

Findings

A. INTRODUCTION AND PROCEDURAL HISTORY:

1. The Spanos Companies (“Applicant”) filed an Application for entitlements for the El Dorado Hills Apartments seeking approval of a 250 unit apartment project built around a parking structure on a 4.565 acre site located within the Town Center East Planned Development (“TCEPD”), Assessor’s Parcels Nos. 121-290-060, 61 and 62 (the “Project”). The Project site is currently approved for the development of a hotel with no less than 100 rooms, conference facility, full service restaurant and retail uses. All the approvals for this project have been granted and only ministerial permits are required before commencement of construction. The Project will replace and supersede the prior original approved project.
2. The entitlements required are a General Plan Amendment; an Amendment to the El Dorado Hills Specific Plan; a rezone of the project site from General Commercial-Planned Development (CG/PD) to Multi-Family Residential-Planned Development (RM-PD) and revisions to the RM-Zoned District Development standards applicable to the proposed 250 unit apartment complex; and approval of a revision to the approved Town Center East Development Plan approving, among other things, new The El Dorado Hills Town Center East Urban In-Fill Residential Area Residential Design Guidelines (the “Residential Design Guidelines”). These entitlements are collectively referred to in these findings as the “Entitlements”.
3. This Board considered a Pre-Application/Conceptual Review for the Project at a public hearing on December 10, 2013 to assist in identifying potential project issues and solutions and to provide the applicant with early feedback prior to formal development application.
4. In accordance with the California Environmental Quality Act (“CEQA”) and the County’s Environmental Manual for Implementation of the California Environmental Quality Act (“County CEQA Guidelines”) County Staff caused to be prepared a Subsequent Initial Study/Mitigated Negative Declaration entitled Subsequent Initial Study/Mitigated Negative Declaration, A14-001, Z14-002-R, PD94-0004R-2/El Dorado Hills Apartments, May, 2014 (“MND”) in accordance with CEQA Guidelines § 15162 and the County CEQA Guidelines. The MND was tiered off of prior environmental analysis performed by the County in the form of a program EIR prepared at the time of approval of the El Dorado Hills Specific Plan (“EDHSP”). In August 1995, the Board of Supervisors approved the Development of the Town Center East Project by adopting a negative declaration of environmental significance tiered off of the EDHSP EIR. The

following documents and analysis constitute the Town Center East Environmental analysis (“TCE Environmental Evaluation”) off of which the current environmental analysis of the Project is tiered:

- (a) The El Dorado Hills Specific Plan EIR, prepared for and certified by this Board upon the approval of the El Dorado Hills Specific Plan (“EHSP EIR”) State Clearinghouse No. 86122912; and
- (b) The Negative Declaration of Environmental Significance, Environmental Evaluation File No. PD94-04, El Dorado Investors, Inc. dated May 19, 1995.

In reviewing the environmental impacts of the current Project in the MND, Staff reviewed those impacts against impacts previously evaluated in the TCE Environmental Evaluation and identified project modifications and mitigation measures required to address impacts not specifically identified and mitigated into insignificance under the TCE Environmental Evaluation.

- 5. On June 11, 2014, the County and the Applicant held a Public Meeting to present and discuss the Project.
- 6. The Entitlements were considered at public hearings before the Planning Commission on June 26, 2014 and on September 11, 2014. The Planning Commission recognized the value and desirability of the Project but recommended denial based primarily upon the Project density.
- 7. The Entitlements were considered by the Board of Supervisors at a public hearing on November 4, 2014 and this Board by a vote of 4 to 1 conceptually approved the Entitlements and the MND subject to the Conditions of Approval recommended by staff to the Planning Commission and further subject to appropriate CEQA and other findings being brought back to the Board at a subsequent meeting for adoption.

B. ADOPTION OF FINDINGS: This Board hereby, based upon sufficient evidence contained in the public record, hereby approves the Project, including all Entitlements; and the MND and finds and declares as follows:

1.0 CEQA FINDINGS

The Board hereby makes and adopts the following findings to comply with the requirements of CEQA, the CEQA Guidelines and the County Environmental Guidelines.

- 1.1 The MND was prepared by the County as a subsequent environmental analysis in accordance with the provisions of CEQA Guideline §§ 15162 and 15063(c), tiered off of the TCE Environmental Evaluation. The Board has reviewed the impacts of the Project

against the environmental impacts previously identified and evaluated in the TCE Environmental Evaluation, together with the comments received during the public review process, and hereby finds and determines that with the implementation of project modifications and adherence to identified mitigation measures imposed as conditions of approval, the Project will not have a significant effect on the environment. The MND reflects the independent judgment of the County as the Lead Agency and has been completed in accordance with the provisions of CEQA and the County Environmental Guidelines and is adequate to analyze all of the environmental impacts of the Project.

