



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

Dave Pratt, Chair, District 2
Walter Mathews, First Vice-Chair, District 4
Tom Heflin, Second Vice-Chair, District 3
Rich Stewart, District 1
Brian Shinault, District 5

Char TimClerk of the Planning Commission

MINUTES

**Regular Meeting
October 24, 2013 – 8:30 A.M.**

1. CALL TO ORDER

Meeting was called to order at 8:34 a.m. Present: Commissioners Stewart, Pratt, and Mathews; David Livingston-County Counsel; and Debbie Ercolini-Planning Services.

2. ADOPTION OF AGENDA

Motion: Commissioner Mathews moved, seconded by Commissioner Stewart, and carried (3-0), to adopt the agenda as presented.

AYES: Stewart, Mathews, Pratt
NOES: None
ABSENT: Heflin, Shinault

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: October 10, 2013

Motion: Commissioner Mathews moved, seconded by Commissioner Stewart, and carried (3-0), to approve the October 10, 2013 meeting minutes as presented.

AYES: Stewart, Mathews, Pratt
NOES: None
ABSENT: Heflin, Shinault

b. **Five-Year Cell Tower Review–Special Use Permit/S04-0037-R/Pollock Pines** submitted by SBA NETWORK SERVICES (Agent: John Zaimes) request for a five-year review of an existing cellular telecommunications facility. The property, identified by Assessor's Parcel

Number 042-700-20, consisting of 3.25 acres, is located on the northwest side of Sly Park Road approximately 600 feet northeast of the intersection with Starks Grade Road, in the Pollock Pines area, Supervisorial District 5. [Project Planner: Tom Dougherty] (Previously adopted Negative Declaration)

Item was pulled from the Consent Calendar at the request of Commission Stewart.

Commissioner Stewart concerned with the fence height and of the fire and safety hazard of the debris as seen in the staff report photos. Peter Maurer stated the fence height of eight feet was proposed but was not needed and stated that Tom Dougherty project planner is working with the applicant to satisfy requirements. Commissioner Stewart added a condition regarding the routine maintenance of the generator and read it into the record.

Pat Evans/SBA Network Services which is the owner of the site. He agreed there is debris and will make a note to have removed. Mr. Evans agreed to have generator programmed to run per the request of the Commission.

Chair Pratt Closed Public Comment.

There was not further discussion.

Motion: Commissioner Stewart moved, seconded by Commissioner Pratt, and carried (3-0), to take the following actions: 1. Find that pursuant to Section 15162 of the CEQA Guidelines no subsequent Negative Declaration needs to be prepared for the project; 2. Find that for this five-year review period, the telecommunication facility is in substantial conformity with the Conditions of Approval for S04-0037 as amended; and 3. Approve the modifications to the Conditions of Approval for Special Use Permit S04-0037 based on the Findings and subject to the Conditions of Approval as amended: (a) Add new condition as read into the record.

AYES: Mathews, Stewart, Pratt

NOES: None

ABSENT: Heflin, Shinault

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

Findings

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 Pursuant to CEQA Guidelines Section 15162, no subsequent Negative Declaration need be prepared for the project as there has been no substantial change in the project that

would cause a significant effect on the environment. This is a five-year review as required by the conditions of approval for the existing telecommunications tower facility authorized under the special use permit. The review of compliance with the conditions of approval for the special use permit, remedial measures to be taken, including modifications to the conditions, ensure compliance of the telecommunications facility with the special use permit. There are no changes in circumstances and no new information that identifies new or changes environmental affects or mitigations.

- 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 All conditions of approval have been met and the use of the telecommunications facility is in compliance.

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, the following hearing exhibits, dated September 30, 2004, and Conditions of Approval, set forth below.

Exhibit B Overall Site Plan, Sheet A-1, dated June 27, 2005
Exhibit C Enlarged Site Plan and Antenna Plan, Sheet A-2,
dated June 27, 2005
Exhibit D Elevations, Sheet A-3, dated June 27, 2005

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. Issuance of Special Use Permit S04-0037 for a 114-foot steel monopine with up to 12 panel antennas mounted at a centerline of 100 feet on Assessor's Parcel Number 042-700-20. Twelve panel antennas in three groups of fours (sectors) may be mounted on an antenna array mount, to avoid horizontal expansion of the overall structure beyond the proposed foliage. The antenna panels would be approximately 7 inches wide, 96 inches long and 8 inches deep. All antennas will be made of non-reflective materials.

