation conditions, which would be privately enforced by the Homeowner's Association.

2.5.4. Design Waiver 4: Modification of standard road encroachment under Standard Plan 110 with Serrano entrance design

- A. There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver; and
- B. Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.

The proposed modified encroachment would serve as an enhanced entrance feature to Village J7 development that is distinct to many residential villages developed by Serrano within the EDHSP. This design creates a very unique subdivision look and architectural statement that Serrano has become known for. Deviating from the modified entrance at this stage specific plan buildout would disrupt the very distinctive harmonious theme of the community. Strict application of the standard encroachment entrance would cause an unnecessary hardship in marketing the new subdivisions. Without the continued use of the Serrano "typical", the subdivisions would have a different look in comparison with the balance of the existing community within Serrano and has the potential to create a perception to prospective buyers that the new subdivision was built to a lesser standard than the existing ones.

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

The modified design of the encroachment entrance would not be injurious to adjacent properties or detrimental to the welfare of the public as this improvement would be confined entirely within the project site, serving the residents of the subdivision.

- D. The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.

Granting of the waiver would not have any effect of nullifying effect on the objectives of the Subdivision Ordinance or other applicable subdivision applicable. The modified encroachment entrance, which has been previously used in other Serrano villages, would sufficiently serve the subdivision as well as provide an aesthetically unique amenity for the subdivision.

Conditions of Approval

Project Description

1. The Tentative Subdivision Map and Planned Development, and Design Waivers are based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits H-R 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 the proposed subdivision with modifications to One-Family Residential (R1) Zone District development standards including minimum lot size, lot coverage, and setbacks;
- B. Tentative Subdivision Map creating 71 clustered residential lots ranging from 2,820 to 6,232 square feet in size and 14 landscape lots; and
- C. Design Waiver of the following El Dorado County Design and Improvement Standard Manual (DISM) road standards:
1. Modification of subdivision road improvement Standard Plan 101 B including a reduction of right-of-way width from 60 feet to 36 feet, reduction of road pavement from 28 feet to 27 feet, construction of a 4 6-foot wide sidewalk on one side only, and construction of modified rolled curb;
 2. Reduction of turnaround cul-de-sac right-of-way from 60 feet to 50 feet and road width radius from 50 feet to 40 feet at the end of Street B;
 3. Reduction of minimum 100-foot centerline curve radius length to reduced lengths identified on the map; and
 4. Modification of standard road encroachment under Standard Plan Modified 110 with Serrano entrance design

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, including landscaping, grading, building plans, must be submitted for review and approval and shall be implemented as approved by the County.

Planning Services

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

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

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

3. Prior to filing of final map, the applicant shall remit payment of any outstanding fees as detailed and required in the *Agreement for Payment of Processing Fees* authorized for this project.
4. A Final Subdivision Map shall not be recorded until an EID Water Meter Award Letter or similar document has been issued for all of the lots included in the final map, and a copy filed with the Planning Department.
5. An acoustical analysis shall be conducted and submitted by a qualified acoustical consultant to Planning Services which identifies that recommended measures to shield noise of affected lots have been employed per Policy 1.4.1.4 (Noise) of the El Dorado Hills Specific Plan. Planning Services shall verify all measures have been incorporated in the project design prior to filing a Final Map.
6. Of the eighteen (18) lots on the eastern and southern perimeter of the site, a maximum of six (6) lots may be constructed with an optional third story element. The 6 lots are not required to be pre-plotted and may be identified incrementally during project build out. For any of the 18 lots, the applicant shall submit a master plot plan as part of the Building Permit application that identifies the lots selected for the third story element as the

locations become known. These residential structures shall be limited to a maximum height of 36 feet from finish grade. In order to minimize building massing, no adjacent lots within the designated six lots shall be selected with this optional 3-story feature.