- 1.2 The MND was approved by the County and dated May 21, 2014 and circulated to all appropriate state and other regulatory agencies for review and comment. Extensive public and other comments were received up to the close of the comment period. Although CEQA does not require a written response to comments received on the MND, County Staff prepared responses in a document hereby incorporated into and made a part of the MND, entitled "Formal Responses to Public Comment on Subsequent Mitigated Declaration for El Dorado Hills Apartment Project" ("Formal Response to Comments"), consisting of an extensive matrix identifying each comment received during the comment period and responding to it. That Formal Response to Comments was considered by both the Planning Commission and the Board of Supervisors and is a part of the Administrative Record in this matter.
- 1.3 For the purposes of CEQA, CEQA Guidelines section 15091(e) and these findings, the record of proceedings for the Project consists of the following documents, at a minimum:
 - (a) The EDHSP EIR and the TCE Environmental Evaluation;
 - (b) The MND, including the Formal Response to Comments;
 - (c) All comments and correspondence submitted by public agencies or members of the public during the public review and comment period on the MND;
 - (d) All comments and correspondence submitted by public agencies or members of the public received following the expiration of the comment period on the MND, prior to the adoption of these findings;
 - (e) All written and oral comments received or made at Planning Commission or the Board of Supervisors' hearings;
 - (f) The Mitigation Monitoring and Reporting Plan ("MMRP");
 - (g) All final reports, studies, memoranda, maps, staff reports or other planning documents relating to the project prepared by the County, its consultants or responsible or trustee agencies with respect to the County's compliance with the requirements of CEQA and with respect to the County's actions on the Project;
 - (h) All documents timely submitted to the County by other public agencies or members of the public in connection with the Project;
 - (i) Minutes and/or verbatim transcripts of all public hearings held by the County in connection with the Project;
 - (j) Matters of common knowledge to the County, including, but not limited to, federal, state and local laws and regulations;
 - (k) Any documents expressly cited in these findings, in addition to those cited above; and

- (l) Any materials required to be in the record of the proceedings by Public Resources Code section 21167.6(e). The custodian of documents comprising the record of proceedings shall be the County of El Dorado, Development Services Division – Planning Services, 2850 Fairlane Court, Placerville, California.

1.4 County is the Lead Agency with respect to the Project pursuant to Section 15367 of the CEQA Guidelines. The following findings of fact support the approval of the MND and the Project:

- (a) The County has complied with CEQA and CEQA Guidelines. The MND is an accurate and objective statement that fully complies with CEQA and CEQA Guidelines.
- (b) No evidence of new significant impacts requiring “substantial revision,” as defined by CEQA Guidelines Section 15073.5, has been received by the County after circulation of the MND which would require recirculation.
- (c) The Project is consistent with the development analyzed in the MND.
- (d) The MND was presented to this Board, which reviewed and considered the MND. The MND reflects the County independent judgment and analysis as the Lead Agency for the Project.
- (e) The MND identified potentially significant effects that could result from Project implementation. This Board finds that feasible mitigation measures identified in the MND will reduce all of those effects to less-than-significant levels.

1.5 This Board hereby concurs in the determination set out in the MND that the following impacts, examined in accordance with the Initial Study, were within the scope of and adequately analyzed and mitigated in the TCE Environmental Evaluation and, therefore, required no additional analysis or mitigation:

Agricultural/Forestry resources, cultural resources, geology/soils, hazards/hazardous materials, hydrology and water quality, mineral resources and recreation.

This Board concurs in the determination in the MND that the Project will result in a less than significant or no impact on these subjects and that such impacts were analyzed and addressed by mitigation measures contained in the TCE Environmental Evaluation.

1.6 This Board concurs in the determination in the MND that the following subject areas examined in the Initial Study present possible impacts that have not been fully analyzed nor fully mitigated by the TCE Environmental Analysis:

Aesthetics, air quality, biological resources, greenhouse gas emissions, land use planning, population and housing, public services, transportation and traffic, and utilities/service systems.