- b. This special use permit authorizes Nextel to place the monopine and a 12-foot by 20-foot prefabricated ground equipment shelter within a 30-foot by 30-foot lease area to be enclosed by an 8-foot-high chain link fence. Two global positioning system (GPS) antennas will be attached to the roof of the shelter to provide for communication between the wireless facility and low-orbiting satellites. The facility will be connected to land-based electrical and telecommunications utilities located on a nearby joint-utility pole. There will be a 12-foot-wide gate on the south side of the enclosure facing Sly Park Road.
 - c. Access to the proposed leased area will be via a 12-foot access easement from the unnamed court encroaching onto Sly Park Road.
 - d. This special use permit authorizes maintenance personnel to visit the site approximately once a month, at which time the facilities will be inspected to ensure proper operation.
2. All site improvements shall conform to the revised site plan(s) and elevations dated June 27, 2005, (exhibits attached).
3. The applicant shall ensure that the monopine pole is surfaced with material that is non-reflective and resembles the bark of a pine tree and that the branches on the proposed monopine extend to level above ground consistent with surrounding trees. Final plans submitted for the building permit shall include this information and shall be reviewed and approved by Planning Services prior to issuance of the building permit for the monopine structure.
4. For collocation purposes, no further review by the Planning Commission shall be required provided that all ground mounted equipment is located within the existing leased area and provided that no more than four additional antenna groupings are placed on the pole at any one time.
5. All equipment shelters, cabinets, or other auxiliary structures shall be painted in a matching color.
6. All improvements associated with the communication facility, including equipment shelters, antennae, and fencing shall be properly maintained at all times. Planning Services requires that that all colors of the equipment enclosure and other improvements visible to the public shall be maintained to ensure the appearance remains consistent.
7. All obsolete or unused communication facilities shall be removed within six months after the use of that facility has ceased or the facility has been abandoned. The applicant shall notify Planning Services at the time of abandonment, and all disturbance related to the communication facility shall be restored to pre-project condition.

8. ~~Due to the ever-changing technology of wireless communication systems, this special use permit shall be reviewed by the Planning Commission every five years. At each five-year review, the permit holder shall provide the Planning Commission with a status report on the then current use of the subject site and related equipment. The Planning Commission shall review the status report and, based on an assessment of the information provided, current wireless communications technology, and possible local or cumulative impacts, determine whether to: (1) Modify the conditions of approval in order to reduce identified adverse impacts; and (2) Initiate proceedings to revoke the special use permit, requiring the facility's removal, if it is no longer an integral part of the wireless communication system. By operation of this condition, it is the intent of the Planning Commission to reserve the right to modify existing or add new conditions, consistent with the language specified above. The failure of the Planning Commission to conduct or complete a five year review in a timely fashion shall not invalidate this special use permit. The applicant shall pay a fee as determined by the Deputy Director of Planning to cover the cost of processing a five year review.~~ Due to the ever-changing technology of wireless communication systems, this Special Use Permit shall be reviewed by the County Development Services Division every five years. At each five-year review, the permit holder shall provide the Development Services Department with a status report on the then current use of the subject site and related equipment. Development Services shall review the status and determine whether to:
- a. Allow the facility to continue to operate under all applicable conditions; or
 - b. Hold a public hearing to determine whether to modify the conditions of approval in order to reduce identified adverse impacts; or initiate proceedings to revoke the special use permit, requiring the facility's removal if it is no longer an integral part of the wireless communications system.
- By operation of this condition, it is the intent of County to reserve the right to modify or add new conditions, consistent with the language specified above. The failure of the County to conduct or complete a five-year review in a timely fashion shall not invalidate the Special Use Permit. The applicant shall pay a fee determined by the Development Services Director to cover the cost of processing a five-year review on a time and materials basis.
9. All project facilities shall be subject to issuance of a building permit from the El Dorado County Building Department prior to any construction activities on the site.
10. The applicant shall comply with all County requirements related to the Department of Transportation, including but not limited to 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*.
11. The applicant shall be required to apply for and receive approval of a commercial grading permit from the Department of Transportation prior to commencement of any site work associated with the project. The applicant shall be subject to a grading permit fee commensurate with the scope of the proposed project prior to commencement of any

