



# 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

Rich Stewart, Chair, District 1  
Gary Miller, First Vice-Chair, District 2  
Brian Shinault, Second Vice-Chair, District 5  
Jeff Hansen, District 3  
James Williams, District 4

Char Tim ..... Clerk of the Planning Commission

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## **DRAFT MINUTES**

**Regular Meeting  
June 23, 2016 – 8:30 A.M.**

### **CALL TO ORDER**

Meeting was called to order at 8:31 a.m. Present: Commissioners Stewart, Miller, Hansen, and Williams; David Livingston-County Counsel; and Char Tim-Clerk of the Planning Commission.

### **ADOPTION OF AGENDA**

**Motion: Commissioner Williams moved, seconded by Commissioner Miller, and carried (4-0), to approve the agenda as presented.**

**AYES: Hansen, Miller, Williams, Stewart**  
**NOES: None**  
**ABSENT: Shinault**

### **PLEDGE OF ALLEGIANCE**

**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.)

**1. 16-0645** Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of June 9, 2016.

Item was pulled from the Consent Calendar by Chair Stewart. He requested to amend page 23 of the minutes to include a comment he made during the hearing regarding the southeast connector road. He read into the record the requested language to be used for his comment.

There was no further discussion.

**Motion: Commissioner Miller moved, seconded by Commissioner Williams, and carried (4-0), to approve the Minutes of June 9, 2016 as amended.**

**AYES: Hansen, Williams, Miller, Stewart**  
**NOES: None**  
**ABSENT: Shinault**

**END OF CONSENT CALENDAR**

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

Tiffany Schmid, Development Services-Planning, stated that they were still actively recruiting for a vacant Planner position.

**COMMISSIONERS' REPORTS** – None

**PUBLIC FORUM/PUBLIC COMMENT** – None

**AGENDA ITEMS**

- 2. 09-0150** Hearing to consider the time extension request for the Porter Subdivision Tentative Map [Tentative Map Time Extension TM07-1438-E] to allow six one-year time extensions for approved Tentative Map TM07-1438 creating 54 residential lots, resulting in a new expiration date of February 24, 2022 on property identified by Assessor's Parcel Number 119-020-35, consisting of 32.82 acres, in the Cameron Park area, submitted by Gregory Porter; and staff recommending the Planning Commission take the following actions:
- 1) Determine that pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15164, there is no substantial evidence requiring the preparation of a Subsequent Mitigated Negative Declaration or an Addendum to the existing Mitigated Negative Declaration, adopted by the Board of Supervisors on February 24, 2009, as described in the CEQA Findings; and
  - 2) Approve TM07-1438-E extending the expiration of the approved tentative map for a total of six years to February 24, 2022 based on the Findings and subject to the Conditions of Approval as presented.
- (Supervisory District 2)

Jennifer Franich presented the item to the Commission with a recommendation for approval.

Olga Sciorelli/CTA Engineering & Surveying, applicant's agent, spoke on the reason for the request for a time extension.

Chair Stewart closed public comment.

There was no further discussion.

**Motion: Commissioner Miller moved, seconded by Commissioner Hansen, and carried (4-0), to take the following actions: 1) Determine that pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15164, there is no substantial evidence requiring the preparation of a Subsequent Mitigated Negative Declaration or an Addendum to the existing Mitigated Negative Declaration, adopted by the Board of Supervisors on February 24, 2009, as described in the CEQA Findings; and 2) Approve TM07-1438-E extending the expiration of the approved tentative map for a total of six years to February 24, 2022 based on the Findings and subject to the Conditions of Approval as presented, which included the amendment to Condition #1 and the deletion of Condition #20.**

**AYES: Williams, Hansen, Miller, Stewart**  
**NOES: None**  
**ABSENT: Shinault**

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

### **Findings**

#### **1.0 CEQA FINDINGS**

1.1 Pursuant to CEQA Section 15162(b), it has been determined that no subsequent mitigated negative declaration is required because there is no substantial evidence that the conditions described in Section 15162(a) have occurred, including: (1) substantial changes to the project which would require major revisions to the previous mitigated negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) substantial changes occurred with respect to the circumstances under which the project has been undertaken which would require major revisions of the previous mitigated negative declaration due to the involvement of new significant environmental effects; or (3) a substantial increase in the severity of previously identified significant effects; or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of the previous mitigated negative declaration was adopted, shows the project will (a) have one or more significant effects not discussed in the previous mitigated negative declaration.

1.2 Pursuant to CEQA Section 15164(b) it has been determined that there is no substantial evidence requiring an addendum to the adopted mitigated negative declaration because no minor technical changes or additions are necessary and none of the conditions

described in Section 15162 calling for the preparation of a subsequent mitigated negative declaration have occurred.

- 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 Division - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

## **2.0 TENTATIVE SUBDIVISION MAP TIME EXTENSION FINDINGS**

- 2.1 **The request for extension of the approved parcel tentative subdivision map complies with County Subdivision Ordinance Section 120.74.030.A.**

Section 120.74.030.A allows the subdivider to request up to six one-year extensions from the expiration date of an approved or conditionally approved tentative map, as allowed by Government Code Sections 66452.6(e) and 66463.5, by timely written application to the Development Services Division of the Community Development Agency. The subdivider may request more than one time extension at a time, up to the maximum allowed by this subsection or a development agreement applicable to the map for which the extension request is filed, but in no event shall the total time extension requested exceed six years. Each application shall be filed before the approved or conditionally approved tentative map expires and shall state the reasons for requesting the extension.

Rationale: The applicant submitted a request for three one-year time extensions and appropriate processing fees on January 7, 2016, prior to the expiration date of the tentative subdivision map of February 24, 2016. Upon receiving notification about the requirement for United States Bureau of Reclamation (USBR) review for water supply, the applicant requested an additional three years. The six one-year time extension request is the maximum allowed and complies with Section 120.74.030.B. No further discretionary time extensions would be available for this Tentative Subdivision Map.

- 2.2 **The request for extension of the approved tentative subdivision map complies with County Subdivision Ordinance Section 120.74.030.B.**

Section 120.74.030.B. requires that the Development Services Division review the request and submit the application for the extension, together with a report, to the approving authority for approval, conditional approval, or denial. In approving, conditionally approving, or denying the request for extension, the approving authority shall make findings supporting its decision including findings with respect to the potential impact of any increases in applicable development fees which have occurred since the date of the approval or conditional approval of the tentative map (Sec. 120.74.030 (B)).