This Board concurs in the determination contained in the MND that the implementation of the Project Conditions of Approval and project revisions/mitigation measures set out in

the MND and described in the Mitigation Monitoring and Reporting Plan (MMRP) attached to these Findings will fully and completely mitigate these identified impacts into insignificance. This Board hereby incorporates into these findings, as if set out in full, the contents of the MND and specifically, Sections I, Aesthetics; III, Air Quality; IV, Biological Resources; VII, Greenhouse Gas Emissions; X, Land Use Planning; XIII, Population and Housing; XIV, Public Services; XVI, Transportation and Traffic; and XVII, Utilities and Service Systems. This Board hereby adopts the contents and analysis contained in the MND and specifically in the above mentioned sections as this Board's reasoning and rationale for determining that all of the identified possible significant impacts have been mitigated into insignificance and that through the imposition of Conditions of Approval and mitigation measures as set out in the MMRP, changes or alterations have been incorporated into the Project which avoid the possible significant environmental effects identified in the MND.

- 1.7 This Board further finds and determines that all of the public comment received during the comment period on the MND were adequately and accurately responded to in the Formal Response to Comment.
- 1.8 This Board has specifically considered a number of issues raised during the Project processing and makes the following specific findings and determinations relative thereto:
 - (a) Water Supply: This Board concurs in the determination contained in Section XVII of the MND on p. 44 that the El Dorado Irrigation District ("EID"), the water supplier for this Project, has as of 2013 approximately 4,687 EDUs of water available in the El Dorado Hills water supply region. The MND estimates that the Project will require 191.5 EDUs of water supply and the Memorandum dated October 28, 2014 prepared by TSD Engineering Inc. entitled "Town Center-Development Center Scenario-Water Demand Estimate" refines the estimate of water demand for the Project and determines it to be approximately 25,000 gallons per day (exclusive of irrigation which will be accomplished with reclaimed water). This estimate is less than that contained in the EID Facility Improvement Letter and is significantly less than the water demand estimated for the approved hotel/commercial/retail use currently approved on the Project site. The demand for this hotel/commercial/retail use is estimated to be approximately 28,200 gallons per day. Based on all of the substantial evidence contained in the Administrative Record, this Board finds and determines that adequate water supply exists for the Project.
 - (b) Sewer Capacity: This Board concurs in the determination set out in the MND that the Project would require approximately 187.5 EDUs of sewer service and that mitigation measure MMUT-1 requiring the applicant to pay their fair share portion of the planned CIP Improvements for the El Dorado Hills Boulevard Trunk Sewer Line Improvement and the associated EID connection costs will guarantee that impacts relating to sewer capacity are less than significant.

- (c) Traffic Impacts: This Board concurs in the determinations contained in Section XVI of the MND relating to transportation/traffic and specifically finds that the determination set out in both the MND and in the Memorandum prepared by Fehr & Peers dated October 29, 2014 entitled El Dorado Hills Town Center-Town Center Roadways, that the trip generation provided by the Project at project build out in 2035 will be significantly less than the impacts of the approved hotel/commercial/retail project during the crucial p.m. peak hour trip measurement period, when most of the commercial activities within Town Center East are open and operating. This Board finds that with the implementation of mitigation measures MM TR-1 to 3, all of the traffic/transportation impacts of the Project will be mitigated into insignificance.
- (d) Noise Impacts: This Board concurs in the analysis of noise impacts contained in Section X(ii) of the MND and in the Environmental Noise Analysis prepared by J.C. Brennan & Associates, Attachment D to the MND. That analysis determined that no mitigation measures are required and that noise levels in the apartments will be below those required under County noise thresholds.
- (e) Law Enforcement: This Board determines that the El Dorado County Sheriff has indicated that development of the Project may require more law enforcement staffing not because of increased crime or disturbance caused by the residents of the Project but because the Project residents may complain more frequently about existing noise, crime and other impacts already occurring. The Board finds that these impacts are not the kind that are appropriate for mitigation on a project by project basis and further finds that there is no nexus between the development of the Project and the need for additional law enforcement services.
- 1.9 Adoption and Approval of Mitigation Monitoring Program: The Mitigation Monitoring and Reporting Program attached as Attachment A is hereby approved and adopted and the Board finds that the mitigation measures associated with the potentially significant impacts of the Project will be implemented through the MMRP which is the responsibility of the County, thereby ensuring that the Project will have no significant adverse environmental impacts.