7. The Development Plan permits the following:

A tentative subdivision map creating 71 residential lots ranging from 2,820 square feet to 6,232 square feet in size and one 14 landscape lots ranging from 1,148 square feet to 6,409 square feet, with the following Design Waivers:

- A. Modification of subdivision road improvement Standard Plan 101 B including a reduction of right-of-way width from 60 feet to 36 feet, reduction of road pavement from 28 feet to 27 feet, construction of a 4 6-foot wide sidewalk on one side only, and construction of modified rolled curb;
- B. Reduction of turnaround cul-de-sac right-of-way from 60 feet to 50 feet and road width radius from 50 feet to 40 feet at the end of Street B;
- C. Reduction of minimum 100-foot centerline curve radius length to reduced lengths identified on the map; and
- D. Modification of standard road encroachment under Standard Plan Modified 110 with Serrano entrance design

Modifications to One-Family Residential (R1) Zone District Standards

The following table contains the modified One-Family Residential (R1) Zone District standards that apply to the residential lots with Village J7.

Modified One-Family-Planned Development (R1-PD) Zone District and Miscellaneous Development Standards for Serrano Village J7

Standard	Required by Zoning Ordinance	Proposed Modifications ^A			Notes
		Plan A	Plan B	Plan C	
Primary Use <i>Front Yard Setback</i>	20 feet	10 feet	10 feet	0 feet	See Cluster Plan (Exhibit I) and Tentative Map (Exhibit H); Rear Yard Setback of 15 feet is consistent with standard; Front setback for Lot 36 is 6 feet and Lot 37 is 3 feet; For side yard setback standard, the 1-foot increase in building height (in excess of 25 feet) does not apply
<i>Side Yard Setback</i>	5 feet	10 feet/0 foot	0 foot/3 4-feet	3 4-feet/ 5 feet	
<i>Maximum Building Coverage (All Buildings)</i>	35%	40%	40% (see note)	55%	Lot 38 has maximum coverage of 48%
<i>Minimum Lot Area</i>	6,000 square feet	See Note			As shown on map and Table 1 above; minimum lot size 2,820 square feet (Lot 38)
<i>Minimum Lot Width</i>	60 feet	See Note			Varies (See Tentative Map Exhibit H)
Ancillary Use					
<i>AC/Pool Equipment</i>	Attached equipment may extend into any yard by not more than 50% of width or depth	Side and Rear: 2.5'	Side and Rear: 2.5'	Side and Rear: 2.5'	
<i>Setback for Solid Fences and Walls over 40 inches tall</i>	Solid Fence Walls not to exceed 40" in height with in front yard	Front, Side, and Rear: 0'	Front, Side, and Rear: 0'	Front, Side, and Rear: 0'	
<i>Open fences and walls (50% or more) and over 40 inches tall and less than 7' tall</i>	Front Yard with fence/wall 50% open or more, below 7' tall	Front, Side, and Rear: 0'	Front, Side, and Rear: 0'	Front, Side, and Rear: 0'	

<i>Any structure such as a permanent BBQ or spa, not over 40 inches high</i>		Side and Rear: 2.5' Front: 12.5'	Side and Rear: 2.5' Front: 12.5'	Side and Rear: 2.5' Front: 0'	May be subject to Building Code
<i>Pergola</i>	May extend into any yard by not more than 50% of width or depth	Front: 12.5' Side: 2.5' Rear: 5'	Front: 12.5' Side: 2.5' Rear: 5'	Front: 0' Side: 2.5' Rear: 5'	As measured from edge of footing
<i>Any structure over 30 inches high.</i>		Side and Rear: 5'	Side and Rear: 5'	Front: 0' Side and Rear: 5'	
<i>Minimum Side and Rear Yard Setback: Swimming pool (underground)</i>	5 feet	Side and Rear: 5'	Side and Rear: 5'	Side and Rear: 5'	
<i>Minimum Side and Rear Yard Setback: Portable sheds (120 square feet or less)</i>	NA	Side and Rear: 0' as long as it does not extend above the adjoining fence line.	Side and Rear: 0' as long as it does not extend above the adjoining fence line.	Side and Rear: 0' as long as it does not extend above the adjoining fence line.	120 square feet or less; if structure includes utilities (ie. water and electrical connections), would be subject to County review
<i>Architectural extensions of the dwelling (uninhabitable space)</i>	May extend into any yard by not more than 50% of width or depth	Front: 18.5' Side and Rear: 2.5'	Front: 18.5' Side and Rear: 2.5'	Front: 0' Side and Rear: 2.5'	
<i>Chimneys – attached to the home</i>	3 Feet	Side: 3' Rear: 12'	Side: 3' Rear: 12'	Side: 3' Rear: 12'	
<i>Chimneys – detached to the home</i>	NA	Side and Rear: 5'	Side and Rear: 5'	Side and Rear: 5'	May be subject to Building Code

Note A: Proposed modifications vary with the standard floor plan and depend on the corresponding lot size and configuration.