Rationale: The Development Services Division has reviewed the time extension request for Tentative Subdivision Map TM07-1438/Porter, along with all submitted materials. The applicant attests that progress has been made toward the completion of the Improvement Plans and the Final Map, including

conditional approval from LAFCO for its annexation into EID. However, due to the potential for the use of water supply from Folsom Lake, USBR must review the plans, a process that averages 24 to 30 months. The project was also conditioned to complete substantial off-site improvements, including the installation of a 4-way stop at the Cambridge Road/Highway 50 intersection, which would require an encroachment permit from CalTrans. The applicant states that six additional years would allow time to finalize the reorganization through LAFCO including annexation into the EID service area, facilitate project financing, continue pursuing the necessary permits outlined in the mitigation measures, construct the necessary on- and off-site infrastructure improvements, and comply will all other applicable conditions of approval. No changes to the previously approved tentative map are proposed. Staff recommends approval based on the Findings provided in compliance with Section 120.74.030.B.

### **Conditions of Approval**

#### **Project Description**

1. This Planned Development and Tentative Map are based upon and limited to compliance with the Project Description, the Planning Commission hearing exhibits marked Exhibits A-M dated January 22, 2009 and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

#### **The project description is as follows:**

Six one-year time extensions to the Tentative Subdivision Map approved by the Board of Supervisors on February 24, 2009, extending the map expiration date from February 24, 2016 to February 24, 2022.

The previous approval project request includes a Zone Change from Estate Residential Ten-acre (RE-10) to One-family Residential-Planned Development (R1-PD) and a Planned Development and Tentative Map to create 54 residential lots an existing 32.82-acre parcel. The residential lots will range in size from 7,965 to 72,208 square feet. The project includes seven open space lots, landscaping, lift station and future right-of-way. The open space lots shall consist of 9.84 acres. The project site shall be accessed from Beasley Drive and Marble Valley Road. The Planned Development request includes modification to the Development Standards of the One-Family Residential (R1) Zone District. Approximately 30% of the site shall be set aside within a dedicated open space lots.

Design Waiver(s) shall include the following:

- a. Request to reduce the right-of-way width along portions of A Drive and Drive B to a 35-foot minimum.
- b. Request for a 50-foot radius at the knuckle of A Drive.
- c. Request for the narrow access portion of Flag Lots No. 53 and No. 54 to exceed 100-feet.
- d. Allow a driveway within twenty-five (25) feet of a curb return, a minimum standard as required by DISM Standard Plan 103A-1.
- e. To reduce the minimum sixteen (16) foot driveway width as defined in DISM 103A-1 to a ten (10) foot driveway width for a single car garage and allow a for sixteen (16) foot driveway width for a double car garage.
- f. Request for a 100-foot radius at secondary entrance on A Drive.

The project shall include two new Marble Valley Road segments, one between the project site and Beasley Road and the other between Voltaire Drive and Flying C Road. The extension of Marble Valley Road from Voltaire Drive to Flying C Road shall provide primary access for the project to Highway 50 and Cambridge Road (Exhibit D).

The proposed lots would conform to Table 4 listed below:

<b>Lot Number</b>	<b>Gross Area (S.F.)</b>	<b>Net Area (S.F.)</b>
1	13,063	8,835
2	13,537	7,935
3	10,643	6,853
4	10,114	6,539
5	10,182	6,598
6	10,066	6,508
7	11,104	7,301
8	11,202	7,399
9	10,656	6,913
10	10,797	7,032
11	11,558	7,574
12	11,839	7,881
13	10,677	6,925
14	9,868	6,344
15	10,120	6,578
16	10,012	6,484
17	9,278	5,844

18	10,046	5,129
19	12,083	6,704
20	7,965	4,809
21	8,096	4,924
22	8,186	5,002
23	8,136	4,960
24	8,140	4,885
25	9,059	5,698
26	8,418	5,196
27	8,841	5,498
28	9,892	6,419

<b>Lot Number</b>	<b>Gross Area (S.F.)</b>	<b>Net Area (S.F.)</b>
29	10,254	6,753
30	9,961	6,500
31	9,317	5,937
32	8,365	5,189
33	8,047	4,930
34	8,849	5,503
35	9,400	5,984
36	9,594	6,046
37	8,072	3,990
38	11,919	7,013
39	15,993	10,775
40	24,591	16,404
41	13,094	8,257
42	13,353	6,696
43	19,366	6,669
44	18,354	6,966
45	21,517	8,998
46	22,607	10,183
47	32,021	16,550
48	18,450	8,882
49	19,273	11,976
50	18,655	13,226
51	17,896	8,780
52	19,116	8,018
53	60,164	13,078
54	72,208	19,979
A	221,304	

Lot Number	Gross Area (S.F.)	Net Area (S.F.)
Open Space		
B Open Space	190,184	
C Lift Station	10,707	
D Landscaping	2,798	
E Landscaping	11,454	
F On-site ROW-	24,106	
G Open Space	3,256	

The oak removal as part of construction of the on-site access road and future residential development of the site shall comply with Table 1 below:

<b>Table 1: Oak Tree Canopy Summary</b>				
Project Site (acreage)	Oak Canopy Coverage (acreage)	Percentage of Required Retention	Proposed Oak Removal for mass pad roads & infrastructure (acreage)	Proposed Oak grading, & Retention Proposed
32.82	19.71	70%	5.9	70%
<b>Note: The canopy removal for custom lot development for Lots 41-54 is subject to mitigation under Option B.</b>				

The grading, development, use and maintenance of the property, the size, shape, arrangement and location of structures, parking areas, landscape areas, and 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 approved and shall be implemented as approved by the County.

**CONDITIONS FROM THE MITIGATED NEGATIVE DECLARATION:**

The following mitigation measures are required as means to reduce potential significant environmental effects to a level of insignificance:



2. If construction activities are scheduled to occur within the typical breeding season for raptors (March 1 through August 31), on-site pre-construction surveys for raptors and their nests shall be conducted by a qualified biologist no more than 30 days prior to initiation of the proposed development activities. The survey results shall be submitted to the California Department of Fish and Game (CDFG) and Planning Services prior to issuance of a grading permit. If active raptor nests are found on or immediately adjacent to the site, consultation must be initiated with CDFG to determine appropriate avoidance measures. The applicant shall follow the appropriate avoidance measures issued by CDFG, and no construction activities shall occur on the project site until the avoidance measures are issued and implemented. If no active nests are found, then no further action is required, and construction activities may proceed upon approval by Planning Services (MM BIO-1).

**MONITORING:** Planning Services shall verify that the above measure has been incorporated on the plans prior to issuance of a grading permit. Development Services shall coordinate with the applicant and/or biologist, assess the pertinent surveys/studies, and conduct on-site verification for conformance with this measure.

