

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



Agenda of: April 22, 2010
Item No.: 8.a
Staff: Michael C. Baron

SPECIAL USE PERMIT

FILE NUMBER: S09-0008/El Dorado Hills Fire Training Facility

APPLICANT: El Dorado Hills Fire Department

AGENT: James O’Camb

REQUEST: Special Use Permit to allow a fire training facility for emergency services which includes outdoor classrooms, auto extraction and confined space rescue area, apartment building, single family home, hillside single family home, 3 mini storage buildings, commercial strip mall, a 60 foot training tower, indoor shooting range, and an off-site facility sign.

LOCATION: On the north side of Golden Foothill Parkway at the intersection with Cypress Point Court in the El Dorado Hills Business Park, in the El Dorado Hills area, Supervisorial District II (Exhibit A).

APN: 117-210-19, 117-210-25 & 117-082-02 (Sign)

ACREAGE: 11.3 acres

GENERAL PLAN: Research & Development (R&D)(Exhibit B)

ZONING: Research & Development (R&D)(Exhibit C)

ENVIRONMENTAL DOCUMENT: Negative Declaration

RECOMMENDATION: Staff recommends that the Planning Commission take the following action:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff; and
2. Approve Special Use Permit S09-0008 subject to the conditions in Attachment 1, based on the findings in Attachment 2.

STAFF ANALYSIS

Project Description: The Special Use Permit would allow the construction and operation of a fire training facility for emergency services workers to receive real live fire and rescue training and also an off-site identification sign. The project site would include the construction of a water retention pond to capture drainage, academy fire station, outdoor classroom for instruction, parking area (45 stalls), large truck parking area (5 stalls), and an auto extraction and confined space rescue area. The proposed facility also includes an apartment building, single family home, hillside single family home, 3 mini-storage buildings, commercial strip mall, and mini storage facility for live fire training, a60 foot high fire tower for ladder training, a driving course and a Sheriff’s Department indoor firing range. The facility would be surrounded by a block wall style fence with a gated entrance. Table 1 below describes the square footage of each structure and its proposed use.

TABLE 1: Building Descriptions		
Building	Sq. Ft.	Use
Academy Fire Station	13,200	Storage, Classroom, Locker Room
Fire Training Tower	28,000	Training Structure
Outdoor Classroom	3,000	Covered Classroom
Apartment	3,000	Training Building
Strip Mall	2,100	Training Building
Mini-Storage 1	400	Training Building
Mini-storage 2	400	Training Building
Mini-Storage 3	1,200	Training Building
Single-Family Dwelling	1,080	Training Building
Hillside Single-Family Dwelling	1,080	Training Building
Firing Range	25,000	Indoor Firing Range
Total Building Sq. Ft.	78,460	

Site Description: The site is comprised of approximately 95 percent grassland on gently sloping terrain and is situated at an elevation range of approximately 540 feet above sea level. The eastern portion of the property is bordered by riparian areas and Carson Creek on the adjacent parcel. The soil types are Argonaut gravelly loam (AkC) and Auburn very rocky silt loam (AxD). Both soil types are characterized as well drained soils and characterized by 2-30 percent slopes. There is an existing paved cul-de-sac that encroaches into the site from the west.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	R&D	R&D	Vacant
North	R&D	R&D	Existing Office/Warehouse
South	R&D	R&D	Vacant
East	R&D	R&D	Vacant
West	R&D	R&D	Existing Office/Warehouse

Discussion: The project area is bordered on the north and west sides by existing office/warehouse buildings and vacant Research and development lands to the south and east. Beyond the parcels adjacent to the project site to the south is the Carson Creek Specific Plan area, which proposes future residential development within approximately 500 feet of the proposed project to the south. To the west of the site beyond the existing office warehouse there is an existing active adult community in excess of 1,000 feet.

General Plan: The General Plan designates the subject site as Research and development (R&D). This designation permits high technology, non-polluting manufacturing plants, research and development facilities, corporate/industrial offices, and support service facilities in a rural or campus-like setting which ensures a high quality, aesthetic environment. This designation is highly appropriate for the business park/employment center concept. The request is for a Fire and rescue training facility that and is a use that could be permitted by special use permit. As conditioned, the project would be in compliance with the 2004 General Plan policies. Additionally, the following General Plan policies also apply to this project:

Policy TC-5a of the Transportation and Circulation Element would require the installation of curb, gutter, and sidewalk within all Research and Development subdivisions.

