

## FINDINGS

### Conditional Use Permit CUP18-0005/Quantum Care Place Planning Commission/September 27, 2018

#### 1.0 CEQA FINDINGS

- 1.1 The project site is located within the Carson Creek Specific Plan (CCSP) Area, which was subject to review under the California Environmental Quality Act (CEQA) with an Environmental Impact Report (EIR). Section 6.3(b) (3) of the Specific Plan requires the County to make the appropriate environmental determination for any discretionary review applications. An Addendum to the Program EIR for the CCSP in accordance with Subsection (a) of the CEQA Guidelines Section 15164 was approved by the Board of Supervisors on July 19, 2016 for the *SP94-0002-R-2/Carson Creek Specific Plan Amendment*<sup>2</sup> at the 4.11-acre project site, to determine if the project would have a significant effect on the environment. It was determined that none of the conditions described in Section 15162 or 15163 calling for the preparation of a subsequent or supplemental EIR have occurred. A Notice of Determination was filed upon adoption of the EIR Addendum. Because an EIR was previously prepared, the Carson Creek Specific Plan EIR, State Clearinghouse Number 94072021, no new California Department of Fish and Wildlife fee is required.
- 1.2 The County has adopted a Mitigation Monitoring Program for the Carson Creek Specific Plan in accordance with Section 15097 of the CEQA Guidelines. In order to ensure that the mitigation measures identified in the Addendum are implemented, the Mitigation Monitoring Program has been updated (Exhibit Q). In addition, in accordance with Subsection (c) of CEQA Guidelines Section 15097, reporting has been provided demonstrating mitigation compliance.
- 1.3 The documents and other materials that constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Building Department at 2850 Fairlane Court, Placerville, CA, 95667.

#### 2.0 GENERAL PLAN FINDINGS

##### 2.1 The project is consistent with General Plan Policy 2.1.1.7

The purpose of General Plan Policy 2.1.1.7 requires that development projects in Community Regions and elsewhere be limited in some cases until such times as adequate roadways, utilities, and other public service infrastructure become available.

Rationale: The project is within the Community Region of El Dorado Hills where public infrastructures such as road and utility exist. The project would

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<sup>2</sup> Discretionary project **SP94-0002-R-2/Carson Creek Specific Plan Amendment**  
<https://eldorado.legistar.com/LegislationDetail.aspx?ID=2779054&GUID=A5E24B7C-96D9-470A-99C2-56EF06078211>

construct, extend and/or upgrade on- and off-site infrastructures necessary to serve the proposed development.

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

The purpose of the Adopted Plan land use category is to allow for areas for which specific land use plans have been prepared and adopted. These plans (e.g., specific plan or community plan) are accepted and incorporated by this reference, and the respective land use map associated with each such plan is adopted as the General Plan map for each such area.

Rationale: The CCSP was consistent with those policies upon adoption, which planned for development in a comprehensive manner, providing land uses consistent with surrounding properties. The applicant has provided a preliminary site plan, building elevations, grading, drainage, lighting, landscaping, and proposed signage. The project would be subject to a Conditional Use Permit for the Senior Community Care Facility, and would be required to comply with the standards set forth in the CCSP. As currently proposed, there would be a senior community care facility and medical office building benefitting the residents of the facility, the surrounding Four Seasons community, and the growing need for senior residential care in El Dorado County.

**2.3 The project is consistent with General Plan Policy 2.2.5.9**

General Plan Policy 2.2.5.9 recognized the need to allow for certain types of extended family support services and institutional uses in area in which residential uses are allowed on the General Plan land use map. This policy recognized the need to provide for support services adjacent to residential areas by only allowing the establishment of such support services with a special use permit. This will require a finding that the establishment of the use will have no significant adverse effect on surrounding property or the permitted uses thereof.

Rationale: The project site is designated as Local Convenience Commercial (LC) within the Carson Creek Specific Plan. As a community care facility, the Quantum Care Place facility is an appropriate use on parcels with this designation and provides specialized medical service in support of the existing uses in the community. The facility has been designed compatible with the existing development as it involves site planning, access, and preservation of resources.

**2.4 The project is consistent with the Carson Creek Specific Plan.**

Section 4.8 of the Carson Creek Specific Plan establishes permitted uses and Development Standards for the LC-CC land use designation. The Local Convenience Commercial (LC) Zone allows offices, business and professional uses, including banks,

professional offices, studios, and local-serving retail. The LC also allows for community care facilities after obtaining a conditional use permit from the Planning Commission. Development standards in this zone include a Maximum Lot Coverage of 40 percent, Minimum Setbacks, and a floor-to-area ratio (FAR) of 0.50.

