



COUNTY OF EL DORADO PLANNING COMMISSION

Building C Hearing Room
2850 Fairlane Court, Placerville, CA 95667
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Phone: (530) 621-5355 Fax: (530) 642-0508

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

Char TimClerk of the Planning Commission

MINUTES

**Regular Meeting
March 24, 2011 – 8:30 A.M.**

1. CALL TO ORDER

Meeting was called to order at 8:32 a.m. Present: Commissioners Rain, Pratt, Heflin, and Mathews; Paula Frantz-County Counsel*; and Char Tim-Clerk of the Planning Commission.
[*Arrived at 8:49 a.m. and was in attendance at the start of the public hearing portion.]

2. ADOPTION OF AGENDA

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

AYES: Pratt, Mathews, Rain, Heflin
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: March 10, 2011

b. River Use Permit: Transfer of River Use Permit #19 from Deric Rothe and Guy Cables dba Sierra Whitewater to Deric Rothe dba Sierra Whitewater [Staff: Noah Rucker-Triplett/Environmental Management]

Staff Recommendation: Approve transfer and one-year provisional permit

c. **River Use Permit:** Transfer of River Use Permit #27 from Bobby Hicks dba American River Adventures, LLC to Associated Students of California State University, Chico, a non-profit, public benefit corporation by and through its Adventure Outings program [*Staff: Noah Rucker-Triplett/Environmental Management*]

Staff Recommendation: Approve transfer and one-year provisional permit

END OF CONSENT CALENDAR

Motion: Commissioner Pratt moved, seconded by Commissioner Mathews, and carried (4-0), to approve the Consent Calendar.

AYES: Rain, Mathews, Pratt, Heflin

NOES: None

ABSENT: Tolhurst

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

Pierre Rivas provided the following summary on Current Planning:

- Z06-0020/P05-0004/Harrington Business Park: The Board of Supervisors approved this item on March 22, 2011.
- Apple Café Sign: Code Enforcement met with the owner and the illegal sign has since been removed.
- Winery Banner Signs: This was brought up at the last meeting under Commissioners' Reports and staff will be conducting a site visit in the near future.

Roger Trout provided the following comments:

- Z10-0006/P05-0004/Diamond View Estates: The Board of Supervisors approved this item on March 15, 2011.
- Five-Year General Plan: The Board of Supervisors will consider this on April 4, 2011 and a presentation will be conducted for the Commission summarizing the Board's comments.
- Zoning Ordinance: On April 5, 2011, the Board of Supervisors will consider the contract for a consultant to prepare the Environmental Impact Report (EIR) for the Zoning Ordinance.
- Z07-0040/TM07-1454/S09-0012/Sundance Subdivision: This item was previously continued by the Board of Supervisors to April 5, 2011 and the applicant has since requested an off-calendar continuance.
- Fire Code Ratification: The Department is submitting this item to the Board of Supervisors for their review next month.
- Title 16 Amendment: Staff is currently preparing this Board-directed amendment regarding time extensions for subdivision maps and it will go directly to the Board of Supervisors for action.

- Development Services Department's Budget: Next fiscal year's budget appears to have stabilized.

Peter Maurer provided detailed information on the upcoming five-year review of the General Plan and will provide a copy of the memo that is being prepared for the Board of Supervisors. He suggested returning to the Commission on April 14, 2011 for a discussion on the Board's comments from their April 4, 2011 special meeting regarding long-range planning.

6. COMMISSIONERS' REPORTS

Commissioner Pratt stated he was happy to see the numerous DOT and PG&E trucks heading to the south area in preparation of the upcoming storm as the Winery Association's Passport Weekend is this weekend.

9:00 A.M.