8. Minor changes in the adopted Planned Development Permit may be approved by the Planning Services provided that the changes:
- a) Do not change the boundaries of the subject project property;
 - b) Do not change any use as shown on the official development plan; and
 - c) Do not change the intent of the official development plan

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

The Planned Development Permit shall expire concurrently with the term of the Tentative Map.

Department of Transportation

Project Specific Conditions

9. Road Design Standards: The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM), as shown in Table 1. The improvements shall be completed to the satisfaction of the Department of Transportation (DOT) or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map: (the requirements outlined in Table 1 are minimums)

Table 1. Serrano Village J7 Road Improvements					
ROAD NAME	DESIGN STANDAR D PLAN	ROAD WIDTH *	RIGHT OF WAY**	DESIGN SPEED	EXCEPTIONS/ NOTES
All onsite streets	Modified Std Plan 101B (3"AC over 8"AB Min)	27 ft	36 ft	25 mph	Type 3 Barrier Curb on one side and modified type 1 rolled curb and gutter with 4 6-foot sidewalk on opposite side
Temporary Secondary Access Road	Std Plan 101C (chip sealed)	20 ft	20 ft	25 mph	No sidewalk, curb and gutter.

* Road widths are measured from curb face to curb face or edge of pavement to edge of pavement if no curb (traveled way). Curb face for rolled curb and gutter is 6" from the back of the curb.

** Non-exclusive road and public utility easements included

10. Offsite Road Improvements: The applicant will be responsible for the following frontage shall construct the improvements of Bass Lake Road contiguous to the applicant's subdivision ("Applicant's Frontage Improvements") new alignment along the property frontage in accordance with DISM Standard Plan 101B to as follows:
- a. 6-foot sidewalk measured from back of curb with Type 2 vertical curb and gutter
 - b. 8-foot shoulder measured from face of curb to include a Type II Bike path
 - c. 12-foot AC roadway

The Applicant has offered for dedication to the County, including the underlying fee thereto, for any and all public purposes, a 120-foot wide right-of-way for portions of Bass Lake Road shown as Lots MM, NN, and PP on the map of "El Dorado Hills Specific Plan, Unit No. 2" recorded February 25, 1994 in Book H, Page 81. Upon completion of the Bass Lake Road Widening Project, County shall quitclaim to the applicant all portions of Lots MM, NN, and PP not required for the Bass Lake Road Widening Project.

The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.

11. Secondary Access: The applicant shall construct the temporary secondary access road as described in the table above. At the time of the secondary access connection to Village J5/J6, the applicant shall construct the road in accordance to modified DISM 101C standards. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
12. Encroachment Permit: The applicant shall obtain an encroachment permit from DOT and shall construct the driveway encroachment from Road A onto Bass Lake Road in accordance to the Encroachment Entrance exhibit dated October 29, 2009 prepared by REY Engineers. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
13. Turnaround: The applicant shall provide a turn around at the end of the roadways per DISM 114 or approved equivalent. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
14. Offers of Dedication (onsite roadways): An irrevocable offer of dedication shall be made, in fee, for the required rights-of-way (R/W) as indicated above, shall be made for the proposed roads, with slope easements where necessary. Said offer shall be rejected at the time of the Final Map. The offer shall be subject to that agreement between Serrano and the County, recorded as document 98-0015833-00 on March 26, 1998. Subject to the above agreement, all roads are offered in fee to the Master Owner's Association simultaneously with the filing of the final map.
15. Offer of Dedication (onsite roadways): An irrevocable offer of dedication shall be made of 40 feet in radius for the cul-de-sac(s), with slope easements where necessary. Said

offer shall be rejected at the time of the final map. The offer shall be subject to an agreement between the County and Serrano, recorded as document 98-0015833-00 on March 26, 1998. Subject to the above agreement, all roads are offered in fee to the Village or Master Owner's Association simultaneously with the filing of the final map.