3. Prior to any project grading or tree removal or structure removal occurs, an on-site pre-construction surveys for bat roost signs shall be conducted no more than 30 days prior to initiation of the proposed development activities. The pre-construction survey shall be conducted by a qualified biologist familiar with the identification of bat species and bat roost signs. If roosting bats are found during the pre-construction survey CDFG or USFWS should be consulted regarding measures to minimize impacts to roosting bats during construction. No trees or structures should be removed that are utilized by roosting bats. If bats are not found during the pre-construction survey, no mitigation measures will be necessary for special-status bats. CD The survey results shall be submitted to the California Department of Fish and Game (CDFG) and Planning Services prior to issuance of a grading permit. If active raptor nests are found on or immediately adjacent to the site, consultation must be initiated with CDFG to determine appropriate avoidance measures. The applicant shall follow the appropriate avoidance measures issued by CDFG, and no construction activities shall occur on the project site until the avoidance measures are issued and implemented. If no active nests are found, then no further action is required, and construction activities may proceed upon approval by Planning Services (MM BIO-2).

**MONITORING:** Planning Services shall verify that the above measure has been incorporated on the plans prior to issuance of a grading permit. Development Services shall coordinate with the applicant and/or biologist, assess the pertinent surveys/studies, and conduct on-site verification for conformance with this measure.

4. The applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Game for each stream crossing or any activities affecting the on-site riparian vegetation. The agreement shall be submitted to Planning Services for review prior to issuance of a grading permit (MM BIO-3).

MONITORING: Planning Services shall verify the agreement has been obtained and necessary mitigation measures are incorporated on the plans prior to issuance of a grading permit.

5. Prior to issuance of a grading permit, the applicant shall obtain a 404 Permit from the U.S. Army Corps of Engineers and a Water Quality Certification from the Central Valley RWQCB. The project shall incorporate all conditions attached to the permit and certification into the project (MM BIO-4).

MONITORING: Planning Services shall verify the required permit and certification has been obtained prior to issuance of a grading permit.

6. The applicant shall provide a building setback of ten (10) meters to be established along the southern boundary of Site PA88-80 which shall be shown on the final subdivision map. A qualified archaeologist shall accurately locate PA-88--80 so as to precisely represent the building setback (MM CULT-1).

MONITORING: Planning Services shall verify that the applicant has provided a building setback of ten (10) meters along the southern boundary of Site PA88-80 prior filing the final subdivision map.

7. The rock wall identified as Site PA-88-32 shall be shown as open space or landscape feature on the final subdivision map prior to filing by the applicant. A qualified archaeologist and Licensed Land Surveyor shall accurately locate PA-88-32 so as to precisely represent the building setback (MM CULT-2).

MONITORING: Planning Services shall verify that the above measure has been incorporated on the final subdivision map prior to filing.

8. The applicant shall protect Site PA-88-80 and Site PA-88-32 from all construction activities by installing a drip-line fence along the southern boundary of Site PA88-80 and around Site PA-88-32 to avoid inadvertent damage to either site or feature. A qualified archaeologist and Licensed Land Surveyor shall accurately locate PA-88-80 PA-88-32 to assure the protection of the sites or features (MM CULT-3).

MONITORING: Planning Services shall verify that the above measure has been incorporated on the plans prior to issuance of a building and/or grading permit. Development Services shall coordinate with the applicant and/or archaeologist, assess the pertinent surveys, and conduct on-site verification for conformance with this measure.

9. A plaque or monument should be placed in a conspicuous location with a brief description of the site's original owner (MM CULT-4).

MONITORING: Planning Services shall verify that the above measure has been incorporated on the plans prior to issuance of a building and/or grading permit.

## CONDITIONS OF APPROVAL

### Planning Services

10. The following shall be noted on the Final map:

A total of 30 percent of oak canopy shall be available within the subdivision for removal during mass pad grading, development of roads and infrastructure. The applicant shall pay the mitigation fee or provide a replacement plan. Replacement plans shall be prepared by a licensed arborist at a 1:1 ratio as required by the Oak Woodland Conservation Ordinance and shall be based on the fee established by the Board of Supervisors.

Any oak canopy removal for custom lot development of Lots 41 through 54 within the subdivision shall pay the mitigation fee or provide a replacement plan. The individual lot owner shall pay the mitigation fee or provide a replacement plan. The replacement plan shall be prepared by a licensed arborist at a 2:1 ratio as required by the Oak Woodland Conservation Ordinance and shall be based on the fee established by the Board of Supervisors.

11. A water meter award letter or similar assurance form the water purveyor, guaranteeing water service upon demand to each of the parcels created, shall be submitted at the time of filing the Final Map.
12. Construction activities shall be limited to 7:00a.m. to 7:00p.m. on weekdays and 8:00a.m. to 5:00p.m. on weekends and federally recognized holidays. This limitation shall be written on the grading plans. Planning Services shall confirm the inclusion of this requirement prior to issuance of a grading permit.
13. In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission. Planning Services shall confirm the inclusion of this requirement prior to issuance of a grading permit.
14. Prior to filing of the Final Map, Development Services shall verify the payment of all Development Services fees.
15. The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. Development Services shall verify the payment of the fee at the time of filing the Final Map.

16. The subdivider shall pay a \$150.00 appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees. Development Services shall verify the payment of the fees prior to the time of filing the Final Map.
17. The developer shall enter into an agreement with the School District to pay the sum of \$8,288.00 per residential unit constructed within the boundaries of the subdivision. The agreement shall provide for an annual adjustment in the fee by the increase in the engineering News Record Construction Cost Index. The increase is calculated by the Districts as of January 1 of each year and implemented on July 1 of each year. The applicant shall contact the County Office of Education prior to the issuance of any building permits to verify the applicable fee at the time of building permit issuance. The owner of record shall pay the fee at the time the building permit is issued. The owner of record shall record on the property the agreement or a notice of restriction to alert subsequent owners of this obligation.
18. At the time of map filing, all open space lots shall be dedicated to a Homeowner's Association or similar entity as open space with an appropriate maintenance program. Planning Services shall verify the dedication of open space lots to a Homeowner's Association or similar entity at the time of filing the Final Map. An Open Space Management Plan shall be prepared for the site and submitted for approval to Development Services prior to filing of the Final Map.
19. At the time of filing the Final Map CC & R's shall be submitted and reviewed by Planning Services.
- ~~20. This Tentative Map shall expire 36 months from the date of approval unless a timely extension has been filed.~~
- ~~21.~~20. Prior to issuance of a grading 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 if deemed necessary prior to issuance of a grading permit for verification of compliance with applicable conditions of approval.
- ~~22.~~21. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the Government Code.