- work performed. The grading permit fees shall be due prior to issuance of a grading permit.
12. No direct access from Sly Park Road to the cell facility lease area shall be allowed at any time. All access to the cell facility lease area shall be from the existing driveway encroachment onto Sly Park Road.
 13. The applicant shall place a minimum of 4 inch thickness of three-quarter inch Class II aggregate base along a 12-foot wide access road from the leased area to the existing driveway. The applicant shall provide road improvement details to the Department of Transportation for review and approval prior to issuance of a grading permit. The access road shall be adequate for a vehicle to exit the site in a forward direction. The applicant shall provide road improvement details to the Department of Transportation for review and approval prior to issuance of a grading permit.
 14. The El Dorado County Fire Protection District shall review and approve the site and access road for accessibility and turnaround area requirements prior to issuance of a grading permit. A letter of approval from the fire district shall be provided to the Department of Transportation prior to issuance of a grading permit.
 15. The applicant shall be responsible for the repair of any damage to the unnamed access road resulting from construction activities and vehicular use by the applicant.
 16. 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 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.
 17. Any routine maintenance that requires running the generator or automatic cycling of the generator shall be performed between the hours of 9am and 3pm Monday through Friday.

END OF CONSENT CALENDAR

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

Peter Maurer spoke on the Wilson Estates project that went to the Board of Supervisors on October 22, 2013. The Board denied the rezone request and the project will go back before the Board for final action on October 29, 2013. Mr. Maurer stated that the effective date for the Medical Marijuana Ordinances is today.

Chair Pratt requested an update on the Angles Parcel Map project that was heard by the Commission on October 10, 2013. Peter Maurer stated a revision will go before the Commission on November 14, 2013.

6. COMMISSIONERS' REPORTS

Commissioner Mathews commented that Apple Hill is busy.

Significant discussion ensued between Staff and Planning Commission regarding Apple Hill and traffic.

Commissioner Stewart stated there is a meeting tonight at 6:30pm at the Pleasant Grove Middle School regarding the Green Valley Road corridor study.

Commission Pratt stated there is a meeting tonight at 6:00 pm at OES regarding a mobility plan for Diamond Springs and El Dorado and Transportation Commission. Mr. Pratt stated that the chip seal project in South County has been finished and would still like to see speed limit signs on Perry Creek Road and Slug Gulch Road. Peter Maurer suggested the Commission speak to the Transportation Division regarding speed limit signs.

9:00 A.M. – TIME ALLOCATION

7. PUBLIC FORUM/PUBLIC COMMENT - None

8. REZONE (Public Hearing)

Rezone Z13-0005/Cameron Hills submitted by MCP PROPERTIES, LLC (Agent: CTA Engineering and Surveying) to rezone property to One-Family Residential District-Planned Development-Airport Safety Districts (R1-PD-AA) and Open Space-Planned Development-Airport Safety Districts (OS-PD-AA). The property, identified by Assessor's Parcel Number 116-010-04, consisting of 20.13 acres, is located 800 feet west of Cambridge Road, north of Knollwood Drive, in the Cameron Park area, Supervisorial District 1. [*Project Planner: Mel Pabalinas*] (Previously adopted Mitigated Negative Declaration SCH No. 2009012007)

Mel Pabalinas presented the project to the Commission and recommended approval to the Board of Supervisors and referenced an email in support of rezone request from Kimberly Beal.

Brian Allen/CTA Engineering on behalf of applicant thanked staff for the well written staff report and agreed with the recommendations and was available for questions.

Tomi Ryan/resident at 4060 Berry Road-concerned with current drainage and flooding in her yard.

Rich Percy/resident at 4048 Berry Road-concerned with drainage and flooding and value of his home.

Craig Meyers/resident at 3410 Cambridge-concerned with drainage and flooding and about the use of his backyard.