2.0 GENERAL PLAN FINDINGS

2.1 General Plan (Land Use and Housing Element) Policies 2.1.1.2 (High Intensity Development in Community Region), 2.2.1.2 (Range of Land Uses), 2.1.1.3 (Mixed Use Development), 2.1.17 (Applicability to General Plan) 2.2.3.1.A (Residential Planned Development), 2.2.5.3 (Rezone), 2.2.5.7 (Zoning Consistency with General Plan) and HO-1.5 (High Density Development in Community Region)

The project (including the proposed new General Plan policy) has been reviewed and verified for consistency with the specific policies identified involving the type of project and its compatibility within its environment. The project site is located within the

Community Region of El Dorado Hills in an area where a specific plan (El Dorado Hills Specific Plan) has been adopted. This region of the county is where the high-intensity, self-sustaining, compact urban-type development or suburban-type development is anticipated to occur in an area where public infrastructure and services including schools (Buckeye Union School District (elementary) and El Dorado High School District), fire (El Dorado Hills Fire Department), police (County Sheriff), parks and recreation (El Dorado Hills Community Services District), and water and sewer (El Dorado Irrigation District) exist.

The El Dorado Hills Specific Plan provides for a range of residential types and density and variety of commercial uses. Specifically, the site is within the adopted Town Center East Development Plan (Village T of the El Dorado Hills Specific Plan) that consists of a range of commercial uses that provide opportunities for employment, shopping, and entertainment to the residents of El Dorado Hills. Though it exceeds the maximum density, placing the project within the commercial area would promote the mixed-use development concept by concentrating various uses in proximity to public infrastructure and amenities and achieve efficiency and convenience.

The residential development has been designed to match and complement the existing architectural theme and features in the Town Center East. In addition to the amenities provided within the complex, future residents would have access to privately maintained infrastructure (private road and sidewalks) and on-site amenities (Town Center Lake and trails). The infrastructure and amenities connect to the other infrastructure (i.e., trails, sidewalks, road) outside of the TCE into neighboring residential and commercial development where other recreational, housing, and commercial opportunities exist.

2.2 **General Plan (Public Services and Utility Element) Policies 5.1.2.1 (Adequacy of Public Services and Utilities), 5.2.1.2 (Adequacy of Water for Fire Protection), 5.2.1.6 (Infill Development), 5.3.1.1 and 5.3.1.7 (Connection to public wastewater), 5.4.1.1 (Storm Drainage), 5.6.2.1 (Energy Conserving Landscaping) 5.7.1.1 and 5.7.2.1 (Adequate Facilities for Fire Protection)**

The project has been reviewed and verified for consistency with the specific policies involving timing of necessary infrastructure to serve the development. The apartment complex would receive public and sewer water provided by EID. The project would be required to connect to existing facilities adjacent to the project site.

As part of the project design, storm drainage and runoff infiltration from the project site would be addressed with implementation of Low Impact Development (LID). Specifically, landscape design techniques and measures such as managing rainfall by materials that infiltrate, filter, store, evaporate, and/or detain runoff as close to its source as possible shall be applied. The site is surrounded by existing network of storm drain piping and inlets, which lead into Town Center Lake. The project shall be conditioned to adhere and implement all applicable standards and Best Management Practices (BMP) as

part of construction permit and plan, subject to review and approval by the Transportation Division.

The El Dorado Hills Fire Department has reviewed the project and provided recommendations for the implementation of fire protection measures and construction of necessary fire protection infrastructures, including fire hydrants, emergency access roads, and sprinklers. Enforcement and implementation of department conditions would ensure that the project is designed to allow for proper fire protection.

2.3 General Plan (Conservation and Open Space Element) Policy 7.4.1.6 (Habitat Loss)

Based on the results of database searches, known regional occurrences, and habitat present on the site, the only special-status species with the potential to occur on the project site are migratory birds protected under the Migratory Bird Treaty Act (MBTA). Mitigation measures applied as project conditions of approval shall require the applicant to monitor potential presence of these birds and their habitat. If construction activities occur during nesting season, the applicant shall conduct a necessary preconstruction survey and apply a protection buffer to minimize the potential impacts to the bird and its habitat.

2.4 General Plan (Health, Safety and Noise Element) Policies 6.5.1.2 (Acoustical Analysis), 6.5.1.3 (Noise Mitigation Measures), 6.5.1.7 (Non-Transportation Sources), 6.5.1.8 (Noise Sensitive Uses), 6.5.1.9 (Transportation Sources)

Potential noise impacts (both transportation and non-transportation sources) associated with project implementation were analyzed and determined to be less than significant. Standard building and construction materials that reduce impacts of noise will be utilized.