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

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

**Department of Transportation**

***PROJECT SPECIFIC CONDITIONS***

23.22. The applicant shall construct the following roadways as specified in Table 1. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the Final Map:

<b>TABLE 1</b>					
<b>ROAD NAME</b>	<b>DESIGN STANDARD PLAN</b>	<b>ROAD WIDTH **</b>	<b>RIGHT-OF-WAY</b>	<b>DESIGN SPEED</b>	<b>EXCEPTIONS/NOTES</b>
Marble Valley Road ( <i>on-site</i> ) Segment 1-2	Modified Std Plan 101B	40-ft	50 ft ROW along frontage for a total of 100 feet of ROW ( <i>IOD required, Slope easements included As necessary</i> )	35 mph	Std Plan Type 2 vertical curb and gutter (no sidewalk), with Class 1 Bike Path. 40 ft roadway with four (4) foot wide paved shoulder along frontage and 6 foot wide native shoulder on both sides of roadway. Required On-site improvements of Marble Valley Road are reimbursable through the “Area of Benefit for the Construction of Marble
Marble Valley Road ( <i>off-site</i> ) Segment 2-3	Modified Std Plan 101B	40-ft	60 ft existing	35 mph	No curb/gutter/sidewalk. Two (2) lane roadway. Required Off-site improvements of Marble Valley Road are reimbursable through the “Area of Benefit for the Construction of Marble Valley Road – Resolution 118-2000”.

Marble Valley Road (off-site) Segment 3-4	Modified Std. Plan 101B	40 ft.	60 ft. Additional ROW not required of this project but will be obtained by demand of the County pursuant to Exhibit F of the Marble Valley Development Agreement	35 mph	No curb/gutter/sidewalk. Two (2) lane roadway. Required Off-site improvements of marble Valley Road are reimbursable through the “Area of Benefit for the Construction of Marble Valley Road – Resolution 118-2000”.
Marble Valley Road (off-site) Segment 4-5	Modified Std. Plan 101B	40-ft.	60 ft. Additional ROW required of this project.	35 mph	No curb/gutter/sidewalk. Two (2) lane roadway. Required Off-site improvements of Marble Valley Road are reimbursable through the “Area of Benefit for the Construction of Marble Valley Road – Resolution 118-2000.”
Flying C Road (off-site) Segment 6-7	Modified Std. Plan 101B	22.5 ft.	50 ft.	25 mph	No curb/gutter/sidewalk. Two (2) lane roadway. Required Off-site improvements of Marble Valley Road are reimbursable through the “Area of Benefit for the Construction of Marble Valley Road – Resolution 118-2000.”
A Drive (40 ft ROW)	Modified Std Plan 101B and Hillside Standards	30 ft	40 ft * (IOD required)	25 mph	Std Plan Type 1 rolled curb and gutter with 4 foot wide sidewalks on both sides of roadway. “No Parking” signs or red curb painting required on side without parking.
A Drive (35 ft ROW)	Modified Std Plan 101B and Hillside Standards	30 ft	35 ft * (IOD required)	25 mph	Std Plan Type 1 rolled curb and gutter with 4 foot wide sidewalk on one side of roadway. “No Parking” signs or red curb painting required on side without parking.

B Drive (from C Drive to A Drive)	Modified Std Plan 101B and Hillside Standards	30 ft	35 ft * (IOD required)	25 mph	Std Plan Type 1 rolled curb and gutter with 4 foot wide sidewalks on one side, and Type 3 vertical curb and gutter on one side.
B Drive Court (from A Drive to end)	Modified Std Plan 101B and Hillside Standards	36 ft	40 ft * (IOD required)	25 mph	Std Plan Type 1 rolled curb and gutter with 4 foot wide sidewalks. End of roadway shall be per DISM 114 or approved
C Drive	Modified Std Plan 101B and hillside standards	30 ft	40 ft * (IOD required Slope easements as necessary.	25 mph	Std Plan Type 1 rolled curb and gutter with 4 foot wide sidewalks on both sides. End of roadway shall be per DISM 114 or
Lot F Right-of-Way Dedication Only	Modified Std Plan 101B and hillside standards	30 ft *	35 ft* (IOD required) Slope easements included As necessary.	25 mph	Std Plan Type 1 rolled curb and gutter with 4 foot wide sidewalks. End of roadway shall be per DISM 114 or approved equivalent.

\*With approved waiver.

Notes for Condition 1 table:\*\*Road widths in the preceding table are measured from curb face to curb face. Curb face for rolled curb and gutter is 6” from the back of the curb. Right-of-way includes non-exclusive road and public utility easements.

**24.23. Off-site Improvements (Cambridge Rd & US 50):** The approved traffic study requires that the applicant shall improve the Cambridge Road/ US 50 eastbound on-off ramps, providing an all way stop. Specific required improvements are limited to signage and striping only as identified in the approved traffic study. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to filing of the Final Map. In addition, the applicant shall obtain an approved encroachment permit from Caltrans for the required improvements.

**25.24. Marble Valley Road Improvements:** The required off-site improvements to Marble Valley Road, as specified in Table 1 of DOT conditions, shall adhere to the “Area of Benefit for the Construction of Marble Valley Road – Resolution 118-2000” and shall be consistent with the MacKay & Soms “Conceptual Plans for the Improvements of Marble Valley”, which were approved by DOT on 9-3-99. The applicant shall update these Improvement Plans and the associated Area of Benefit Engineer’s report to adhere to current County Design Standards and the improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to filing of the Final Map.

~~26.25.~~ **Off-site Easements (Acquisition):** Applicant shall provide all necessary recorded easements for the drainage, slope and road improvements crossing the property line prior to filing of the Final Map.

~~27.26.~~ **Common Access Driveway:** Pursuant to Vol. II, Section 12.D of the DISM, a common access driveway is allowed for proposed Lots 51 & 52. The driveway must conform to the following standards:

- a. The access drive shall not exceed 100-ft
- b. The driveway must be paved to a minimum of 16-ft in width.
- c. The driveway shall not exceed 16%
- d. The access strip shall not be less than 25-ft in width.
- e. An access easement for the benefit of both parcels shall be recorded

This common access easement shall be indicated on the final map and the common driveway shall be shown on the preliminary and final grading plans.

~~28.27.~~ **Offer of Dedication (Marble Valley Rd on-site):** The applicant shall irrevocably offer to dedicate (IOD), in fee, 50 feet of right-of-way along the entire on-site frontage of Marble Valley Road, with the appropriate slope easements. This offer will be accepted by the County.

~~29.28.~~ **Offer of Dedication (Marble Valley Rd off-site):** Segment 4-5 and Flying C Road Segment 6-7: The applicant shall irrevocably offer to dedicate (IOD), in fee, 60 feet of right-of-way from the eastern boundary of APN 108-010-44, to Flying 'C' Road at the transition to the existing County Right-of-way. The applicant shall also irrevocably offer to dedicate (IOD), in fee, adequate right-of-way and a 50 foot right-of-way (Segment 6-7) to realign Flying 'C' Road to intersect with Marble Valley Road, with the appropriate slope easements, as depicted on the MacKay & Soms Conceptual Plans for the Improvements of Marble Valley, which were approved by DOT on 9-3-99. These offers will be accepted by the County.