DOT Standard Conditions

16. Easements: All applicable existing and proposed easements shall be shown on the project plans.
17. Signage: The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Department of Transportation prior to the filing of the map. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
18. Sidewalks: Sidewalks may be located outside the right-of-way and meander as a means to provide interest and variety in alignment. The alignment and design of the sidewalks shall be reviewed and approved by the Department of Transportation prior to issuance of building permits. Pedestrian easements shall be provided where necessary. Final lane configurations, including the need for additional rights-of-way, shall be subject to review and approval of the Department of Transportation prior to improvement plan approval.
19. Curb Returns: All curb returns, at pedestrian crossing, will need to include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp.
20. Maintenance Entity: The proposed project must form an entity for the maintenance of the private roads, parking facilities, landscaping, and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the final map.
21. Common Fence/Wall Maintenance: The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).
22. Water Quality Stamp: All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.
23. Construction Hours: Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.

24. **DISM Consistency:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
25. **Subdivision Improvement Agreement & Security:** The developer shall enter into a Subdivision Improvement Agreement (SIA) with the Department of Transportation for all onsite roadways, frontage improvements along Bass Lake Road, drainage infrastructure, grading, etc. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the SIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the final map.
26. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
27. **Grading Permit / Plan:** A grading permit is required for the project. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation 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. All applicable plan check fees shall be paid at the time of submittal of improvement plans. All applicable inspection fees shall be paid prior to issuance of a permit. The improvements and grading shall be completed to the satisfaction of DOT prior to occupancy clearance.
28. **Grading Plan Review:** Grading and improvement 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. 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.
29. **RCD Coordination:** 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.

30. Soils Report: At the time of the submittal of the grading or improvement plans, 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 and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.

31. Drainage Study / SWMP Compliance: 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.

The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:

- a. The site can be adequately drained;
- b. The development of the site will not cause problems to nearby properties, particularly downstream sites;
- c. The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
- d. The ultimate drainage outfall of the project.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. The improvements shall be completed to the approval of the Department of Transportation prior to the filing of the final map or the applicant shall obtain an approved improvement agreement with security.

32. Drainage, Cross Lot: Cross lot drainage shall be avoided wherever possible. The CC&Rs for Villages J7 shall include a requirement for a grading and drainage plan to be submitted for review and approval of the Architectural Control Committee of the Master or Village Homeowners' association at the time of building permit application. The CC&Rs shall require all "downhill" lots must be designed to accept any drainage from uphill lots and the Master or Village Homeowners' Association shall enforce this condition.

33. Drainage Maintenance: Drainage maintenance shall be the responsibility of the Master Owner's Association. Therefore, all easements for drainage facilities shall first be offered to the County of El Dorado with rejection; the offer shall be subject to that

agreement between Serrano and the County recorded as document 98-0015834-00 on March 26, 1998. Pursuant to the terms of said Agreement, upon rejection by the County, all drainage easements will be subsequently offered to the Master Owner's Association simultaneously with the filing of the Final Subdivision Map.

34. Drainage Easements: The site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and / or on the final map.
35. NPDES Permit: At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
36. Off-site Improvements (Security): Prior to the filing of a final map, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required offsite improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in the amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.
37. Off-site Improvements (Acquisition): As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the applicant's expense and within 120 days of filing the Final Map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map, the applicant shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20% contingency:
 - a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
 - b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.

- c. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements.

In addition to the agreement the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

- 38. Off-site Access Easements: The applicant shall provide proof of access to the project site from a State or County maintained road. Said proof shall be provided by and through a "Map Guarantee" which shall be submitted to the County Surveyor's Office with the first map check for the map.
- 39. Electronic Documentation: Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
- 40. TIM Fees: The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.

El Dorado Hills Fire Department

- 41. The proposed project shall have two points of egress while maintaining the secondary egress point for Bridlewood Canyon off Birmingham Road. This condition shall be further verified prior to approval of Improvement Plans by the Department.
- 42. Any roadway longer than 150 feet shall have a turnaround installed at the end of the road. This condition shall be further verified prior to approval of Improvement Plans by the Department.
- 43. Due to the exposure factor created by the close setback from structure, each structure shall have fire sprinklers installed that conform to NFPA 13D This condition shall be further verified prior to approval of Improvement Plans by the Department.
- 44. On-street day parking shall be allowed on one side only. This parking shall be allowed only on roads that are 27 feet measured from curb face to curb face or greater. To assure conformance, all parking shall be monitored by the onsite security patrol to maintain a 20-foot wide emergency access between parked vehicles and the face of curb. Fire Department approved "No Parking" signs shall be installed in accordance with the 2007 California Fire Code.
- 45. This development shall install Mueller Dry Barrel Fire Hydrants conforming to the El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 500 feet. The exact location of each hydrant and all fire protection system devices shall be determined by the Fire Department.