7. PUBLIC FORUM/PUBLIC COMMENT – None

8. SPECIAL USE PERMIT

a. **S10-0009/Villa Florentina Bed and Breakfast Inn** submitted by LOREN SPERBER for a Bed and Breakfast within an existing single-family dwelling, with a maximum occupancy of six people. Special Events, including amplified music, would be held at the site for up to 189 guests for a maximum of 20 events per calendar year. The property, identified by Assessor's Parcel Number 006-132-28, consisting of 3.57 acres, is located on the northeast side of Carvers Road, approximately 1,750 feet north of the intersection with Mt. Murphy Road, in the Coloma area, Supervisorial District 4. [*Project Planner: Gina Paolini*] (Categorical Exemption pursuant to Sections 15301 and 15303 of the CEQA Guidelines)**

Gina Paolini presented the item to the Commission with a recommendation of approval.

Loren Sperber/applicant indicated that he would not be an absentee landlord as he lives in the community and has a good relationship with the neighbors. He understood the neighbors' issues regarding traffic, noise and safety, but felt that this proposal met these concerns. Mr. Sperber made the following comments:

- Events would be sited in the center of the property;
- House has a covered patio which includes a roof and three walls;
- All noise-making equipment would be located within the covered patio and the sound would be directed away from the other properties;
- Closest neighbor is approximately 200ft – 400ft with an abundance of foliage in-between the two locations;
- Loudest noise in the area is the road noise coming from State Hwy 49;

- Chose to include amplified music in permit so as to provide more business opportunities; and
- Special events would primarily be weddings and there will be no live percussion.

Chair Heflin confirmed that Mr. Sperber was aware of the Staff Memo dated March 23, 2011 deleting Condition #10 and revising current Condition #11.

Larry Cottingham voiced concern regarding the single-lane bridge/road which currently becomes congested from tourists in the area. He also stated that music from the campground is already an issue for the neighborhood.

Robert Smay stated that he lives approximately 400-500ft from the project and is concerned with the noise the special events would bring since there are already issues with noise from other surrounding businesses. He explained that due to the area's topography, the noise is channeled and localized in the river valley. Mr. Smay indicated that he did not have any issues with the Bed and Breakfast and that it was the special events he was concerned about, particularly the road issues due to the blind curves on this country lane. He referenced a letter submitted by his daughter, Robin Smay, who recently purchased the house next door to this project and would be moving into the area, and stated that she had not been aware of this pending project. Mr. Smay requested that the number of special events be reduced.

Bob Palacios complimented Mr. Sperber on bringing beauty and class to the area. He had no objections to the Bed and Breakfast, but was concerned with the proposed special events due to traffic, noise, fire hazards, and the road not designed for heavy traffic.

Sara Schwartz-Kendall supported the nature of the business as there is a need for Bed and Breakfasts since tourism feeds the valley. She stated that Mr. Sperber is conscientious and has mitigated problems as they have arisen during this process.

Gretchen Fretter stated she is not only related to the applicant, but is also a realtor and said that any potential buyers should be informed by their realtor of an area's activities, whether they are current or pending. In regards to the proposed project, Ms. Fretter said the structures are laid out to face the river and direct the noise to that area. She also was confident that Mr. Sperber would instruct his customers that they must drive slowly on the road when traveling to his business.

Donna Smay said that the area noise is already amplified due to the nature of the area. She is also concerned with the road traffic as tourists walk to the bridge in order to look at the river and the added traffic from this project will cause more congestion.

Mr. Sperber made the following comments during his rebuttal:

- Appreciated the neighbors' comments and invited them to contact him with any concerns they may have;
- Had contacted the neighbors and discussed the project with them;
- There would be no off-site parking;
- Traffic circulation would have a minimal effect on the neighbors;
- Spoke regarding traffic counter;

- Referenced an e-mail from Bollard Acoustical Consultants, Inc. regarding the acoustical analysis (hard copy submitted for the record);
- Project would not be a major noise contributor for the area;
- Fire safety is a high priority and was designed into the project as he is a fire fighter by trade;
- Number of proposed special events is 5% of the calendar days; and
- There is a sign indicating road is not a through road.