~~30.29.~~ **Offer of Dedication (A Drive):** The applicant shall irrevocably offer to dedicate (IOD) a 40-foot nonexclusive road and public utility easement for A Drive, and a 35-foot nonexclusive road and public utility easement, prior to filing the Final Map. This offer will be rejected by the County.

~~31.30.~~ **Offer of Dedication (B Drive):** The applicant shall irrevocably offer to dedicate (IOD) a 35-foot road and public utility easement for B Drive (from C Drive to A Drive), prior to filing the Final Map. This offer will be rejected by the County.

~~32.31.~~ **Offer of Dedication (B Court):** The applicant shall irrevocably offer to dedicate (IOD) a 48-foot road and public utility easement on B Court (from A Drive to end), prior to filing the Final Map. This offer will be rejected by the County.



- ~~33.32.~~ **Offer of Dedication (C Drive):** The applicant shall irrevocably offer to dedicate (IOD) a 35-foot road and public utility easement for C Drive, prior to filing the Final Map. This offer will be rejected by the County.
- ~~34.33.~~ **Offer of Dedication (Lot F):** The applicant shall irrevocably offer to dedicate (IOD) a 35-foot road and public utility easement for Lot F, prior to filing the Final Map. This offer will be rejected by the County.
- ~~35.34.~~ **Vehicular Access Restriction:** A vehicular access restriction shall be established along the entire on-site frontage of Marble Valley Road except for the proposed access locations, prior to filing the Final Map. All lots that front on two roads shall take access on the minor roadway, and a non-vehicular access easement shall be established along the entire frontage on the major roadway.
- ~~36.35.~~ **Secondary Access:** A secondary access road, providing permanent or temporary looped circulation for each phase of development, shall be constructed prior to the first building permit being issued for any residential structure except where the issuance of building permits is for model homes, which shall be unoccupied.
- ~~37.36.~~ **Maintenance Entity:** The proposed project must form an entity for the maintenance of any shared or common: private roads, parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping, signs, and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the Final Map.
- ~~38.37.~~ **Easements:** All applicable existing and proposed easements shall be shown on the project plans.

#### PROJECT STANDARD CONDITIONS

- ~~39.38.~~ **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Department of Transportation prior to the filing of the Final Map. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
- ~~40.39.~~ **Sidewalks:** Sidewalks may be located outside the right-of-way and meander as a means to provide interest and variety in alignment. The alignment and design of the sidewalks shall be reviewed and approved by the Department of Transportation prior to issuance of building permits. Pedestrian easements shall be provided where necessary. Final lane configurations, including the need for additional rights-of-way, shall be subject to review and approval of the Department of Transportation prior to improvement plan approval.

- ~~41.~~40. **Curb Returns:** All curb returns, at pedestrian crossing, will need to include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp.
- ~~42.~~41. **Common Fence/Wall Maintenance:** The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).
- ~~43.~~42. **Water Quality Stamp:** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.
- ~~44.~~43. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00a.m. and 7:00p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.
- ~~45.~~44. **DISM Consistency:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the Final Map.
- ~~46.~~45. **Road Improvement Agreement & Security:** The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the Final Map.
- ~~47.~~46. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that off-site grading.
- ~~48.~~47. **Grading Permit / Plan:** The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado “*Design and Improvement Standards Manual*”, the “*Grading, Erosion and Sediment Control Ordinance*”, the “*Drainage Manual*”, the “*Off-Street Parking and Loading Ordinance*”, and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of DOT prior to occupancy clearance.
- ~~49.~~48. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of

Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.

~~50.~~ **49. RCD Coordination:** The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.

~~51.~~ **50. Soils Report:** At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (complying with the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.

~~52.~~ **51. Drainage Study / SWMP Compliance:** The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.

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

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

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

~~53-52.~~ **Drainage, Cross-Lot:** Cross lot drainage shall be avoided. When cross lot drainage does occur, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the Final Map.

~~54-53.~~ **Drainage Easements:** Pursuant to Section 4.D of the DISM, the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and / or on the Final Map.

~~55-54.~~ **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.

~~56-55.~~ **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.

~~57-56.~~ **Off-site Improvements (Security):** Prior to the filing of a Final Map the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required off-site 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.

~~58.~~57. **Off-site Improvements (Acquisition):** As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the applicant's expense and within 120 days of filing the Final Map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map, the applicant shall submit the following to the Department of Transportation Right-of-way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the off-site 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 off-site 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.

~~59.~~58. **Off-site Access Easements:** The applicant shall provide proof of access to the project site from a State or County maintained road. Said proof shall be provided by and through a "Map Guarantee" which shall be submitted to the County Surveyor's Office with the first map check for the map.

~~60.~~59. **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.

~~61.~~60. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.

#### **Local Agency Formation Commission (LAFCO)**

~~62.~~61. Prior to Final Map filing, the applicant shall complete the annexation process into EID through LAFCO and submit evidence of the satisfaction of this condition to Planning Services upon completion.

**El Dorado County Fire Protection District**

- ~~63~~.62. The applicant shall be required to comply with the Fire District requirements prior to filing of the Final Map, which includes but are not limited to the following:
- a. The applicant shall submit a review fee of \$560.00 prior to filing a Final Map.
  - b. Installation of a hydrant within 500-feet (by the road) of all parcels to provide a 1500 gpm @ 20 psi for two (2) hours. The specific location of the fire department connections will be determined during the building permit review phase. The fire flow may be adjusted up or down when actual building permit plans are submitted during the building permit review phase.
  - c. A deed restriction for an El Dorado County Fire Protection District and California Department of Forestry approved Fire Safe Plan is required for the Tentative Subdivision Map.
  - d. Existing non-conforming access roads serving the Tentative Subdivision Map will be required to be at a minimum Fire Safe Standards for width, surface, grade, radius, turnarounds, and turnouts, one-way and dead-end roads.
  - e. Any emergency access roads to be upgraded to a minimum Fire Safe Standards and will not be gated.
  - f. El Dorado County Department of Transportation standards may be more stringent and will supersede these requirements.

**Department of Environmental Health – Air Quality Management District:**

- ~~64~~.~~63~~. The applicant shall adhere to all district rules during project construction, as specified by the District prior to issuance of any permits associated with this project.