Discussion: The Department of Transportation has provided conditions of approval addressing all road improvements required to ensure consistency with General Plan Policy TC-5a.

Policy 2.2.1.5 establishes a maximum Floor Area Ratio (FAR) of 0.50 within the R&D Zone District.

Discussion: The maximum allowable FAR for the 11.3 acre combined project area would be 5.65 acres (246,114 square feet). The development proposes to construct a total of 78,460 square feet of building space on the 11.3 acre project area. This would yield a FAR of 0.16 which would be consistent with **Policy 2.2.1.5**.

Policy 2.2.5.2 requires that applications for discretionary projects, such as a Special Use Permit, shall be reviewed to determine consistency with General Plan policies.

Discussion: Project conditions of approval have been added to ensure compliance with the General Plan policies.

Policy 2.2.5.21 requires that development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the project is proposed.

Discussion: With exception to the 60 foot tower height request, the project has been designed to ensure compatibility with neighboring R&D uses (The maximum building height in the R&D Zone District is 50 feet). The colors and materials are consistent with those of other buildings in the area.

Policy 5.2.1.2 directs that an adequate quantity and quality of water for all uses, including fire protection, shall be provided for discretionary development.

Policy 5.7.1.1 directs that the applicant demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or would be provided concurrent with development.

Discussion: Water service to the site would be provided by EID as discussed in a Facilities Improvement Letter (FIL 0808-064 Dated 8/27/08) provided by the applicant. The project is adjacent to the El Dorado Hills Fire Station 87. As conditioned, the project would be in compliance with these General Plan Policies.

Policy 7.4.4.4 establishes the native oak tree canopy retention and replacement standards.

Discussion: There may be native oak trees located along Carson Creek on the eastern edge of the site within the riparian setback. Development and road improvements would not impact these areas, as they are to be avoided. The project would be in compliance with this General Plan Policy.

Policy 10.2.1.6 requires that new infrastructure and facilities must be coordinated with existing infrastructure and facilities and must also maximize use of existing facilities to the extent that any exists.

Discussion: A fully paved access road with turnaround exists at the site. Sewer and water services would be provided by El Dorado Irrigation District (EID) and existing underground utilities are within a short distance of the site.

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

Zoning: The subject site is zoned Research and Development (R&D). The purpose of the R&D Zone District is to provide high technology, non-polluting manufacturing plants, and related facilities in a campus-like setting. Pursuant to Section 17.35.025, the proposed use is not

specifically listed as a use permitted by Special Use Permit in the Research and Development Zone District; with the exception that most of the training provided at the facility would be partially or wholly outside buildings. In order to approve the use, the approving authority must find that the use is consistent with the General Plan and would not be detrimental to the public health, safety and welfare nor injurious to the neighborhood. Based on comments received from public agencies, citizens' groups, and impacted neighbors, as discussed below, staff finds that the project would not be detrimental to the public health, safety and welfare and not injurious to the neighborhood.

Development Standards: Section 17.35.030 A through M of Zoning Ordinance establishes Development Standards within the R&D Zone District. Included with the project is a request for a 60 foot fire training tower which exceeds the maximum 50 foot height requirement in Section 17.35.030(E). The Special Use Permit could allow the proposed increase in height modification to the requirements of the R&D Zone District subject to approval of the Special Use Permit Findings of Approval by the Planning Commission.

Signage: Section F requires the submittal of a uniform sign package requiring that signage not exceed either one freestanding sign no greater than 50 square feet in area or 12 feet in height or two signs attached to the face of the building not exceeding 80 square feet. The project includes a request for an off-site monument sign (Exhibit J) that would otherwise be consistent with the required design guidelines for a free-standing monument sign within the R&D Zone District.

Agency and Public Comments: The following agencies provided comments on this application:

Department of Transportation: Provided Conditions of Approval related to site and road improvements.

Army Corps of Engineers: Provided comments on potential impacts to waters of the U.S.

Environmental Management Department (Air Quality): Provided Conditions of Approval related to air quality during grading activity.