Brain Allen spoke on the drainage plan regulations and said the plan is to finalize the drainage plan to comply and not make it worse.

Chair Pratt closed public comment.

Significant discussion ensued between Staff and Planning Commission.

There was no further discussion.

Motion: Commissioner Mathews moved, seconded by Commissioner Stewart, and carried (3-0), to recommend the Board of Supervisors take the following actions: 1. Find that the previously adopted Mitigated Negative Declaration for the approved Cameron Hills Tentative Subdivision Map/Development Plan under application TM08-1473 and PD07-0017 adequately addresses the potential impacts of the proposed zone change; and 2. Approve Rezone Z13-0005 based on the Findings as presented.

AYES: Stewart, Mathews, Pratt

NOES: None

ABSENT: Heflin, Shinault

Findings for Approval

1.0 CEQA FINDINGS

The proposed rezone has been evaluated for consistency with the adopted Mitigated Negative Declaration based on the Initial Study for the Cameron Hills Tentative Subdivision Map/Development Plan.

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

2.0 ADMINISTRATIVE FINDINGS

2.1 General Plan

The project site is within the Cameron Park area and has a General Plan land use designation of High Density Residential. The proposed zone change to One-Family Residential District-Planned Development-Airport Safety Districts (R1-PD-AA) and Open Space-Planned Development-Airport Safety Districts (OS-PD-AA) is consistent with land use designation and will match the approved Cameron Hills Tentative Map/Development Plan. The rezone has been evaluated and found in conformance to applicable General Plan policies including Land Use Element Policies 2.2.5.3 and Public Services and Utilities Element Policies 5.2.1.3 and 5.2.1.4.

9. REVIEW OF SPECIAL USE PERMIT (Public Hearing)

Review of Special Use Permit/S87-0055-R Sundance RV, Boat and Mini-Storage to consider setting a hearing for revocation. The property, identified by Assessor's Parcel Number 327-070-12, consisting of 3.34 acres, is located at the northwest corner of U.S. Highway 50 and El Dorado Road at Echo Lane, in the El Dorado/Diamond Springs area, Supervisorial District 4. *[Project Planner: Tom Dougherty]*

Peter Maurer presented the item to the Commission and stated that a request for a continuance to the December 12, 2013 meeting has been received.

Thomas Van Noord/one of the property owners of project-was present and available for questions.

Commissioner Pratt and Commissioner Stewart agreed that they would rather hear public comment today. Commissioner Mathews stated that 2 people had left because they were told by Roger Trout the item would be continued.

Significant discussion ensued between Staff and Planning Commission regarding continuance request.

Chair Pratt opened public comment.

Bert Keiler/resident of Longview Drive stated that there has been an illegal lumber operation for nine years and because of the loud noise of saws and planers he cannot enjoy being in his own yard.

Tom Marshall/resident-was happy for the continuance as the neighbors were not aware of this item.

Chair Pratt closed public comment.

There was no further discussion.

Motion: Commissioner Pratt moved, seconded by Commissioner Stewart, and carried (3-0), to continue the item to the December 12, 2013 meeting.

AYES: Mathews, Stewart, Pratt
NOES: None
ABSENT: Heflin, Shinault

10. DESIGN REVIEW (Public Hearing)

Design Review DR13-0004/Kyburz 76 Fuel Island Canopy submitted by HOSUK CHOE (Agent: Mike Lee) to allow the construction of a 1,320 square-foot replacement canopy over the existing fueling islands. The property, identified by Assessor's Parcel Number 012-150-08, consisting of 1.27 acres, is located on the southeast side of U.S. Highway 50, approximately 1.03 miles west of the intersection with Kyburz Drive, in the Kyburz area, Supervisorial District 5. [Project Planner: Tom Dougherty] (Categorical Exemption pursuant to Section 15301 of the CEQA Guidelines)**

Peter Maurer presented the item to the Commission and recommended approval.

John S(?) with Cal Craft Corporation they are the canopy manufacturer and Mike Lee applicant were present and available for questions. John presented to the Commission before and after pictures of canopy and referenced the 76 logo as the "bug".

Significant discussion ensued between Staff and Planning Commission regarding color options and lighting.