**Surveyor's Office:**

- ~~65~~.~~64~~. All survey monuments must be set prior to the presentation of the Final Map to the Board of Supervisors for approval, or the developer shall have surety of work to be done by bond or cash deposit. Verification of set survey monuments, or amount of bond or deposit to be coordinated with the County's Surveyor's Office.
- ~~66~~.~~65~~. The roads serving the development shall be named by filing a completed Road name Petition with the County Surveyors Office prior to filing the Final Map.

**3. 16-0646** Hearing to consider the Subaru Façade Remodel project [Special Use Permit Revision S08-0025-R]\*\* to allow a façade remodel of the existing Subaru dealership sales building, revision to building signage, a new freestanding monument sign, and minor site improvements on property identified by Assessor's Parcel Number 070-280-53, consisting of 6.17 acres, in the Shingle Springs area, submitted by Shingle Springs Subaru; and staff recommending the Planning Commission take the following actions:

- 1) Find that the project is exempt from CEQA pursuant to State CEQA Guidelines Sections 15301 and 15311(b); and
- 2) Approve Special Use Permit S08-0025-R based on the Findings and subject to the Conditions of Approval as presented.  
(Supervisory District 4)

Prior to hearing the item, Commissioner Williams disclosed that he used to work for the dealership 10 years ago and Commissioner Miller stated that he had visited the site.

Rob Peters presented the item to the Commission with a recommendation for approval.

Roy Cotterill, applicant's agent, made the following comments:

- Excited about the project;
- Corporate office provides the basic design to the dealerships in order to ensure that there is some consistency between the different locations;
- Spoke on the building's materials; and
- Spoke on the reduced aluminum materials and signage.

Chair Stewart closed public comment.

Chair Stewart voiced concern on Condition #20 being removed in its entirety as he would like to ensure that there would be a continuance of maintaining the landscaping.

Tiffany Schmid suggested reinstating the portion of deleted Condition #20 that referred to the maintenance of the landscaping. The applicant concurred.

There was no further discussion.

**Motion: Commissioner Williams moved, seconded by Commissioner Miller, and carried (4-0), to take the following actions: 1) Find that the project is exempt from CEQA pursuant to State CEQA Guidelines Sections 15301 and 15311(b); and 2) Approve Special Use Permit S08-0025-R based on the Findings and subject to the Conditions of Approval as amended: (a) Reinstatement of the portion of deleted Condition #20 that referred to the maintenance of the landscaping.**

**AYES: Hansen, Miller, Williams, Stewart**  
**NOES: None**  
**ABSENT: Shinault**

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 Categorical Exempt from the requirements of the California Environmental Quality Act (CEQA) in compliance with Sections 15301 and 15311(b) of the CEQA Guidelines that apply to the minor alteration of private structures, facilities, mechanical equipment involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; and construction or replacement of minor structures accessory to existing commercial facilities including on-premise signs and small parking lots. The project consists of minor alterations of an existing structure, replacement of on-premise signs, and minor site improvements to include construction of a small expansion to the existing parking lot.
- 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 Division, Planning Services Department, at 2850 Fairlane Court, Placerville, CA, 95667.

**2.0 GENERAL PLAN FINDINGS**

**2.1 The project is consistent with General Plan Policy 2.2.1.2.**

According to Policy 2.2.1.2, the Commercial (C) designation is provides a full range of commercial retail, office and service uses to the residents, businesses, and visitors of El Dorado County. Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County. The designation is considered appropriate within Community Regions.

Rationale: The project parcel has a C General Plan land use designation and is located within a Shingle Springs Community Region. The site is currently developed with an existing automobile dealership. The project proposes to modify the existing structures and signage and construct related site improvements. The project is in compliance with General Plan Policy 2.2.1.2.

**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.

Rationale: The project proposes a façade remodel of the existing Subaru dealership sales building, revision to building signage, a new freestanding monument sign, and minor site improvements. Building modification would result in a slightly more modern look to the existing on-site buildings, but the



proposed design is not incompatible with commercial businesses in the project vicinity. The project is in compliance with General Plan Policy 2.2.5.21.

**2.3 The project is consistent with General Plan Policy 5.1.2.1.**

General Plan Policy 5.1.2.1 requires a determination of the adequacy of the public services and utilities to be impacted by that development.

Rationale: The project was reviewed by County Transportation and Environmental Management Divisions, the El Dorado Irrigation District (EID), and the El Dorado County Fire Protection District for adequate public services and utility capacity. No additional requirements were identified by these agencies. No new or expanded utilities would be required. The project is in compliance with General Plan Policy 5.1.2.1.

**2.4 The project is consistent with General Plan Policy 5.2.1.2.**

General Plan Policy 5.2.1.2 requires that adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development.

Rationale: The El Dorado County Fire Protection District and EID were given the opportunity to comment and provided no additional requirements regarding the quantity and quality of all uses, including supply for fire protection. The project is in compliance with General Plan Policy 5.2.1.2.

**2.5 The project is consistent with General Plan Policy 6.2.3.2.**

Policy 6.2.3.2, Adequate Access for Emergencies, requires that the applicant demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Rationale: The project was reviewed by the County Transportation Division and the El Dorado County Fire Protection District for adequate private vehicle access, circulation, and evacuation, and to ensure emergency vehicle access to the site. No additional requirements were identified by these agencies. The project does not result in a change to existing access and circulation for private and emergency vehicles. The project is in compliance with General Plan Policy 6.2.3.2.

**2.6 The project is consistent with General Plan Policy 6.5.1.7.**

Policy 6.5.1.7, Noise Standards, require that noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 6-2 for noise-sensitive uses.

Rationale: Special Use Permit S85-47 incorporated specific conditions of approval regarding noise (See Conditions of Approval 10 and 11) that have been carried forward to this project. No noise related issues or concerns have been identified from the existing dealership operation. The project would not result in any additional noise, other than temporary construction noise, above what currently exists today. The project is in compliance with General Plan Policy 6.5.1.7.

**2.7 The project is consistent with General Plan Policy 10.1.5.1.**

This policy seeks to assist industries to remain, expand, or to locate in El Dorado County.

Rationale: The project allows a façade remodel and revised signage to an existing automobile dealership that is highly visible from U.S Highway 50. The project would result in an aesthetically pleasing design and would allow the existing automobile dealership to update and re-brand the site while continuing to serve the residents of El Dorado County and the greater Sacramento Region. The project is in compliance with General Plan Policy 10.1.5.1.

**2.8 The project is consistent with General Plan Policy 10.1.5.5.**

This policy seeks to recognize and promote the need to create greater opportunities for El Dorado County residents to satisfy retail shopping demands in El Dorado County.

Rationale: The project allows a façade remodel and revised signage to an existing automobile dealership that is highly visible from U.S Highway 50. The project would also result in a minor expansion to the parking lot area allowing for more vehicles to be available on-site. The project enhances an existing retail shopping opportunity in an area defined as a Community Region by the General Plan, on land with an existing Commercial General Plan land use designation. The project is compliance with General Plan Policy 10.1.5.5.