**Rationale:** The Carson Creek Specific Plan includes community care facilities under the uses allowed with a Conditional Use Permit in the LC zone and subject to the site development standards in this zone. The El Dorado County zoning ordinance definition for Community Care Facilities allows for senior assisted living or memory care facilities, but exclude senior housing that does not include a service or care aspect.

Senior-related facilities, including but not limited to congregate care, skilled nursing, and assisted living, are allowed in the Multifamily, Single Family (7,000 square foot minimum), Single Family (6,000 square foot minimum), and Single Family (3,000 square foot minimum) zones in the CCSP Plan area. This use is currently allowed in some commercial zones elsewhere in the County. The current zoning ordinance defines Community Care Facilities as, “Any facility, place, or building that is maintained and operated to provide nonmedical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults, subject to licensing by the State Department of Social Services, Health and Welfare Agency. Such facilities typically serve the physically disabled, mentally impaired, incompetent persons, and abused or neglected children. Facilities included in this definition are listed under California Health and Safety Code (HSC), Section 1502.a.1-a.12 and 1502.3, and include, but are not limited to, residential facilities and foster family homes. Excluded from this definition is any house, institution, hotel, homeless shelter, or other similar place that supplies board and room only, or room only, or board only, provided that no resident thereof requires any element of care. Also excluded are recovery houses or similar facilities providing group living arrangements for persons recovering from alcoholism or drug addiction where the facility provides no care or supervision or where the facility provides alcohol and/or drug recovery treatment or detoxification services (*HSC 1505, 11834.02*)” (130.80.020). This definition would allow for senior assisted living or memory care facilities, but exclude senior housing that does not include a service or care aspect. For this reason, the number of housing units specified under the Specific Plan, and analyzed under the CCSP EIR, would not increase, and the units developed as part of a community care facility would not count toward the 1,700 unit maximum identified in the CCSP. The proposal would not exceed the development potential as originally approved for the plan area. The Specific Plan amendment would also not necessitate the revision of any tentative maps.

The project proposes landscaping, signage, grading, building elevations, and lighting for the site. Community Care Facilities are an allowed use in the LC Zone via a Conditional Use Permit, alternatively any other commercial use currently allowed in the LC zone under the specific plan could be proposed for the site. The proposed conditional use permit application has been reviewed for compliance with the requirements of the CCSP. The proposed project is consistent with the development requirements of the LC Zone, and the project has been reviewed for compliance with setbacks, height, and other requirements as part of the Conditional Use Permit review. The preliminary site plan provided complies with Section 4.8 of the Carson Creek Specific Plan, which establishes permitted uses and Development Standards for the CC-LC zoning designation. The proposed facility has been reviewed under a Conditional Use Permit and a set of conditions have been established for the project to maintain consistency with the development standards in the CCSP.

**2.5 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 site located on the western border of El Dorado County and Sacramento County. The land to the west of the project site is currently used as grazing land; however, this land is within the City of Folsom's Sphere of influence and is planned for a new town center including residential and commercial development. To the south and east, the Four Seasons age-restricted community currently exists. The applicant has noted the growing need for senior care and the potential compatibility with an assisted living facility located adjacent to the existing Four Seasons age-restricted community. The proposed use is considered consistent and compatible with the development pattern in the immediate surroundings. The proposed facility requires review under this Conditional Use Permit application and conditions are needed in order to maintain compatibility with the surroundings. The proposed development plan is required to provide adequate landscaping, lighting, site circulation, and other development features to be consistent with the General Plan and CCSP.

**2.6 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 project was reviewed by the County Transportation Department, El Dorado Hills Fire Department, and the El Dorado Irrigation District (EID) for adequate public services capacity. The applicants propose to connect to existing water and sewer service from EID. A Facility Improvement Letter (FIL) (Exhibit V) dated December 15, 2015 was submitted by the project applicant. The project will be served by EID public water and wastewater services and all other utilities are located in the project area. The project will not exceed the service abilities of the facilities and utilities in the area. The development would be required to improve and connect to these infrastructures in order to obtain the service. A Facility Plan Report (FPR), which details the necessary facility improvements for the project, would be required subject to review and approval by EID. An EID meter award letter would be required as proof of rights to these services prior to issuance of building permit. Fire suppression standards and design shall be coordinated with the El Dorado Hills Fire Department prior to issuance of building permit.