Commissioner Stewart and Commissioner Pratt both stated Exhibit H not referenced in Conditions regarding river rock and wood to match the store building.

Peter Maurer read into the record new language for Condition 1.

Chair Pratt closed public comment.

There was no further discussion.

Motion: Commissioner Mathews moved, seconded by Commissioner Stewart, and carried (3-0), to take the following actions: 1. Find that the project is Categorically Exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines; and 2. Approve Design Review DR13-0004, based on the Findings as presented and subject to the Conditions of Approval as modified.

AYES: Stewart, Mathews, Pratt
NOES: None
ABSENT: Heflin, Shinault

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

Findings for Approval

1.0 CEQA FINDINGS

- 1.1 The proposed structure and facilities fall within the developmental limits allowed under the Section 15301 exemption. This project is, therefore, Categorical Exempt from the requirements of CEQA pursuant to Section 15301 of the CEQA Guidelines stating that "Class 1 consists of the minor alteration of existing public or private structures, facilities, mechanical equipment involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use. The project involves the removal and replacement of the existing fuel pump canopy. The new canopy will not directly increase the intensity of the existing use and is thus exempt from further environmental review.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

- 2.1 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. The project consists of the removal and replacement of the existing fuel pump canopy, a service station is an allowed use for the C Zone District with an approved Design Review.
- 2.2 As conditioned, and with adherence to County Code, the project is consistent with all applicable Policies of the General Plan, including:
- 2.2.1 2.2.5.21 (compatibility with surroundings) because the project concentrates the commercial activities adjacent to other commercial parcels, and limits the visual intrusion within that area;
- 2.2.2 6.2.3.2 (adequate emergency vehicle ingress/egress) the El Dorado County Fire Protection District has conditioned the project to assure adequate emergency vehicle ingress/egress.

3.0 ZONING FINDINGS

- 3.1 With an approved Design Review, the project is consistent with the El Dorado County Zoning Ordinance designation of Commercial because a service station use is a permitted use pursuant to Section 17.32.020 (B).

3.2 The project is consistent with the El Dorado County Zoning Ordinance Development Standards because the canopy size and location meet the development standards pursuant to Section 17.32.040 of County Code.

4.0 DESIGN REVIEW FINDINGS

4.1 The architectural style, site layout and improvements for this project are consistent with the existing design of the existing buildings and would be consistent with regional architecture and the character of the neighborhood as amended through the conditions of approval.

Conditions of Approval:

1. This Design Review approval is based upon and limited to compliance with the project description, the Conditions of Approval set forth below, and the following hearing Exhibits:

- Exhibit E..... Site Plan, sheet A-1 dated March 29, 2013
- Exhibit F..... Elevation Plans, Drawing Number CS1 dated
September 28, 2012, with changes described below:
- Exhibit H..... Example of a wood/stone design

The project approval allows the replacement of the existing 1,161 square-foot fuel dispensing area canopy with a 1,320 square-foot canopy shown on Exhibit F. Design and materials of the canopy shall conform to Exhibit H. The columns shall be entirely covered with stone and wood veneer to match those on the Kyburz Silver Fork General Store building. The canopy fascia shall be consistent with Exhibit F in dimensions but shall be faced with wood or simulated wood grain with a board and batten pattern and shall be painted the same brownish-tan color as the store walls, and shall include trim across the top painted the same green color as the store building roof. The 33-inch diameter illuminated “76” logo shown is permitted to be mounted on the fascia as shown.

Any deviations from the project description, conditions, or exhibits 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 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. **Lighting:** Under-canopy lights shall comply with County Code Section 17.14.170 and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. The backlit 33-inch diameter logos shall not create excessive light trespass. The final lighting fixture specification sheets shall be submitted for review and approval by Planning Services for conformance prior to issuance of a building permit.

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

3. **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 Building Permit final for any Building Permit for verification of compliance with applicable Conditions of Approval.

4. **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.

5. **Permit Implementation:** Pursuant to County Code Section 17.22.250, implementation of the project must occur within twenty-four (24) months of approval of this Design Review, 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.

El Dorado County Fire Protection District

6. Applicant shall submit a site plan review fee of \$150.00, prior to the issue of a building permit.
7. There shall be a turning radius of inside radius 40 feet and the outside radius of 56 feet around the fuel canopy.
8. Bollards are required to be installed in front of fuel dispensing stations.