46. To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with blue reflective marker as specified by the Fire Department and the Fire Safe Regulations.
47. In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed in service prior to framing of any combustible members as specified in the El Dorado Hills Fire Department Standard 103.
48. This development shall be prohibited from installing any type of traffic calming devices that utilize a raised bump or a lower dip section of roadway.
49. Address numbers shall be visible from the main street by way of a sign located at the intersection of the court and six pack entrance. The final details shall be approved by the Fire Department prior to installation.
50. The Birmingham Drive gate shall remain for a secondary means of egress for the Bridlewood Canyon Subdivision. The Bridlewood Canyon residents shall be allowed to use the new Serrano Village J7 subdivision streets as a mean of exiting to Bass Lake Road, subject to the terms of that certain Reciprocal Road Easement Agreement between El Dorado Hills Development Company and El Dorado Hills Associates, Ltd. recorded January 17 , 1990 at Book 3277, Page 685.
51. In the event that the road easement for Bass Lake Road is determined to be 120 feet the applicant shall install a gate between Street B cul-de-sac and Bass Lake Road. The gate shall have a minimum operational width of 12 feet and, at minimum, an installation of a low priority Knox lock for emergency access. The driveway surface connecting Street B cul-de-sac and Bass Lake Road shall be installed to support a minimum of 75,000 pounds. This condition shall be verified by the department during review and prior to approval of Improvement Plan.

Air Quality Management District

52. Project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM10) in the form of dust. Then, District Rules 223 and 223.1 and 223.2, which address the regulations and mitigation measures for fugitive dust emissions and asbestos emission, shall be adhered to during the construction process. Mitigation measures for the control of fugitive dust and asbestos shall comply with the requirements of Rules 223, 223.1, and 223.2, whichever rule is appropriate. In addition, the appropriate Fugitive Dust Prevention (FDP) Application or Asbestos Dust Mitigation Plan (ADMP) Application shall be submitted to and approved by the District prior to issuance of a building permit or grading permit.

53. Project construction shall adhere to District 224 Cutback and Emulsified Asphalt Paving Materials and the county ordinance concerning asbestos dust.
54. Burning of wastes that result from "Land Development Clearing" must be permitted through the District. Only vegetative waste materials may be disposed of using an open outdoor fire.
55. The applicant shall submit a list of all proposed architectural coatings to the District for approval prior to the issuance of a building permit. All architectural coatings shall adhere to District Rule 215 Architectural Coatings.
56. The applicant shall submit a list to the District stating which of the following mitigation measures will be used to reduce impacts on air quality from equipment exhaust emissions during all construction involved in this project for approval prior to the issuance of a Building Permit or Grading Permit:

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

Heavy Equipment and Mobile Source Mitigation Measures.

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

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

57. Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, boilers, internal combustion

engines, etc.), authority to construct applications shall be submitted to the District. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors.

County Surveyor

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

12. SPECIAL USE PERMIT

S07-0019/Olde Coloma Theatre submitted by COLOMA CRESCENT PLAYERS, INC. (Agent: Carol Fallon) to authorize the use of an existing building for live theatre performances with a maximum occupancy of 149 persons. The property, identified by Assessor's Parcel Number 006-290-04, consisting of 19,602 square feet, is located on the south side of Monument Road, approximately 100 feet west of the intersection with Cold Springs Road, in the Coloma area, Supervisorial District IV. *[Project Planner: Jason Hade]* (Categorical Exemption pursuant to Section 15301 of the CEQA Guidelines)** *[continued from 11/12/09 (item re-noticed), 1/14/10 & 2/25/10 meetings]*

Jason Hade presented the item to the Commission with a recommendation of approval and stated that the applicant had requested a continuance from the last meeting in order to allow more time to obtain the necessary items for the Commission. Mr. Hade said that staff was unable to provide any formal written analysis on the new revised site plan as it was submitted late so he gave a verbal analysis on it. In addition, the off-site agreement was just received by staff the day before and there was not sufficient time for review.