Commissioner Pratt made the following comments:

- Project site is four-tenths of a mile off of Mt. Murphy Road;
- In agreement of formula used for determining parking spaces;
- Suspects that someday DOT will target bridge for renovations;
- Events always create fear, uncertainty, and doubt due to the unknown; and
- Acoustical analysis is the best indicator for possible noise issues.

Commissioner Rain had an issue with the amplified music and would prefer acoustical only. However, if amplified music was approved, then he would request that it come back in a year for a review and would encourage the neighbors to contact the applicant instead of the police to resolve any noise complaints and to document them. County Counsel Paula Frantz confirmed that the Commission could condition the permit for a re-check to determine if the conditions needed to be altered.

Commissioner Mathews was concerned about the noise affecting the closest neighbor, Robin Smay. He made the following comments:

- Twenty special events per year would be a great feat right now since other Bed and Breakfasts are struggling to get events;
- County encourages tourist activity in the Coloma area; and
- Recommended having a one-year review on noise and road impact to Carvers Road and encouraged residents to document any problems that occur.

Chair Heflin felt that traffic and noise are the primary issues and agreed with a one-year review.

County Counsel Frantz stated that noise is individualistic and that is why acoustical studies are required. This project does comply with County noise standards, but the Commission does have the discretion to eliminate all amplified music, restrict the number of special events, etc.

Ms. Paolini read into the record a proposed condition addressing the one-year review. She also recommended adding language to the project description in Condition #1 clarifying that the occupancy number excluded the owners. This clarification would also be included in the Staff Report on pages 1 (project request) and 2 (project description).

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Rain, and carried (4-0), to take the following action: 1. Find that the project is Categorically Exempt pursuant to

CEQA Guidelines Sections 15301 and 15303; and 2. Conditionally approve Special Use Permit S10-0009 based on the Findings and subject to the Conditions of Approval as modified: (a) Delete Condition #10 and modify current Condition #11 as identified in Staff Memo dated March 23, 2011; (b) Add new condition requiring a one-year review; and (c) Amend Condition #1 to clarify that the occupancy number excludes the owners.

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

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

Findings

1.0 CEQA FINDINGS

1.1 This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15301 and 15303 of the CEQA Guidelines. As conditioned the project is consistent with the residential development standards of the RE-10 Zone District for the existing structures which require only ministerial permits for any upgrades required by the Fire Department or Department of Transportation. The use as a Bed and Breakfast Inn is by ordinance an expanded home occupation.

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

2.0 GENERAL PLAN FINDINGS

2.1 As proposed, the project is consistent with the Rural Residential (RR) land use designation as defined within General Plan Policy 2.2.1.2 because the land use designation permits Bed and Breakfast Inns with a special use permit.

2.2 The proposal is consistent with General Plan policies, 2.2.5.2 (General Plan consistency) 2.2.5.21 (land use compatibility), 2.8.1.1 (light and glare), 6.2.3.2 (fire safe access) and 10.1.7.4 (home occupations). It has been determined that the project is consistent with the General Plan because the project is compatible with the land use and would provide adequate access.

3.0 ZONING FINDINGS

3.1 The proposed use is permitted by Special Use Permit in the Estate Residential (RE-10) zone district, pursuant to Sections 17.70.100, 17.70.100.G and 17.14.220 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 parking for the Bed and Breakfast use and Special Events.

4.0 ADMINISTRATIVE FINDINGS FOR A SPECIAL USE PERMIT

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

The proposed project has been analyzed for consistency with General Plan Policies 2.2.5.2 (General Plan consistency) 2.2.5.21 (land use compatibility), 2.8.1.1 (light and glare), 6.2.3.2 (fire safe access) and 10.1.7.4 (home occupations) and has been found to be consistent with these policies.