**2.7 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 El Dorado Hills Fire Department, Long Range Planning: Traffic Engineering, and the Transportation Department reviewed the application materials and site plan for adequate access for emergencies. It was determined that an On Site Transportation Review (OSTR) was a sufficient level of traffic analysis, as the proposed use would generate minimal trips. The OSTR is documented within A Technical Memorandum from Fehr and Peers dated May 10, 2018. The road serving the development has sufficient capacity to accommodate any added traffic without resulting in unacceptable levels of service. On-site circulation was reviewed through the site plan and OSTR, which allows for sufficient access, parking, and maneuvering space. El Dorado Hills Fire Department determined that the proposed fire apparatus turnaround meets requirements. An encroachment permit would be required for access to Carson Crossing Drive. The project is in compliance with the General Plan Policy.

**2.8 The project is consistent with General Plan Policy TC-Xd**

Level of Service (LOS) for County-maintained roads and state highways within the unincorporated areas of the county shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions except as specified in Table TC-2. The volume to capacity ratio of the roadway segments listed in Table TC-2 shall

not exceed the ratio specified in that table. Level of Service will be as defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council) and calculated using the methodologies contained in that manual. Analysis periods shall be based on the professional judgment of the Department of Transportation which shall consider periods including, but not limited to, Weekday Average Daily Traffic (ADT), AM Peak Hour, and PM Peak hour traffic volumes.

Rationale: As analyzed by the OSTR prepared for the project, it has been determined to not worsen the existing LOS in the area. Other than its frontage improvements, the project is not required to construct any new road improvements. Payment of standard traffic impact mitigation (TIM) fees shall be required prior to issuance of the building permits. On-site walkway would be extended into the existing and proposed sidewalks along project frontage, which provides connectivity outside of the facility.

## 2.9 **The project is consistent with General Plan Policy TC-Xg.**

TC-Xg directs that each development project shall dedicate right-of-way, design and construct or fund any improvement necessary to mitigate the effects of traffic from the project. The County shall require an analysis of impacts of traffic from the development project, including impacts from truck traffic, and require dedication of needed right-of-way and construction of road facilities as a condition of the development.

Rationale: The daily, AM, and PM peak hour trip generation was documented in the previous DEIR for the Carson Creek Specific Plan (CC-SP). Subsequently, further analysis has been documented post the DEIR for the Carson Creek Specific Plan. For instance, the Technical Memorandum from Fehr and Peers dated May 10, 2018 collected traffic counts at the White Rock Road / Carson Crossing Road intersection on May 3, 2018 during the Am and PM peak periods to determine if the volumes of cars passing through the intersection would warrant for the installation of a traffic signal control. Based on the results from this analysis, both peak hour volumes do not warrant the installation of a traffic signal at this intersection. This same technical memorandum made the determination that no further action and/or improvements were necessary due to low accident rates near the project site. The proposed use at the project site would not add any additional vehicles not previously analyzed under the CCSP. With the proposed use of a senior community care facility and medical office, the number of trips generated would be substantially less than anticipated. Although the analysis makes a determination that the project would not produce a significant impact, the technical memorandum does make recommendations that a sidewalk be installed along the project frontage to complete the gap and the use of low-growing landscape at selective areas to maintain visibility of pedestrians crossing the parking lot. These recommendations have been added as conditions of

approval #21. The project will be accessed via two new driveways off Carson Crossing Drive. The project has been reviewed and conditioned by the Department of Transportation and the Fire Department.

**2.10 The project is consistent with General Plan Policy HO-4.1.**

The development of affordable housing for seniors, including congregate care facilities, shall be encouraged.

Rationale: The project meets this policy as this facility is also classified as Congregate Care Facility.

**3.0 ZONING FINDINGS**

**3.1 The proposed use is consistent with Title 130.**

The parcel is zoned Carson Creek - Local Convenience Commercial (CC-LC). The project has been analyzed in accordance with the Carson Creek Specific Plan for permitted uses, maximum lot coverage, floor-to-area ratio (FAR), building height, and minimum building setback.

Rationale: The parcel is zoned Carson Creek – Local Convenience Commercial (CC-LC). The Carson Creek Specific Plan Sections 4.8 - CCC establishes those uses that are permitted and those that require approval by a Conditional Use Permit in the CC-LC. As indicated in section 4.8, uses such as community care facilities require a Conditional Use Permit.