**3.0 ZONING FINDINGS**

**3.1 The project is consistent with Title 130.**

The project site is zoned Regional Commercial (CR). The project has been analyzed in accordance with, but not limited to, Zoning Ordinance Table 130.22.020 (Allowed Uses and Permit Requirements for the Commercial Zones); Table 130.22.030 (Commercial Zones Development Standards) for minimum lot size, minimum lot width, setbacks, maximum building height, and floor area ratio; Chapter 130.16 (Signs) for compliance with the Sign Ordinance; and Chapter 130.35 (Parking and Loading) and the Community Design Standards for Parking and Loading.

Rationale: The project, as proposed and conditioned, conforms with the provisions of the Zoning Ordinance because the project is allowed with a special use permit in the CR Zone; the project is consistent with the development standards identified for the CR Zone; the regulations regarding exempt signs with limitations, permanent on-site building-attached and freestanding signs, and the sign development and design standards within Table 130.16.070.1b (Community Region Area Signage Standards for Permanent On-Site Signs) of the County Sign Ordinance; and Chapter 130.35 and the increases and decreases in requirements section of the Parking and Loading Standards within the adopted Community Design Standards.

#### **4.0 SPECIAL USE PERMIT FINDINGS**

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

Rationale: As discussed above in Section 2.0 General Plan Findings, the special use permit revision complies with the applicable policies and requirements in the El Dorado County General Plan.

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

Rationale: The proposed special use permit revision has been found to comply with the requirements of Chapter 130.52.021, Conditional Use Permits, and the proposed use is not considered detrimental to the public health, safety and welfare, or injurious to the neighborhood, based on the analysis contained in the staff report.

##### **4.3 The proposed use is specifically permitted by Special Use Permit.**

Rationale: As discussed in Section 3.1 above, the existing use is specifically permitted in accordance with Zoning Ordinance Table 130.22.020 subject to approval of a special use permit. The automobile dealership was established through Special Use Permit S85-47 and has continually remained in operation. The applicant has submitted an application with the Development Service Division, Planning Services for revision to the exiting special use permit.

#### **5.0 DESIGN REVIEW FINDINGS**

##### **5.1 The project is consistent with the Community Design Guidelines.**

Due to the project site's close proximity and visibility from U.S. Highway 50, a condition of approval placed on the original project approval requires that any expansion of the structures or use be analyzed through the design review process.

Rationale: Though the project would not substantially expand the current structure or use, because of the close proximity and visibility of the project to U.S. Highway 50 and in accordance with condition of approval number 21 of Special Use Permit S85-47 (condition of approval number 17 of this staff report), this special use permit revision request analysis also includes a design review of the proposed building modifications, signage revisions, and site improvements. The project design, architectural treatments, and associated improvements substantially conform to the El Dorado County Community Design Guide and would not substantially detract from the intent of commercial development within the Shingle Springs Community Region.

**Conditions of Approval**

**Development Services Division - Planning Services**

1. Special Use Permit S08-0025-R incorporates and supersedes S85-0047, DR91-0002, and S08-0025. The Special Use Permit Revision is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below:

- Exhibit G.....Site Plan, Sheet A1
- Exhibit H-1.....Proposed Elevations Color, Sheet A3
- Exhibit H-2.....Proposed Elevations, Sheet A3
- Exhibit I.....Sign Plan
- Exhibit J.....Color and Materials Board
- Exhibit K.....Preliminary Grading Plan, Sheet C1

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:

Special use permit revision allowing a façade remodel of the existing Subaru dealership sales building, revision to existing building signage, a new monument sign, addition of a landscape planter, and minor parking lot improvements.

Existing on-site signage and proposed on-site and building signage shall be incorporated into this special use permit revision approval. The sign designs shall adhere to the approved sign plan (Exhibit I), approved elevations (Exhibits H-1 and H-2), and locations as shown on the Site Plan (Exhibit G). Project signage shall correspond to the table below:

<u>Sign</u>	<u>Elevation</u>	<u>Copy</u>	<u>Size (sf)</u>	<u>Height (ft)</u>
<u>Existing Pylon Sign</u>	<u>n/a</u>	<u>Subaru</u>	<u>90</u>	<u>25</u>
<u>N01</u>	<u>South</u>	<u>Subaru Logo</u>	<u>15.6</u>	<u>Wall Sign</u>
<u>N02</u>	<u>South</u>	<u>Subaru</u>	<u>34.2</u>	<u>Wall Sign</u>
<u>N03</u>	<u>South</u>	<u>Shingle Springs</u>	<u>14.2</u>	<u>Wall Sign</u>
<u>N04</u>	<u>East</u>	<u>Subaru Logo</u>	<u>5.03</u>	<u>Wall Sign</u>
<u>N05</u>	<u>East</u>	<u>Subaru</u>	<u>11.6</u>	<u>Wall Sign</u>
<u>N06</u>	<u>East</u>	<u>Service</u>	<u>15.5</u>	<u>Wall Sign</u>
<u>N09</u>	<u>Monument</u>	<u>Subaru Logo,</u> <u>Subaru</u>	<u>50.0</u>	<u>8</u>
<u>Existing Directional Signs</u>	<u>n/a</u>	<u>Directional Signage</u>	<u>8</u>	<u>4</u>
<u>Total Wall Signs</u>			<u>96.13</u>	

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. In Compliance with County Code Section 130.22.250, implementation of the project must occur within 24 months of approval of this special use 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.
3. 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.
4. The following shall be incorporated as a note on the grading/improvement plans:

In the event archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a “unique archaeological resource”, contingency funding, and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archaeological mitigation takes place.

If the find is determined to be a “unique archeological resource”, the archaeologist shall determine the proper method(s) for handling the resource or item in accordance with Section 21083.2(b-k). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken or the site is determined a “nonunique archeological resource”.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

5. The following shall be incorporated as a note on the grading/improvement plans:

In the event of the discovery of human remains, all work shall cease and the County coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

6. 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.