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

The proposed Bed and Breakfast Inn will comply, as conditioned, with the Development Standards of the RE-10 zone district. The proposed Special Use Permit, as conditioned, has been found to comply with the requirements of Chapter 17.22, Special Use Permits, and 17.14.220, Bed and Breakfast Inns. The proposed use is not considered detrimental to the public health, safety and welfare, nor injurious to the neighborhood, because the proposed number of Special Events associated with the proposed use and the hours of the Special Events have been limited in order not be detrimental to the adjacent residential uses.

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

The proposed use, as conditioned, is specifically permitted by Special Use Permit in a residential zone district pursuant to 17.14.220, Bed and Breakfast Inns, of the El Dorado County Code.

Conditions of Approval

El Dorado County Planning Services

1. This Special Use Permit approval is based upon and limited to compliance with the project description and following hearing Exhibits:

- Exhibit F.....Site Plan
- Exhibits G1-G2.....Residence Floor Plan
- Exhibit H.....Sign Plan
- Exhibit I.....Garage Floor Plan
- Exhibit J.....Parking Plan
- Exhibits K1-K6.....Elevations

Any deviations from the project description, exhibits, or Conditions of Approval set forth below shall 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:

Request for a Special Use Permit for a Bed and Breakfast Inn to be located on a 3.57 acre parcel known as APN 006-132-28 and to include the following:

- a. Three guest rooms shall be contained within the 4,032 square foot primary residence. The occupancy shall include six guests, excluding owners.
- b. A 1,584 square foot detached garage shall accommodate owner and guest parking and two bathroom facilities for Special Events.
- c. A total of 20 Special Events shall be permitted annually with a maximum of 189 guests.
- d. The site shall accommodate a minimum of 63 parking spaces. Five covered parking spaces shall be provided within the garage for the owner and guests and 58 additional parking spaces shall be provided along the driveway and drive aisle between the rows of olive trees.
- e. A 1 foot by 6 feet non-internally illuminated sign.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

2. **Site Plan:** All site improvements shall conform to Exhibit F.
3. **Outdoor Music:** All amplified outdoor sound systems shall be placed in the covered patio area to take advantage of the acoustical shielding provided by the project buildings. Sound systems shall not be positioned anywhere other than that identified in Exhibit L, Appendix A. Noise levels during Special Events shall not exceed the levels specified in Table 6-2 of the General Plan.
4. **Special Events:** Special Events shall end by 9:30 PM to allow guest to exist the project area before 10:00 PM.

5. **Business License:** The applicant shall obtain a business license prior to initiation of the use.
6. **Site Lighting:** If outdoor lighting is to be considered in the future, all outdoor lighting shall conform to §17.14.170 and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. In addition, the following shall apply:
 - a. External lights used to illuminate a sign shall be shielded and directed downward in order to prevent light from shining on to the adjacent roadway.

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

7. **Condition Compliance:** Prior to issuance of certificate of occupancy of a building permit or commencement of any use authorized by this permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services prior to occupancy or issuance of a building permit for verification of compliance with applicable Conditions of Approval.
8. **Processing Fees:** Planning Services shall verify that all Development Services and Noticing fees have been paid prior to issuance of any permits.
9. **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.

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 by El Dorado County.

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

El Dorado County Department of Transportation

- ~~10. **Turnout(s):** The applicant shall construct a turnout in accordance to Section 1273.06 of the Fire Safe Standards and DISM Standard Plan 101C. The final location of the turnout to be approved by the fire department. Proper signing and pavement marking are also required. The improvements shall be completed to the satisfaction of the Department of~~

~~Transportation and the fire department or the applicant shall obtain an approved improvement agreement with security, prior to establishment of the use.~~