The project has been analyzed in accordance with the site development standards for Carson Creek Specific Plan (Exhibit G) for maximum lot coverage, floor-to-area ratio (FAR), building height, and minimum building and parking lot setbacks. Setback for building structures must be a minimum of fifteen (15) feet to building and fifteen (15) feet to parking spaces from the front lot line. Similarly, five feet (5) feet to first story, fifteen (15) feet to second story, and five (5) feet to parking spaces. The side yard setback is five (5) feet. According to the proposed site plan, all proposed structures would meet these requirements. The project, as proposed, is consistent with the Zoning Ordinance because the project will comply with building setbacks and other applicable design standards. Parking and loading was analyzed according to the use type, and the proposed parking will be sufficient for the proposed uses (see Finding 3.2)

**3.2 The project is consistent with Chapter 130.35: Off-Street Parking and Loading.**

Section 130.35 of the Zoning Ordinance establishes off-street parking requirements for businesses.

Rationale: This Conditional Use Permit request proposes buildings that consist of multiple types of commercial and residential uses. For this reason, parking requirements are calculated based upon each type of use. Assisted living is classified as long term care facility and is required to have 1 space per 4 beds based on design capacity. Thus, the 106 beds propose as assisted care in the main building require a total of 27 spaces. The medical office requires 1 space per 200 square feet of active use area (AUA), therefore 18 spaces are required for this use. The total parking requirement for the project requires 45 parking spaces. The project proposes 57 paved parking stalls. Additionally, the site provides passenger loading and unloading area underneath the proposed porte cochère (covered carport), which would reduce the need for parking. The amount of proposed parking exceeds the parking requirements and is consistent with the parking standards established in the Zoning Ordinance.

### 3.3 **The project is consistent with Chapter 130.36: Signs.**

Section 130.36 of the Zoning Ordinance establishes sign regulations that are consistent with the goals, objectives and policies of the El Dorado County General Plan and the County's visual and aesthetic goals, and provide adequate identification for establishments.

Rationale: The project is proposing three monument signs and one building attached sign (Exhibit U). In accordance with subsection 130.16.080 of the Zoning Ordinance, a building sign permit will be required for the proposed signs. The design would be reviewed for compliance with all regulations for monument signs based on the commercial zoning district, including colors of on-site structures, sign size and placement. The sign as proposed is designed to have stacked stone, vertical grain wood, and exterior stucco painted to match the exterior of the proposed buildings. The actual sign face area is undetermined based on the submitted preliminary signage; however, conditions of approval # shall be implemented to ensure compliance with chapter 130.16, adopted July 28, 2015. Compliance with 130.16 shall also include a limit of one monument sign per public street frontage.

### 3.4 **The project is consistent with Chapter 130.37: Noise Standards.**

Chapter 130.37, Noise Standards, requires that noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 130.37.060.1 for noise-sensitive uses.

Rationale: Noise levels are not expected to exceed maximum levels as a result of the project, as there is no outdoor amplified noise proposed. Noises associated with the project would consist of typical residential noise. The nearest



residences are single-family development located along Carson Crossing Road located across the street to the east of the proposed project site. These noise-sensitive receptors are approximately 120 feet from the proposed project site. Noise generated during operation and any potential future construction will be required to comply with the noise standards established in the Zoning Ordinance and meet conditions of approval #11, #12, and #13 as indicated by the project's Environmental Noise Analysis (Exhibit T).

#### **4.0 CONDITIONAL 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 Conditional Use Permit is consistent 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 use will not significantly conflict with surrounding uses. The proposed use will comply with the Site Development Standards of the CC-LC zone district. The proposed use is consistent with the surrounding land uses, which include single-family residences and vacant land. As conditioned, the project is not anticipated to result in significant environmental, visual, or noise impacts to the surrounding residents.

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

Rationale: Large Community Care Facilities (serving seven or more) are specifically permitted in the Local Convenience Commercial (LC) Zone with a Conditional Use permit pursuant to Section 4.8 of the Carson Creek Specific Plan (Exhibit G). The subject property is located in the LC zone district. The Carson Creek Specific Plan Section 4.8 outlines the allowed uses and permit requirements for those uses that are permitted and those that require approval by a Conditional Use Permit in the Local Convenience Commercial (LC) and Community Center (CC) zone district. This document includes residential uses and commercial uses, specifically community care facilities, are allowed with a Conditional Use Permit in the LC zone.