Commissioner Mathews voiced concern on taking action today when several required items were submitted late and there hadn't been adequate review time.

Craig Sandberg/applicant's agent felt that they have resolved issues regarding parking and fire. In regards to the parking issue, he stated the following has occurred: (1) Agreement with the Parks that no formal agreement is needed and would just require a one-week notice if off-site parking is needed at that location; (2) Off-site parking agreement with a nearby business; (3) Shuttle program in place that will be available to transport patrons from off-site locations to the venue; and (4) Expanding on-site parking and will include ADA parking spaces. Mr. Sandberg also spoke on the following fire issues: (1) Alarm: Gary Baldock, Deputy Fire Marshall for El Dorado Fire, agreed to amend requirements, conducted an inspection on exit doors and lighting for evacuations and agreed to allow 12 weeks for an alarm to be installed; (2) Tank: Deputy Fire Marshall Baldock discovered that there was a six-inch EID line on Monument Road and agreed

to amend condition to allow up to one year for the installation of a fire hydrant; and (3) Knox Box: Fire Department agreed to amend Condition #19 to allow up to one year to meet this requirement. Deputy Fire Marshall Baldock spoke on these items that were agreed upon and stated that although he agreed to the time extension of up to one year for the installation of the fire hydrant, he was reluctant to go any further out on that timeline.

Mr. Sandberg requested that Condition #1 be amended to retain the requested 149 person capacity and have the hours of operation end at 10:30 p.m. for the entire week for patrons only. He also requested that the following be removed from this condition: (1) The 15 employee limit and (2) Reference to five special events. He also requested the deletion of Condition #14 as they are not altering the building and Building Services has no issues with the permit and ADA requirements are not an automatic requirement due to the special use permit. Commissioner Tolhurst cautioned the applicant that even if the ADA is not a building code, it is a civil rights issue and even if the Commission did not impose that requirement, the theatre could be sued by a member of the public.

Gary Griffin/neighbor requested that the Commission continue this item to allow staff sufficient time to review the revised parking plan. He also voiced concern on the retaining wall and how the car lights will be shining directly into his house and that he would like some type of buffer provided.

Todd Schwenk supported this project and indicated that his fire alarm company was providing their services to the applicant at a discounted rate.

Carol Fallon/applicant's agent read a written statement from Pat Navarro who had to leave prior to this item being heard. Ms. Navarro was in support of the project.

The Commission discussed the 10:30 p.m. requested ending time and inquired on safety for employees parking off-site, historical hours of operation and County Noise Ordinance.

Commissioner Tolhurst voiced concern on the compact spaces and a specific corner in the revised site plan and stated staff would need time to tighten the conditions, but would be willing to conceptually approve the project.

Commissioner Pratt felt there were too many issues that needed to be resolved first and although progress was being made, he would like to see it one more time.

The Commission provided the following direction to staff for the Conditions of Approval:

- Condition #1: Amend to 149 persons; Amend ending time to 10:00 PM for Monday through Thursday; Change "occupants" to "patrons" and remove "including patrons, crew, and cast," in that same sentence; Remove sentence beginning with "Up to five special events..."; Remove sentence beginning with "Up to 15 employees..." and after review of revised site plan, adjust number of on-site parking spaces accordingly, taking into consideration about the concern with the specified corner and parking spaces 3 and 4 being too tight.

- Condition #8: Amend the number of parking spaces to make it consistent with Condition #1.
- Condition #9: Include reference to off-site parking agreement.
- Condition #14: Change “All” to “Any” and delete “and ADA”.
- Condition #16: Change reference from “12 months” to “12 weeks”.
- Condition #17: Change reference from “six months” to “one year” and delete reference to storage tank.
- Condition #18: Delete.
- Condition #19: Change reference from “three months” to “one year”.

The Commission also directed staff to provide a map of the site showing the fence (and what type), topography, elevations, and general location of adjacent neighbors’ houses.

No further discussion was presented.

Motion: Commissioner Mathews moved, seconded by Commissioner Tolhurst, and carried (5-0), to continue the item to the April 22, 2010, meeting.