9. Canopy may need to be sprinklers or fire detection system to be installed.
10. Plans will need to be submitted to El Dorado County Fire District for review and approval.
11. **GENERAL PLAN AMENDMENT/REZONE/SPECIAL USE PERMIT/DESIGN REVIEW (Public Hearing)**

A13-0001/Z13-0001/S13-0008/DR13-0005/Crossroads Market and Deli submitted by PAULA REECE REVOCABLE TRUST (Agent: David Wade, AICP). The proposed project consists of the following requests: 1. General Plan Amendment from High Density Residential (HDR) to Commercial (C) district; 2. Rezone from Estate Residential (RE-10) to Commercial-Community Design (C-DC); 3. Design Review for a 2,432 square foot market and deli with an outdoor picnic area; 4. Special Use Permit for special events, such as a farmers market, arts and crafts, and other special events that would occur up to 15 times per year; and 5. Reduction of wetland setback from 50 feet to 25 feet. The property, identified by Assessor's Parcel Number 087-121-11, consisting of 1.59 acres, is located on the west side of Latrobe Road 600 feet north of the intersection with South Shingle Springs Road, in the Latrobe area, Supervisorial District 2. *[Project Planner: Gina Paolini] (Mitigated Negative Declaration prepared)* [continued from the 09/12/13 meeting due to lack of a quorum and 09/26/13 meeting]*

Gina Paolini presented the item to the Commission and referenced Staff Memo dated October 18, 2013 and recommended approval to the Board of Supervisors.

Dave Wade and Paula Reece were present and available for questions.

Significant discussion ensued between Staff and Planning Commission regarding additional parking and special events.

No public comment.

There was no further discussion.

Motion: Commissioner Mathews moved, seconded by Commissioner Stewart, and carried (3-0), to recommend 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 Reporting Program in accordance with CEQA Guidelines Section 15074(d), as incorporated in the Revised Conditions of Approval as presented; 3. Approve General Plan Amendment A13-0001 based on the Findings as presented; 4. Approve Rezone Z13-0001 based on the Findings as presented; 5. Approve Special Use Permit S13-0008 based on the Findings and subject to the Revised Conditions of Approval as presented; 6. Approve Design Review DR13-0005 based on the Findings and subject to the Revised Conditions of Approval as presented; and 7. Approve a reduction of wetland setback from 50 feet to 25 feet based on the Findings as presented and in accordance with

Interim Interpretive Guidelines for General Plan Policy 7.3.3.4 (Wetland Buffers and Setbacks).

AYES: Stewart, Mathews, Pratt
NOES: None
ABSENT: Heflin, Shinault

Findings

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 should be made:

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 Planning Commission and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 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.

2.0 ADMINISTRATIVE FINDINGS FOR GENERAL PLAN AMENDMENT

2.1 The project is consistent with General Plan Policy 2.1.2.3.

General Plan Policy 2.1.2.3 requires that the predominant land use type within Rural Centers be commercial and higher density residential development to meet the commercial and service needs of the residents. The project is a General Plan Amendment, Rezone, Design Review and Special Use Permit that will facilitate the development of a market and deli that will serve the residents of Latrobe.

2.2 The project is consistent with General Plan Policy 2.2.5.21.

General Plan Policy 2.2.5.21 requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses. The project site is surrounded by both residential and commercial land uses; developed and undeveloped which will be compatible with the proposed development.

2.3 The project is consistent with General Plan Policy 5.7.1.1.

General Plan Policy 5.7.1.1 requires the applicant demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection be provided concurrent with development. The Latrobe Fire Protection District would provide fire protection service to the project site. Water storage and fire sprinklers will be provided to ensure adequate fire protection infrastructure.

2.4 The project is consistent with General Plan Policy 6.2.3.2.

General Plan Policy 6.2.3.2 directs the applicant to demonstrate that adequate access exists, or can be provided for emergency vehicles and private vehicles to access and evacuate the area. The project would comply with the Fire District minimum Fire Safe standards for access driveway and turnaround capacity at time of site construction. The project would be in compliance with this policy.

