



COMMUNITY DEVELOPMENT AGENCY

DEVELOPMENT SERVICES DIVISION

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TO: Planning Commission Agenda of: April 27, 2017

FROM: Roger Trout, Division Director

DATE: April 14, 2017

RE: Time Extension Request – Special Use Permit S09-0008/El Dorado Hills Fire Training Facility

Staff recommends that the Planning Commission consider the request of the El Dorado Hills Fire Department to extend the validity of an approved Special Use Permit for one year.

The Planning Commission approved the El Dorado Hills Fire Training Facility on April 22, 2010. In accordance with Section 17.22.250 of the County Code, the Special Use Permit is valid for a period of 2 years, unless the permit is initiated through a building permit. In 2014 and 2015, the Planning Director approved a total of 3 years of time extensions. The project expiration is April 22, 2017 (although May 7 has erroneously been cited as an expiration date).

The permit has not yet been initiated and the Fire Department is requesting a time extension. The Zoning Ordinance has been updated and does not allow the Planning Director to extend the permit beyond 3 years. Additional time extensions require Planning Commission approval.

Under Section 130.54.060, the time limit of a permit may be extended by the Planning Commission subject to the following Findings:

1. *No change in conditions or circumstances has occurred that would have been grounds for denying the original application; and*
2. *The applicant has been diligently pursuing implementation of the permit.*

Staff recommends the approval of a one year extension extending the permit to April 22, 2018 because the Findings can be made. The facility should be initiated through a building permit by April 22, 2018 and no further time extensions will be necessary.

Attachments to Staff Memo:

Exhibit A.....Applicant’s Letter; April 13, 2017

Exhibit B.....Final Findings/Conditions of Approval; April 22, 2010

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EL DORADO HILLS FIRE DEPARTMENT

"Serving the Communities of El Dorado Hills, Rescue and Latrobe"

April 13, 2017

Mr. Roger Trout
Director of Development
El Dorado County
330 Fair Lane
Placerville, CA 95667

Dear Mr. Trout,

The El Dorado Hills Fire Department is requesting to extend/renew our Special Use Permit S09-0008 for the training facility complex located at Cypress Point Court in the El Dorado Hills Business Park. This request is necessary due to the expiration of our permit as of May 7, 2017.

We have been actively pursuing this project and have made substantial progress. We are currently under contract with Calpo Hom & Dong Architects for Architectural Design and Civil Engineering Design Services. We expect our architect to complete Architecture, Civil Engineering, Structural Engineering, Mechanical Engineering, Electrical Engineering, and Landscape Architecture plans by June 1, 2107. It is our intent to gain Board approval to begin actual construction later this year or early 2018.

I believe that you will find all of our original reasoning for the need for a training center still is current and valid. We have not increased or substantially changed any use on this property beyond our original approval in the original Special Use Permit. The need to have a suitable site for firefighter training has increased due to the expanded requirements by State and Federal laws in regards to the Fire Service.

We would appreciate if you would consider extending our Special Use Permit S09-0008.

If you have any additional questions, please do not hesitate to contact me at 916-933-6623, ext. 29.

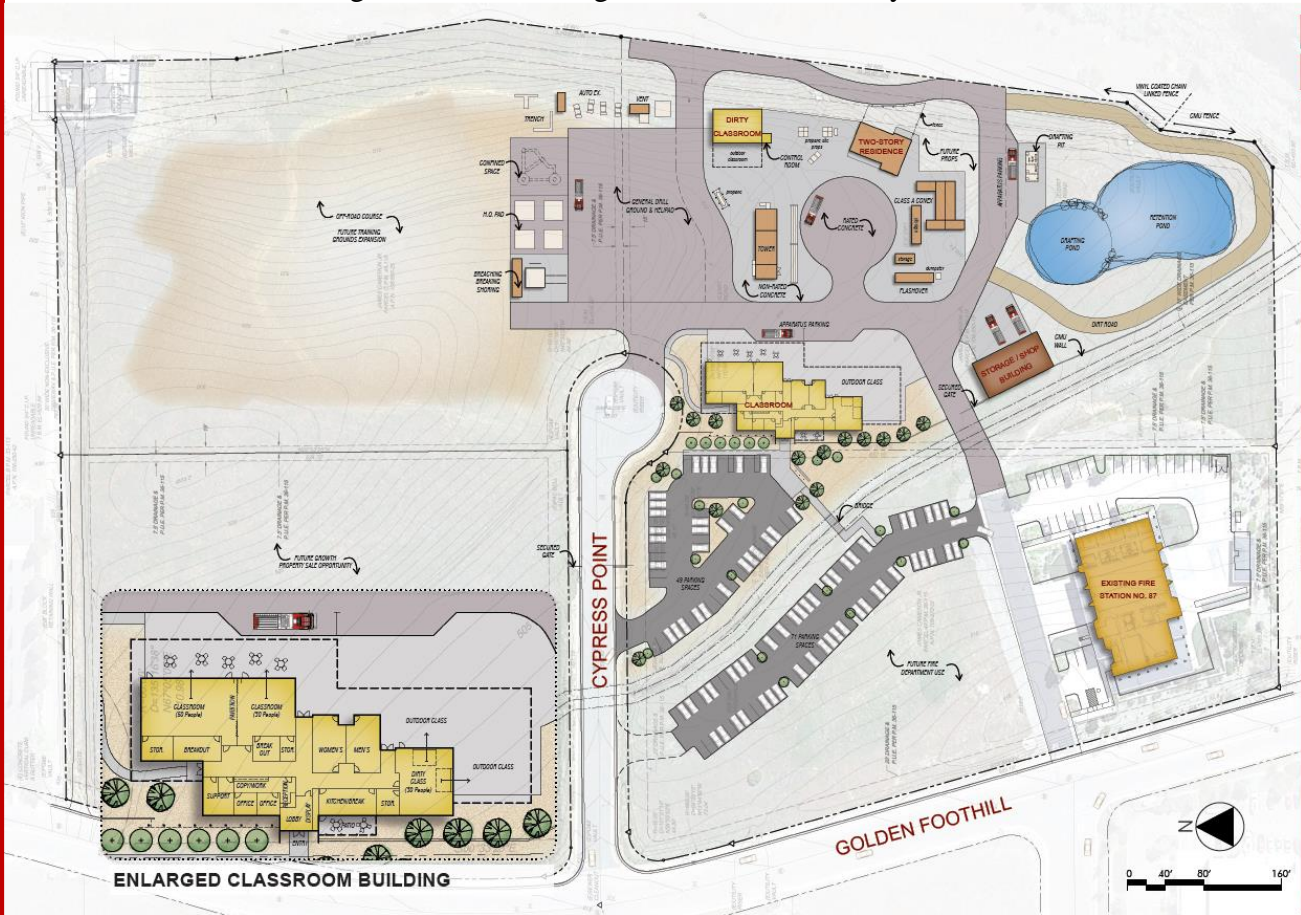
Sincerely,

EL DORADO HILLS FIRE DEPARTMENT

Michael Lilienthal
Deputy Chief - Operations

Exhibit A

Rough Draft of Training Center – DRAFT only 4/12/17




Perlman
 CONSULTANTS
 El Dorado Hills FD Fire Training Facility
 03-28-17
 El Dorado Hills, California


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 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.

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.

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	

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 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.