Environmental Management Department (Hazardous Waste): Provided Conditions of Approval in the event of hazardous waste generation.

El Dorado Hills Community Services District Design Review Committee: Provided comments stating that the project does not conform to the business park usage, is not in harmony or conformity with other facilities in the business park, proposes excessive building height, additional public comment time should be available, and there are other facilities in close proximity.

El Dorado Hills Business Park Architectural Design Review Committee: Provided comments stating that the project shall comply with the El Dorado Hills Business Park Design Guidelines.

El Dorado Hills APAC: Provided comments stating that the project is unsuited for the business park, due to the size and scope of the project the public should be notified by mail and provided with additional public meetings, and air quality issues related to live fire training exercises.

Copies of their written comments are available at the Planning Services office.

At the time of the preparation of this report, staff had not received any comments from the public. New issues may arise as a result of the public notice of the hearing which will be discussed at that time.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project has a significant effect on the environment. Based on the Initial Study staff has determined that there is no substantial evidence that the proposed project will have a significant effect on the environment, and a Negative Declaration has been prepared.

NOTE: This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$2,010.25 after approval, but prior to the County filing the Notice of Determination on the project. This fee, plus a \$50.00 recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,010.25 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Location Map
Exhibit B	General Plan Land Use Map
Exhibit C	Zoning Map
Exhibit D	Site Plan
Exhibit E1-E3	Building Elevations
Exhibit F	Lighting Plan
Exhibit G	Index to Drawings
Exhibit H1-H6	Grading and Drainage Plan
Exhibit I1-I3	Landscaping Plan
Exhibit J	Monument Sign and Gate Elevations
Exhibit K	Environmental Checklist Form

ATTACHMENT 1

CONDITIONS OF APPROVAL

**S09-0008/El Dorado Hills Fire Training Facility
April 22, 2010 Planning Commission Hearing**

CONDITIONS OF APPROVAL

1. The project, as approved, consists of the following:

This Special Use Permit is based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits D through 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.

Project Description:

A Special Use Permit to allow the following:

1. A fire training facility for emergency services workers to receive live fire and rescue training.
2. Off-site facility identification sign on APN 117-082-02.
3. Construction and use of a 60 foot high fire tower, academy fire station, outdoor classroom, an auto extraction and confined space rescue area and an apartment building, single family home, hillside single family home, 3 mini storage buildings, and commercial strip mall for live fire training (Table 1).
4. Sheriff's Department indoor shooting range (Table 1).

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 Site Plan, Lighting Plan, Elevation Plan, Sign Elevation, and Landscape Plan) must be submitted for review and approval and shall be implemented as approved by the County.

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Hillside Single-Family Dwelling	1,080	Training Building
Firing Range	25,000	Indoor Firing Range
Total Building Sq. Ft.	78,460	

Planning Services

2. All site improvements shall conform to the site plan(s) attached as Exhibits D-J. Planning Services shall verify the site improvements prior to final issuance of a building permit.
3. 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.

The developer and land owner shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a Special Use Permit.

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

4. 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.

5. Prior to issuance of a building permit or commencement of any use authorized by this permit, the applicant shall be responsible for meeting all appropriate fire and building codes and shall obtain sign offs from appropriate agencies.
6. 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.
7. Lighting shall be substantially compliant with Exhibit F 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.
8. 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 until said fees are paid. Alternatively, documentation from the California Department of Fish and Game waiving this fee may be also be submitted to satisfy this condition, if applicable.
9. If human remains are discovered at any time during the project improvement phase, the County Coroner and Native American Heritage Commission shall be contacted per Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed. If archaeological sites or artifacts are discovered, the developer shall retain an archaeologist to evaluate the resource.

If the resource is determined to be important, as defined in Appendix K of the CEQA Guidelines, mitigation measures, as agreed to by the developer, archaeologist, and Planning Services shall be implemented. Treatment of Native American remains and/or archaeological artifacts shall be the responsibility of the developer and shall be subject to review and approval by Planning Services.

Environmental Management Department-Air Quality

10. A fugitive Dust Plan (FDP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to issuance of a grading permit.
11. The applicant shall obtain and comply with all necessary permits from the Air Quality Management District prior to issuance of a grading permit.