2.5 General Plan (Transportation and Circulation Element) Policies TC-Xd (Level of Service), TC-Xf (Maintaining LOS), TC-Xg (Traffic Analysis), TC-Xh (Payment of Impact Fees), TC-4i (Trail Connectivity)

A traffic impact analysis utilizing current standard protocols was prepared for the project and verified by the Transportation Division. Affected roadways have been determined to either have less than significant impact or impacts significant but reduced to less than significant impact subject to specific mitigation measures and conditions of approval.

Town Center East provides pedestrian and bicycle trails that connect to existing trails and sidewalks in the immediate area.

2.6 General Plan (Air Quality Element Policies) Policies 6.7.7.1 and 6.7.6.2

Air Quality and Greenhouse Gas impacts have been analyzed and determined to be less than significant with implementation of mitigation measures. Buildings designs would incorporate energy efficiency features, in accordance with the building code.

2.7 General Plan (Economic Development Element) Policy 10.1.9.2

This policy encourages specific plans and large planned developments in Community Regions and Rural Centers to include a broad mix of housing types that relate to local wage structure and achieve balance with existing and forecast resident household needs.

The apartment complex is anticipated to cater to future residents that cover a range of demographic, age, and income. In addition to housing opportunity, residents of the complex would have potential employment opportunities within the Town Center East or in the neighboring commercial endeavors.

2.8 General Plan (Precedential Effect)

The approval of this general plan amendment and this Project, in this location, does not set a precedent nor establish a predilection to approve similar projects in other areas throughout the County. The Project site is located within easy walking distance of extensive retail, restaurant, commercial and other development as a part of the Town Center East and its implementation will enable residents to avail themselves of these goods and services without having to resort to the automobile for transportation. The development of the Project in its proposed location is consistent with Government Code § 65890.1 and the County General Plan Housing element that encourages land use patterns that balance the location of employment generating uses with residential uses so that commuting is minimized. Given the unique aspects of the Project site, the Board's action does not indicate an intent to allow similar high-density residential development in other areas of the County.

3.0 SPECIFIC PLAN FINDINGS

The Project includes amendment to specific policy text and development standards in the adopted El Dorado Hill Specific Plan. In particular, the Specific Plan provides for various types of residential uses within the plan area ranging from custom homes to attached homes. Although apartments were not identified as a type of the residential use and the proposed project density exceeds the maximum identified in the Specific Plan, the proposed project meets the goals of the Specific Plan including providing a "mix of residential dwellings that appeal to a range of householders...who seek a full-service community with opportunities for shopping, leisure, and employment activity." The amendment to the Specific Plan would incorporate the apartment complex in the Village T area of the Specific Plan where the Town Center East Development Plan was adopted. The additional dwelling units will not exceed the total quantity of units approved for the Specific Plan. Given the density, construction of the apartment complex within the TCE would be appropriate in an area where shopping, employment, and recreational opportunities are available.

4.0 ZONING FINDINGS

The project would amend specific development standards under the Multifamily Residential (RM) zone district. Specifically, the density standards would be amended to match the proposed density of 55 dwelling units per acre as part of the amendment to the General Plan, El Dorado Hills Specific Plan, and Town Center East Development Plan exclusively for this site. The amendments to development standards including minimum setbacks, maximum building height, and building coverage would be allowable under the provisions of Sections 17.02 and 17.04 (Planned Development) of the El Dorado County Zoning Ordinance. Staff has evaluated these amendments and finds that due to the project's location within an intensely developed site that is supported by existing infrastructure and services the amended standards would be appropriate and suitable for this project.

5.0 PLANNED DEVELOPMENT FINDINGS

5.1 The Planned Development zone request is consistent with the General Plan.

The site is within the adopted El Dorado Hills Town Center East (TCE) Development Plan, which is a part of Village T of the adopted El Dorado Hills Specific Plan. The project would change the underlying zone (from General Commercial to Multifamily Residential) but would retain the Planned Development combining zone. The proposed revisions to the TCE Development Plan for the project are consistent with the General Plan.

5.2 The proposed development is designed to provide a desirable environment within its own boundaries.

The apartment complex has been designed with on-site amenities for use by future residents including a swimming pool, bocce court, and on-site parking within the 5-story parking garage. Ornamental landscaping, on-site lighting, and perimeter fencing provides aesthetic value consistent with the TCE.

5.3 Any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography.

Implementation of the project requires revision to the existing TCE Development Standards including minimum building setbacks and maximum building height to accommodate the proposed residential density. The revised standards are justified by the design of the project.

5.4 The site is physically suited for the proposed uses.

The site is physically suited for the apartment complex. The site has been previously disturbed and graded as part of the development within the TCE. As a result of the

development in the TCE, the project site has direct access to roads, water, sewer, drainage utility infrastructure.