- ~~410.~~ **Encroachment:** The applicant shall construct/verify the driveway encroachment onto Carvers Road to the provisions of County Design Std 103C. 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 establishment of the use.
- ~~421.~~ **Traffic Control:** The applicant shall provide a Traffic Control and Parking Management Plan that indicates all measures to be used. This plan shall include at a minimum:
- a. Site Plan showing vehicular and pedestrian ingress/egress points and circulation for the event.
 - b. Name and contact information for person in charge of traffic control / parking, and responsible for responding to complaints on the days of the events.
 - c. Location of all traffic control personnel on a site plan or vicinity map.
 - d. Location of all traffic control and directional signs on a site plan or vicinity map.
 - e. Location of all parking lots, parking capacity of each, and the sequence of use.
 - f. Location of all shuttle stops and the proposed shuttle routes. (if applicable)
 - g. Emergency access ways.
- This Traffic Control and Parking Management Plan shall be submitted to DOT for review and approval prior to establishment of the use.
- ~~4312.~~ **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
- ~~4413.~~ **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 issuance of a building permit. The signing and striping for this encroachment shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
- ~~4514.~~ **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.
- ~~4615.~~ **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 issuance of a building permit.
- ~~4716.~~ **CEQA Review:** All on and off-site road improvement requirements required as conditions of approval and/or mitigation measures shall be analyzed in the environmental

document for this development project to the appropriate extent under CEQA. Any improvements that are not thoroughly analyzed shall include a discussion and justification under that particular impact analysis within the CEQA document as to the circumstances preventing such analysis along with a method and time frame for any future analysis. Mitigation measures that are included in the 5 year CIP must have the CEQA processing completed to fulfill this condition as funded and programmed per the 2004 General Plan Policy TC-Xf.

- ~~1817.~~ **Off-site Improvements (Security):** Prior to the issuance of a building permit, 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.
- ~~1918.~~ **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, 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 the issuance of a building permit, 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.

- ~~2019.~~ **TIM Fees:** The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.

El Dorado County Department of Environmental Health

2420. **Food Facility Permit:** Bed and Breakfast Inn establishments under the California Retail Food Code (CAL CODE), Section 113893, Restricted Food Service Facility, requires that the property owner obtain and maintain an Annual Food Facility Operating Permit issued by Environmental Health prior to operating the Bed and Breakfast. Because this establishment is served by well water, periodic water testing shall be required under CAL CODE requirements and includes a permit to operate a Food Facility Water System.
2221. **Hazardous Materials:** If any hazardous materials handling has taken place from commercial, industrial, agricultural, or mining activities on the site in the past, the applicant must conduct a Phase I Environmental Site Assessment (ESA). The Phase I must be conducted in accordance with ASTM standard E 1527-00. All information developed in the Phase I process must be submitted to the Hazardous Materials Division (HMD) for review. If upon review of the Phase I information, HMD determines the property is a potentially impacted site, the applicant must apply for a permit, submit a workplan and conduct a Phase II ESA and any required site remediation activities prior to developing property.

If the commercial facilities will store reportable quantities of hazardous materials (55 gallons) or generate hazardous waste, prior to commencing operations the owner/operator must:

- a. Prepare, submit and implement a hazardous materials business plan and pay appropriate fees. Business owners and operators intending to handle hazardous materials in excess of reportable quantities are required by law to complete and file a hazardous materials business plan prior to obtaining a business license (http://www.edcgov.us/emd/solidwaste/bus_plan_index.html).
- b. Obtain a hazardous waste generator identification number from the California Department of Toxic Substances Control.
- c. Train all employees to properly handle hazardous materials and wastes.
- d. Implement proper hazardous materials and hazardous waste storage methods in accordance with the Uniform Fire Code and Uniform Building Code.

All solid waste, including animal waste must be stored in trash containers with tight fitting lids and hauled from the site at least once every seven days for proper disposal. Any and all infectious medical waste and sharps must be properly handled, stored, transported and disposed of in accordance with the California Medical Waste Management Act.

El Dorado County Fire Protection District

2322. **Site Plan:** The applicant shall provide a site review plan fee to El Dorado County Fire of \$150.00 prior to initiation of any use authorized by the approval of this Special Use Permit.