Environmental management Department-Hazardous Waste

12. If it is determined by Environmental management that there is a potential for the firing range to generate hazardous waste the applicant shall comply with the following conditions prior to final occupancy:
 - a. Obtain a hazardous waste generator identification number from the California Department of toxic Substances Control.
 - b. Train all employees to properly handle hazardous materials and wastes.
 - c. Implement proper hazardous materials and hazardous waste storage methods in accordance with the Uniform Fire Code and Uniform Building Code.
 - d. Properly dispose of collected hazardous waste and maintain disposal records for a minimum of three years.

Department of Transportation

13. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the driveway encroachment(s) from the driveways onto Cypress Point and Golden Foothill Parkway to the provisions of County Design Standard 110. 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 a building permit.
14. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
15. **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.
16. **DISM Consistency:** The developer shall obtain approval of the project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards manual (as may be modified by these Conditions of approval or by Design Waivers) from the County Department of Transportation, and pay all applicable fees prior to issuance of any building permit.
17. **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 within County right of way. 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 Ordinance, prior to issuance of any building permits.

18. **Grading Permit/Plan:** If more than 50 cubic yards of earth movement are required for improvements, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Development Services 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 prior to issuance of a permit. The improvements and grading shall be completed to the satisfaction of Development Services or the applicant shall obtain an approved improvement agreement with security, prior to issuance of building permits.
19. **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 California Water code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPP) 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.
20. **Off-Site Improvements (Security):** Prior to issuance of building permits, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required off-site improvements, including the full costs of acquiring any real property interests necessary to complete the required 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.
21. **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.
22. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees at issuance of building permit.

ATTACHMENT 2 FINDINGS

S09-0008/El Dorado Hills Fire Training Facility April 22, 2010 Planning Commission Hearing

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

1.0 CEQA Findings

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The proposed Special Use Permit project, as conditioned, will not have a significant effect on the environment. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA.
- 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-Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 General Plan Findings

- 2.1 As proposed, the project is consistent with the Research & Development (R&D) land use designation of the subject site as defined within General Plan Policy 2.2.1.2. The R&D land use designation permits a full range of public facilities, including the proposed fire training facility.
- 2.2 As conditioned, the proposal is consistent with General Plan Policies TC-5a, installation of curb gutter and sidewalks, 2.2.1.5, floor area ratio 2.2.5.2, consistency with General Plan policies, 2.2.5.21, avoid incompatible uses, 5.2.1.2, adequate water quality and quantity, 5.7.1.1, adequate emergency water supplies, 7.4.4.4, oak tree canopy retention, and 10.2.1.6, new infrastructure coordination. Because of the project's compatibility with surrounding land uses, provision of sufficient water and wastewater collection facilities, fire protection enhancement, and use of the site is consistent with the General Plan policies identified above.

3.0 Zoning Findings

- 3.1 The proposed use is permitted by special use permit in the One-Acre Residential (R1A) zone district, pursuant to Section 17.35.025(A) provided that the administrative findings outlined below can be made by the Planning Commission.

3.2 As proposed and conditioned, the project meets all applicable development standards contained within the El Dorado County Zoning Ordinance. The project has been proposed with sufficient landscaping, screening, lighting, and parking.

4.0 Special Use Permit Findings

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

The applicant's proposal has been determined to be in compliance with County regulations, addressing environmental issues and health and safety concerns. As discussed above, the proposal is consistent with the applicable General Plan Policies and all potential project-related environmental issues, and the benefits to the community have been evaluated. Therefore, staff finds that the project, as conditioned, conforms to the General Plan.

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

Based on the conclusions contained in the staff report, the use will not conflict with the adjacent uses. The project would be compatible with the surrounding research and development land uses adjacent to the project site and not result in significant environmental, visual, noise, and traffic impacts to surrounding residents and businesses. After review of the submitted site plan and upon consultations with concerned agencies, it has been determined that the impacts of allowing the construction of the fire training facility will not have a detrimental affect nor be injurious to the neighborhood.

4.3 The proposed use is specifically permitted by special use permit.

The proposed use is determined to be permitted by special use permit pursuant to Section 17.35.025(A) of the El Dorado County Zoning Ordinance as the required findings detailed above may be made by the Planning Commission.