5.5 Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities.

All required utilities are available for the proposed uses, including, but not limited to, water, sewer, roads, and electrical utilities.

5.6 The proposed uses do not significantly detract from the natural land and scenic values of the site.

There are no existing natural or scenic values on the site. The site is one of the remaining vacant sites within the commercial development in the TCE. Given the existing built environment surrounding the site, construction of the apartment complex would blend with the existing development in the TCE.

Conditions of Approval

1. The approval of the General Plan Amendment, El Dorado Hills Specific Plan Amendment, Rezone, and Town Center East Development Plan revisions is based upon and limited to compliance with the approved project description and the following hearing exhibits:

Exhibit H.....	Detailed Project Narrative, El Dorado Hills Specific Plan Land Use and Rezone Exhibit, and Matrix of Revised Development Standards for El Dorado Hills Apartments
Exhibit I	Preliminary Site Plan
Exhibit J	Preliminary Building Elevation Plan
Exhibit K.....	Preliminary Landscape Plan
Exhibit L	Preliminary Photometric Plan
Exhibit M	Preliminary Open Space/Amenities Plan
Exhibit N.....	Preliminary Grading Plans
Exhibit O.....	Preliminary Utility Plan
Exhibit P	Draft Design Guidelines and Development Standards for El Dorado Hills Apartments

Conditions of approval are set forth below. Any deviations from the project description, exhibits, or conditions shall be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

- A. General Plan Amendment adding a new policy under Objective 2.2.6 (Site Specific Policy Section) increasing the maximum residential density allowed in the General Plan from 24 dwelling units/acre to a maximum of 55 dwelling units/acre for the 4.565-acre site within the Town Center East Planned Development area identified as APNs 121-290-60, -61, and -62.
- B. El Dorado Hills Specific Plan Amendment incorporating multifamily residential use, density, and related standards for the project site. Subject site would be designated as "Urban Infill Residential" within the Village T area of the El Dorado Hills Specific Plan.
- C. Rezone of project site from General Commercial-Planned Development (CG-PD) to Multifamily Residential-Planned Development (RM-PD) and revisions of the RM-zone district development standards applicable to the proposed 250-unit apartment complex.
- D. Revision to the approved Town Center East Development Plan incorporating multifamily residential use, density, and related design and development standards for the proposed 250-unit apartment complex within Planning Area 2 of the Town Center East Development Plan. The proposed apartment complex would be contained in a maximum 5-story, 60-foot-tall building and a 5-story, 60-foot-tall parking garage and other amenities.

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 attached hereto. All plans shall be submitted for review and approval and shall be implemented as approved by the County.

In addition to the mitigation measures and conditions set out herein, applicant shall comply with any applicable measures set out in the El Dorado Hills Specific Plan Environmental Impact Report (EIR), State Clearinghouse No. 86122912.

Applicable Condition of Approval under the original Town Center East PD PD94-0004 (edits shown in strikethrough and underline indicates applicable changes for the project).

Should any disagreement occur between the applicant and staff in complying with the direction and intent of this condition, the Design Guidelines and Development Standards (Exhibit P) shall be brought back to the Planning Commission as a regularly scheduled agenda item for final approval and/or modification of the documents.

Approval of this development plan authorizes the processing of building and grading permits for projects found to be consistent with the approved Development Plan and conditions of approval noted herein. Such building and grading permit applications are processed as a ministerial permit, and approved by the applicable County departments. In those instances where the development plan establishes specific standards, they shall supersede County standards. In those instances where the development plan does not address an issue or standard, applicable County standards shall apply.

In those situations where in the opinion of the Planning Development Services Division Director, there is a significant departure from the approved development plan, or if issues are discovered which are not readily clarified in the conditions of approval of the development plan, then the Planning Development Services Division Director shall first present such changes to the Planning Commission at a regular meeting (not requiring hearing notification) to determine if the Planning Commission can make a finding of consistency. If such a finding cannot be made, plans shall be modified to be brought into consistency or an amendment application for Planning Commission consideration at a public hearing.

~~Final Design Guidelines and Development Standards for the entire TCE shall be separated into consist of two documents.~~ The Design Guidelines shall be referenced as part of the CC&Rs for the project and will not be considered during the ministerial review performed by County staff. These guidelines are to be used only by the Town Center East Design Review Committee to be empowered within the CC&Rs. Those standards which are not discretionary, including applicable Specific Plan standards, shall be placed into a separate Development Standards document. This document shall be used by County Staff during the ministerial review process. All building and grading plans shall comply with the standards noted therein. This Development Standards document shall be submitted to the County for approval by the Planning Development Services Division Director prior to issuance of any building permits.