S08-0025

- ~~1. This Special Use Permit is based upon and limited to compliance with the project description, Planning Commission hearing Exhibits E-G, dated March 26, 2009 and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.~~

The project description is as follows:

~~This Special Use Permit shall allow a new free standing pole sign. The sign shall have the following dimensions:~~

~~Overall height: 25'9"~~

~~Pole height: 17'2"~~

~~Sign height: 7'5"~~

~~Pole width: 2'3"~~

~~Sign width: 13'1"~~

~~Sign size: 97 square feet~~

~~The sign shall read "Subaru" with the corporate logo above. The sign shall be internally illuminated and shall not include exposed LED lighting or moveable copy.~~

~~The existing on-site signage shall be incorporated into this Special Use Permit approval. Existing signage shall correspond to the table below:~~

<b>Sign</b>	<b>Copy</b>	<b>Size (sf)</b>	<b>Height (ft)</b>	<b>Permit</b>
A	Nissan	50sf	20ft	S04-15
B	Subaru	97	25ft 9in	S08-0025
C	Nissan	28sf	Wall sign	S88-14
D	Shingle Springs	As determined	Wall sign	By right
E & F	Directional Signs	12sf	4ft	By right
G	Directional Signs	4sf	4ft	By right
H	Parts	4sf	Wall sign	By right
I	Service	10sf	Wall sign	By right

~~Any additional signage or modification to existing signage shall require a revision to this Special Use Permit.~~

~~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 substantially conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape Plans) must be submitted for review and approval and shall be implemented as approved by the County. Minor modifications may be approved by the Development Services Director or designee; however major modifications shall constitute a revision to the Special Use Permit subject to review and approval by the Planning Commission.~~

- ~~2. The sign design shall adhere to the approved sign plan (Exhibit F) and located as shown on the Site Plan (Exhibit G). No other site modifications are approved as part of this Special Use Permit approval.~~
- ~~3. The existing Subaru monument sign shall be removed prior to installation of the new pole sign. The applicant shall make applications and pay appropriate fees for the removal of the existing sign prior to issuance of a building permit for the new pole sign.~~
- ~~4. Prior to issuance of any permits, the applicant shall pay all Development Service fees.~~
- ~~5. 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.~~
67. All signage shall conform to Chapter 130.16 of the County Zoning Ordinance. The applicant shall ensure ~~the sign~~ that all signage is properly maintained at all times. Any maintenance problems shall be addressed immediately.
- ~~7. The placement of the proposed sign shall not be placed in the existing right of way and shall not restrict sight distance along Wild Chaparral Drive.~~
- ~~8. 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.~~

DR91-02

- ~~1. Project shall meet the required fire flow, as established by the El Dorado County Fire Protection District.~~
- ~~2. Existing planter which connects to existing service bays shall be reduced by five feet in width, to provide and maintain a 20 foot access between existing service bays and proposed new service bays.~~
- ~~3. Requires "Knox Box" (key box) in accordance with El Dorado County Fire Protection District requirements.~~
- ~~4. Requires Building Permit from El Dorado County Building Division: (site plans, complete blueprints and soils report required).~~

S85-0047

- ~~1. The applicant shall secure permits from the El Dorado County Building and Environmental Health Divisions of the Community Development Department prior to construction.~~
- ~~2. The location of structures and uses shall conform with the approved site plan.~~
- ~~3. Any modifications of the site plan or uses shall be approved by the Zoning Administrator.~~
- ~~4. The use shall be started and diligently pursued within one (1) year from the date of approval of this special use permit or this permit shall be declared null and void.~~
58. The conditions imposed run with the use of the land and the conditions are binding on each owner.
- ~~6. This permit shall not become effective until the applicant processes a merger Parcel map through the County Surveyor per the "20-3/4" procedure of the Subdivision Map Act.~~
79. There shall be no automobile repair performed outside the structures identified for this purpose on the general site plan.
810. Noise levels attributable to the operation shall not exceed 60 dBA average Leq., measured at a point which is 50 feet from any residence in question in the direction of operations.
911. Upon receipt of a valid complaint, the operator of the automobile dealership shall reduce the volume of any intercom system to a level acceptable to the neighboring property

- owners. Should the neighboring property owners and the operator of the dealership not come to an agreement on an acceptable level, a noise monitoring program shall be conducted by an approved qualified person. If noise measurement results indicate that the noise level exceeds the level set out in Condition No. 8, the applicant shall take immediate action to reduce the noise level to that level set out in the previous condition.
- ~~1012.~~ Exterior lighting shall be located and designed to prevent glare onto adjacent properties.
- ~~1113.~~ Structures and facilities shall be reviewed by the ~~Shingle Springs Fire~~ El Dorado County Fire Protection District for compliance with fire code requirements ~~with written confirmation of acceptance before clearance and occupancy is authorized by the Building Division.~~
- ~~12.~~ All parking areas, drive isles, automobile display, and storage areas shall be surfaced with a minimum of two (2) inches of asphaltic concrete over four (4) inches of aggregate base (Section 17.18.030 (A), El Dorado County Code).
- ~~13.~~ The road easements of the east and west project boundaries and the easement on the north side of the project site shall be improved as shown on the typical road improvement cross section of the grading plan. Road improvements on the west project boundary shall be to a point at least 600 feet from West Chaparral Drive.
- ~~14.~~ The drainage plan shall be reviewed and approved by the Public Works Department prior to issuance of a Building Permit.
- ~~15.~~ Signs shall be established in conformance with the C, Commercial, Zone District regulations and Chapter 17.16 of the County Code.
- ~~1614.~~ No banners, flags, or portable signs other than those authorized by the Planning Division may be used.
- ~~1715.~~ Customer parking spaces shall be clearly marked and aisle widths, as required in Section 17.18.020 of the El Dorado County Code, shall be maintained.
- ~~1816.~~ Unloading of new vehicles shall be restricted to the road easement on the north side of the project site.
- ~~19.~~ The landscaping plan shall be revised to provide the addition of trees along the east side of the parts building and in the perimeter planter along the northern portion of the western easement.
- ~~2017.~~ All landscaped areas shall be maintained. and an irrigation system plan submitted for the approval of the Zoning Administrator.
- ~~2118.~~ Any future expansions will require review and approval through the special use permit revision process, incorporating design review process into the approval.

~~22. The encroachment permits for improvements for curb cuts and other ingress/egress shall be subject to the approval of the Public Works Department.~~

**4. 14-0330** The Executive Secretary of the Commission recommends the Commission adopt Resolution 16-01 amending the Planning Commission Bylaws with said amendments becoming effective upon approval by the Board of Supervisors.

Tiffany Schmid spoke on the item.

Commissioner Hansen confirmed the definition of quorum vs majority vote and had a short discussion with County Counsel David Livingston on Special Meetings.

Chair Stewart closed public comment.

There was no further discussion.

**Motion: Commissioner Hansen moved, seconded by Commissioner Miller, and carried (4-0), to adopt Resolution 16-01 amending the Planning Commission Bylaws with said amendments becoming effective upon approval by the Board of Supervisors.**

**AYES: Williams, Miller, Hansen, Stewart**  
**NOES: None**  
**ABSENT: Shinault**

**ADJOURNMENT**

Meeting adjourned at 9:13 a.m.

APPROVED BY THE COMMISSION  
Authenticated and Certified:

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Rich Stewart, Chair