AYES: Pratt, Heflin, Tolhurst, Mathews, Rain
NOES: None

13. REZONE/TENTATIVE MAP

Z05-0015/TM05-1401/Malcolm Dixon Road Estates submitted by OMNI FINANCIAL LLC/MARTIN BOONE to rezone from Exclusive Agriculture (AE) to Estate Residential Five-Acre (RE-5); and a Tentative Map to create 8 residential lots ranging in size from 5.0 acres to 5.6 acres. The property, identified by Assessor’s Parcel Number 126-100-23, consisting of 40.6 acres, is located on the north side of Malcolm Dixon Road, approximately one-half mile east of the intersection with Salmon Falls Road, in the El Dorado Hills area, Supervisorial District IV. *[Project Planner: Michael Baron] (Mitigated negative declaration prepared)* [continued from 2/25/10 meeting]*

Mike Baron presented the item to the Commission with a recommendation of approval to the Board of Supervisors. He referenced a Staff Memo dated March 11, 2010, which was distributed to the Commission that morning that proposed changes to the Staff Report and the environmental checklist. Mr. Baron stated that the proposed changes actually strengthened the environmental document, particularly the water availability, and did not change the conclusions, and it was determined that the document did not need to be re-circulated.

Eileen Crawford/DOT recommended that Condition #47 be deleted since this condition and Condition #46 both referenced turnarounds.

Andrea Mayer/applicant’s agent conducted a short PowerPoint presentation that identified the site location, site features, and the project’s highlights. She stressed that this project did not seek the density bonus and that they will be contributing to the area of benefit.

Vern Miller/neighbor said that although this project is pretty good, all of the projects in the area should have been heard at the same time. He also felt that this proposed development will be estates, which is not consistent with the surrounding properties. Mr. Miller made additional comments on the following: significant grading done on property; preference to have sewer capability; and road placement.

Paul Sayegh indicated that he didn't have a problem with the project but with the environmental document, which he discussed in detail and provided handouts for reference. He also summarized the issues that were identified in his letter dated March 8, 2010. Mr. Sayegh requested that the revised environmental document be re-circulated with the full 30 day review period.

In response to Chair Rain's request for staff's responses to Mr. Sayegh's comments, Pierre Rivas stated that under CEQA, it was not required to recirculate the environmental document as the changes were not substantive. County Counsel Paula Frantz, in response to Mr. Sayegh's comment that a full 30 day review period was not provided, stated that it is the County's practice to notice a hearing for a date that occurs after the ending of the 30 day review period. The wording Mr. Sayegh is referring to is standard language that is on all notices that references providing written information to the Commission prior to the hearing and does not alter the 30 day comment period. County Counsel Frantz also said that a Negative Declaration can be changed at the hearing at the discretion of the Commission and as long as the impact levels are not changed, a recirculation is not required. However, if the Commission feels the public has been compromised, then they can direct staff to recirculate the environmental document and suggested that the applicant be asked their point of view on this issue. Ms. Mayer indicated that the applicant was not present due to illness and she did not have the authority or expertise to make that type of decision.

Erica Sanchez/LAFCO summarized the contents of their letter dated March 10, 2010, which was submitted to the Commission. There was discussion with the Commission on the reasoning for the request to include additional language into the environmental document. Mr. Rivas indicated that the requested information can be added into Section D of the environmental document.

Commissioner Pratt recommended that the item be continued to the May 13, 2010, meeting to allow time to reconcile the issues and recirculate the environmental document. In regards to LAFCO's request for the inclusion of additional language, he requested that staff make that determination as he is unclear if LAFCO has the authority to direct the County what needs to be included in the environmental document. He also informed staff that before recirculating the environmental document, the cumulative effects should be reviewed. Commissioner Tolhurst added that any items that need closer scrutiny should also be reviewed prior to the recirculation.

In regards to the comments made by the public regarding illegal grading, Mr. Rivas had researched this issue and he stated that it had been determined that grading had been done outside of the permit and the issues were resolved and the case is now closed.

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Tolhurst, and carried (5-0), to continue the item to the May 13, 2010, meeting and directed staff to make the identified changes and re-circulate the environmental document.

AYES: Heflin, Mathews, Tolhurst, Pratt, Rain
NOES: None

14. ADJOURNMENT

Meeting adjourned at 4:07 p.m.

APPROVED BY THE COMMISSION
Authenticated and Certified:



Lou Rain, Chair