Mitigation measures from the adopted Initial Study/Mitigated Negative Declaration

2. **MM AQ-1:** Implement the following construction standards:
 1. Exceed Title 24 standards by 10 percent
 2. Install High Efficiency Lighting
 3. Install Energy Efficient Appliances
 4. Use only Natural Gas Hearths (No Wood Product)
 5. Install Low Flow Bathroom Faucet
 6. Install Low Flow Kitchen Faucet
 7. Install Low Flow Toilet
 8. Install Low Flow Shower
 9. Use Water Efficient Irrigation System
 10. Provide electric vehicle charging facilities in garage complex
 11. Provide bicycle storage with convenient access

Monitoring Responsibility: Planning Services

Monitoring Requirement: Prior to issuance of Building Permit(s), the applicant shall incorporate the above provisions as notes on construction plans. The note shall be verified by Planning Services.

3. **MM AQ-2:** The El Dorado AQMD construction mitigation measures involve emission reductions of NO_x, ROG, and PM₁₀ which may include reformulated fuels, emulsified fuels, catalyst and filtration technologies, cleaner engine repowers, and new alternative-fueled trucks, among others. Heavy-duty diesel mitigation measures may qualify for state and air district incentive funding programs. Additional construction mitigation measures include emission reductions as a result of controlling visible emissions from diesel-powered equipment and particulate matter emission control measures. At least one of the following measures must be implemented:

- Require the prime contractor to provide an approved plan demonstrating that heavy-duty (i.e., greater than 50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve, at a minimum, a fleet-averaged 15 percent NO_x reduction compared to the most recent CARB fleet average. Successful implementation of this measure requires the prime contractor to submit a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. Usually the inventory includes the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment. In addition, the inventory list is updated and submitted monthly throughout the duration of when the construction activity occurs.
- Obligate the prime contractor to use an alternative fuel, other than Diesel, verified by the California Air Resources Board or otherwise documented through emissions testing to have the greatest NO_x and PM₁₀ reduction benefit available, provided each pollutant is reduced by at least 15 percent.
- Obligate the prime contractor to use aqueous emulsified fuel verified by the California Air Resources Board or otherwise documented through emissions testing to have the greatest NO_x and PM₁₀ reduction benefit available, provided each pollutant is reduced by at least 15 percent.
- AQMD Heavy Equipment and Mobile Source Mitigation Measures
 - a. Use low-emission on-site mobile construction equipment.
 - b. Maintain equipment in tune per manufacturer specifications.
 - c. Retard diesel engine injection timing by two to four degrees.

- d. Use electricity from power poles rather than temporary gasoline or diesel generators.
- e. Use reformulated low-emission diesel fuel.
- f. Use catalytic converters on gasoline-powered equipment.
- g. Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.
- h. Do not leave inactive construction equipment idling for prolonged periods (i.e., more than two minutes).
- i. Schedule construction activities and material hauls that affect traffic flow to off-peak hours.
- j. Configure construction parking to minimize traffic interference.
- k. Develop a construction traffic management plan that includes, but is not limited to: Providing temporary traffic control during all phases of construction activities to improve traffic flow; Rerouting construction trucks off congested streets; and provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.

Monitoring Responsibility: AQMD

Monitoring Requirement: Prior to approval of grading permit, the applicant shall incorporate the above provisions as notes on construction plans. The notes shall be verified by AQMD.

- 4. **MM AQ-3:** During construction activities, the project applicant shall implement the following Best Available Fugitive Dust Control Measures as outlined in the CEQA Guide to Air Quality Assessment, Determining Significance of Air Quality Impacts under the California Environmental Quality Act (EDAQMD 2002).
 - 1a. Maintain soil moisture content at a minimum of 12 percent, as determined by ASTM method D-2216, or other equivalent method approved by the District; two soil moisture evaluations must be conducted during the first three hours of active operations during a calendar day, and two such evaluations each subsequent four-hour period of active operations; OR
 - 1a-1. For any earth-moving which is more than 100 feet from all property lines, conduct watering as necessary to prevent visible dust emissions from exceeding 100 feet in length in any direction.
 - 1b. Maintain soil moisture content at a minimum of 12 percent, as determined by ASTM method D-2216, or other equivalent method approved by the District; for areas which have an optimum moisture content for compaction of less than 12 percent, as determined by ASTM method 1557 or other equivalent method approved by the District, complete the compaction process as expeditiously as possible after achieving at least 70 percent of the optimum soil moisture content; two soil moisture evaluations must be conducted during the first three hours of

active operations during a calendar day, and two such evaluations during each subsequent four-hour period of active operations.