2423. **Exists:** Two approved exits shall be required. If the occupant load for the second story exceeds 10, a second exit shall be required for the second floor. The El Dorado County Fire Protection District shall review the occupancy load and floor plans prior to establishment of the use to determine whether the additional exits shall be required.
2524. **Emergency Escape:** Sleeping rooms shall be required to have at least one emergency escape and rescue opening compliant with Section 1026, California Fire Code (CFC). The El Dorado County Fire Protection District shall review the floor plans prior to establishment of the use to determine whether the emergency escape and rescue opening is compliance with CFC requirements.
2625. **Smoke Alarms:** The property owner shall provide smoke alarms in all sleeping rooms and rooms in the path of the means of egress. The El Dorado County Fire Protection District shall review the floor plans with the location of all smoke alarms identified prior to establishment of the use to determine adequacy.
2726. **Fire Extinguisher:** The property owner shall provide at least one minimum rated 2A10BC fire extinguisher, per floor, within 75 feet of travel distance to all areas of the facility. It shall be mounted in a location that is readily visible and easily accessible. The top of the fire extinguishers shall be no higher than 5 feet from the ground. The El Dorado County Fire Protection District shall verify the location of required fire extinguishers prior to the establishment of the use.
2827. **Commercial Kitchen Hood:** A commercial kitchen hood may be required based on intended use. Consult with the El Dorado County Fire Protection District to determine requirements prior to establishment of use.
2928. **Tents, canopies:** All temporary tents, canopies and other membrane structures used in the future shall comply with the CFC, current edition. The property owner shall verify requirements with the El Dorado County Fire Department prior to use of a temporary structure.

Planning Commission

29. The project shall be reviewed by the Planning Commission in one year from the date of approval to review noise and traffic impacts as a result of the approval of the Special Use Permit. The applicant shall provide Planning Services with a report detailing dates of Special Events that were held during the year to be included in report to the Planning Commission.

b. **S10-0012/Georgetown Divide Recreation District Aquatic and Recreation Center** submitted by GEORGETOWN DIVIDE RECREATION DISTRICT/CARL CLARK for the following: Special Use Permit to allow the construction of an aquatic and recreation center, pedestrians paths, and a small amphitheater within existing Garden Valley Park; Three signs exceeding the size permitted in the Estate Residential (RE-10) zone district; and a Finding of

Consistency with General Plan Policy 7.3.3.4 to allow a reduction of the wetland setback from 50 feet to zero with installation of a turf area and amphitheater within the required setback. The property, identified by Assessor's Parcel Number 060-391-34, consisting of 6.26 acres, is located on the southwest corner of the intersection of Garden Valley and Marshall Roads, in the Garden Valley area, Supervisorial District 4. [*Project Planner: Tom Dougherty*] (Mitigated negative declaration prepared)*

Tom Dougherty informed the Commission that the applicant is requesting an off-calendar continuance.

Carl Clark/applicant appreciated staff's assistance during this process. He stated that since submitting the application, items have come up that need to be resolved before moving forward with this project.

George Elliott supported the continuance as it would allow time for a resolution of issues with the project.

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Mathews, and carried (4-0), to continue the item off-calendar.

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

c. **S97-0008-R-2/Faith Episcopal Church Monument Sign** submitted by FAITH EPISCOPAL CHURCH (Agent: Angelo Urbani) to revise Special Use Permit S97-0008 to construct two externally illuminated 73.4 square-foot monument signs, joined at one end to show two faces in a triangle design. The property, identified by Assessor's Parcel Number 119-280-08, consisting of 9.4 acres, is located on the southwest corner of Country Club Drive and Trinidad Drive, in the Cameron Park area, Supervisorial District 1. [*Project Planner: Tom Dougherty*] (Categorical Exemption pursuant to Section 15303(c) of the CEQA Guidelines)**

Tom Dougherty presented the item to the Commission with a recommendation of approval.

Angelo Urbani/applicant's agent complimented Mr. Dougherty on his assistance with this project and informed the Commission that they had listened to their concerns when the project was last heard. As a result, the proposed sign is now three feet lower than what was originally presented.