2.5 The project is consistent with General Plan Policy 7.4.4.4.

General Plan Policy 7.4.4.4 requires the applicant adhere to the tree canopy retention and replacement standards. The oak canopy is located at the rear of the site and would not be impacted with project development.

2.6 The project is consistent with General Plan Policy 10.1.5.5.

General Plan Policy 10.1.5.5 recognizes the need to create greater opportunities for El Dorado County residents to satisfy retail shopping demands. The market and deli development will provide a retail shopping alternative in the Latrobe Rural Center not presently available to residents.

3.0 ADMINISTRATIVE FINDINGS FOR REZONE

3.1 The rezone is consistent with the proposed land use designation.

A rezone to Commercial will be consistent with the proposed General Plan designation of Commercial.

3.2 The rezone is consistent with General Plan Policy 2.2.5.2.

The rezone will meet the intentions of Policy 2.2.5.2 because the establishment of a new zone designation of Commercial and the ensuing uses allowed within the district will be consistent with the Commercial land use designation. In addition, commercial uses are encouraged to be developed within the rural centers, as the project proposes.

3.3 The rezone is consistent with General Plan Policy 2.2.5.3.

The rezone is consistent with Policy 2.2.5.3 because the project is located within the Latrobe Rural Center where commercial development is encouraged. The 19 criteria considered when analyzing the rezone found that there is available infrastructure to support the project.

3.4 The rezone is consistent with General Plan Policy 2.4.1.2.

General Plan Policy 2.4.1.2 requires that the County develop Community Design Guidelines. Plans may be developed for Rural Centers, and should consider historic preservation, streetscape elements and architecture design. Because of the rich history of the town, and to comply with General Plan Policy 2.4.1.2, the Community Design (DC) district will be combined with the proposed rezone.

3.5 The rezone is consistent with the Community Design Guide and County Development Standards.

The proposed project is consistent with the Community Design Guide and the El Dorado County Zoning Ordinance designation of Commercial-Community Design (C-DC) and the development standards within Section 17.32.040.

4.0 ADMINISTRATIVE FINDINGS FOR A SPECIAL USE PERMIT

4.1 The issuance of the Special Use Permit is consistent with the General Plan;

The project meets the intent of the General Plan because the special events would be ancillary to the primary commercial use of the property.

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

The proposed use will comply, as conditioned, with the Development Standards of the C-DC zone district. Outdoor activity will be limited to 15 times a year in order not to be detrimental to the adjacent residential uses and will not exceed the County noise standards.

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 C-DC zone district pursuant to Section 17.32.030(D) of the El Dorado County Code.

5.0 FINDINGS FOR GENERAL PLAN POLICY 7.3.3.4

5.1 The alternative setback is consistent with the General Plan.

The proposed project has been designed in a manner to ensure that alternative setbacks would not have an adverse effect on the wetlands and drainages. A Mitigated Negative Declaration was adopted in accordance with CEQA that included mitigation measures incorporated into the project as Conditions of Approval that reduces identified potential significant impacts to less-than-significant. The proposed project, therefore, is consistent with intent of General Plan Policy 7.3.3.4 by providing for an adequate setback for protection of natural and man-made wetlands, vernal pools, wet meadows, and riparian areas from impacts related to development for their importance to wildlife habitat, water purification, scenic values, and unique and sensitive plant life.

Revised Conditions of Approval

PROJECT DESCRIPTION

1. The proposed Design Review and Special Use Permit are based upon and limited to compliance with the project description, the hearing exhibits marked,

September 12, 2013 – Planning Commission Staff Report

Exhibit F..... Biological Site Assessment
Exhibits G..... Best Management Practices
Exhibit M..... Photometric Plan

October 24, 2013 – Planning Commission Staff Memo

Exhibit A Site Plan
Exhibit B Floor Plan
Exhibits C-1- C-2 Building Elevations
Exhibit D Landscaping Plan
Exhibit E..... Irrigation Plan
Exhibit F..... Site Grading and Drainage Plan
Exhibit G Typical Details
Exhibit H Light Fixture Details
Exhibit I..... Color Elevations
Exhibit K Overflow Parking Plan

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.