Commissioner Rain commented that everything looked better and was pleased to see a condition that required the illumination to be on a timer. He also stated that the Cameron Park Design Review Committee had requested a one foot reduction, but the applicant lowered it by three feet.

Commissioner Pratt stated that although he appreciated the applicant's willingness to address their concerns, he still questioned the value of this proposal and feared that if it was approved, it would be opening up a Pandora's Box and the County would begin receiving numerous sign requests for that area.

Commissioner Mathews disagreed as he thought this was a responsible sign, a good start for the area, and that a precedent would not be set.

During Commissioner Pratt's request for clarification of why the request was before them, it was determined that a more detailed report would be needed to address the following: what was currently permitted, what was exactly being requested (i.e., additional sign, exceeding height restriction), and if any existing signs would be removed (i.e., old Apple Hill billboard, banner sign).

County Counsel Paula Frantz stated that the Special Use Permit should include everything that is covered on the property. The project description should reference the Special Use Permit that allowed the church and reference the sign that was allowed in 2006, in addition to including what this Special Use Permit would allow, with a grand total of the number of signs allowed.

The Commission conducted a "straw" vote to determine how close they were in agreement with the project, particularly since it was not a full Commission. The "straw" vote was as followed:

AYES: Rain (with modifications), Mathews

NOES: Heflin, Pratt

Commissioner Mathews suggested the applicant work with staff on issues and return when there was a full Commission.

Commissioner Pratt suggested an alternative would be to take a break to allow the proposal to be "cleaned up", return back for a vote, and if it is denied, then the applicant could appeal to the Board of Supervisors.

Mr. Urbani preferred a continuance to the next meeting in hopes of obtaining approval through the Commission instead of the appeal process.

No further discussion was presented.

Motion: Commissioner Mathews moved, seconded by Commissioner Rain, and carried (4-0), to continue the item to the April 14, 2011, meeting.

AYES: Pratt, Rain, Mathews, Heflin

NOES: None

ABSENT: Tolhurst

9. ZONING ORDINANCE UPDATE REVIEW

Continued discussion of previously reviewed Articles (1-8) and County-wide zoning map component.

Peter Maurer identified the maps on the walls as the draft maps that included the most recent edits and corrections. Two areas that had not been fixed on the maps were some discrepancies between the Recreational Facilities zones (RFL and RFH) in the Coloma/Lotus area and the need to correct the proposed PA-10 zoning in the Agricultural Land designated area. Since the AL land use designation requires a 20-acre minimum parcel size, those PA-10 parcels will need to be changed to PA-20.

Mr. Maurer reviewed the process that staff went through to create the zoning. This included:

- Identifying which zones were going to be eliminated;
- Identifying non-compatible zones with the land use designations;
- Working with GIS to identify the sites with non-compatible zoning; and
- Making changes to bring the zoning into conformity.

Concerns and topics of discussion raised by the Commission included the following:

- Increasing density and intensity of use where holding zones are proposed;
- Hierarchy of zoning to land use designation;
- Ministerial actions that could result from the County-wide rezone; and
- Need to consider infrastructure and service capability of areas as a part of zoning.

The Commission discussed the idea presented by staff of eliminating the AE and AP zones by combining them with PA and a new agricultural zone. Limited Agricultural (LA) was suggested. Chris Flores/Agriculture Department suggested that the AG zone could be used for Williamson Act contracted land that is used for grazing. She also presented a proposal to add provisions for agricultural homestays that Planning staff had previously prepared, but had not yet been included in the draft ordinance. Mr. Maurer explained that the next version of the draft was still being developed, but that it would include any edits made since the Administrative Draft was released in October 2010. The new draft, which will be the project description for the EIR, will be available when the EIR process begins.

No action taken.

10. ADJOURNMENT

Meeting adjourned at 11:41 a.m.

APPROVED BY THE COMMISSION
Authenticated and Certified:



Tom Heflin, Chair