- 1c. Conduct watering as necessary to prevent visible emissions from extending more than 100 feet beyond the active cut or mining areas unless the area is inaccessible to watering vehicles due to slope conditions or other safety factors.
- 2a/b. Apply dust suppression in a sufficient quantity and frequency to maintain a stabilized surface; any areas which cannot be stabilized, as evidenced by wind driven dust, must have an application of water at least twice per day to at least 80 percent of the unstabilized area.
- 2c. Apply chemical stabilizers within 5 working days or grading completion; OR
- 2d. Take action 3a or 3c specified for inactive disturbed surface areas.
- 3a. Apply water to at least 80 percent of all inactive disturbed surface areas on a daily basis when there is evidence of wind driven fugitive dust, excluding any areas which are inaccessible due to excessive slope or other safety conditions; OR
- 3b. Apply dust suppressants in sufficient quantity and frequency to maintain a stabilized surface; OR
- 3c. Establish a vegetative ground cover within 21 days after active operations have ceased; ground cover must be of sufficient density to expose less than 30 percent of unstabilized ground within 90 days of planting, and at all times thereafter; OR
- 3d. Utilize any combination of control actions 3a, 3b and 3c such that, in total, they apply to all inactive disturbed surface areas.
- 4a. Water all roads used for any vehicular traffic at least once per every two hours of active operations; OR 4b. Water all roads used for any vehicular traffic once daily and restrict vehicle speed to 15 mph; OR 4c. Apply chemical stabilizer to all unpaved road surfaces in sufficient quantity and frequency to maintain a stabilized surface.
- 5a. Apply chemical stabilizers; OR
- 5b. Apply water to at least 80 percent of the surface areas of all open storage piles on a daily basis when there is evidence of wind driven fugitive dust; OR
- 5c. Install a three-sided enclosure with walls with no more than 50 percent porosity that extend, at a minimum, to the top of the pile.

- 6a. Pave or apply chemical stabilization at sufficient concentration and frequency to maintain a stabilized surface starting from the point of intersection with the public paved surface, and extending for a centerline distance of at least 100 feet and width of at least 20 feet; OR
- 6b. Pave from the point of intersection with the public paved road surface, and extending for a centerline distance of at least 25 feet and a width of at least 20 feet, and install a track-out control device immediately adjacent to the paved surface such that exiting vehicles do not travel on any unpaved road surface after passing through the track-out control device.
- 7a. Any other control measures approved by the District.

Monitoring Responsibility: AQMD

Monitoring Requirement: Prior to approval of grading permit, the applicant shall incorporate the above provisions as notes on construction plans. The notes shall be verified by AQMD.

- 5. **MM AQ-4:** During construction activities in high wind conditions, the project applicant shall implement the following Best Available Fugitive Dust Control Measures as outlined in the CEQA Guide to Air Quality Assessment, Determining Significance of Air Quality Impacts Under the California Environmental Quality Act (EDAQMD 2002).
 - 1a. Cease all active operations, OR
 - 1b. Apply water to soil not more than 15 minutes prior to moving such soil.
 - 1c. On the last day of active operations prior to a weekend, holiday, or any other period when active operations will not occur for not more than four consecutive days: apply water with a mixture of chemical stabilizer diluted to not less than 1/20 of the concentration required to maintain a stabilized surface for a period of six months; or apply chemical stabilizers prior to a wind event; OR 2b. Apply water to all unstabilized disturbed areas 3 times per day; if there is any evidence of wind driven fugitive dust, watering frequency is increased to a minimum of four times per day; OR 3b. Take the actions specified in Table B.6, Item 3c; OR 4b. Utilize any combination of control actions specified in Table 1, Items 1B, 2B and 3B, such that, in total, they apply to all disturbed surfaced areas.
 - 1d. Apply chemical stabilizers prior to a wind event; OR 1c-1. Apply water twice per hour during active operation; OR 1c-2. Stop all vehicular traffic.
 - 1e. Apply water twice per hour; OR 1d-1. Install temporary coverings.

- 1f. Cover all haul vehicles; OR 1e-1. Comply with the vehicle freeboard requirements of Section 23114 of the California Vehicle Code for operation on both public and private roads.
- 1g. Any other control measures approved by the District.

Monitoring Responsibility: AQMD

Monitoring Requirement: Prior to approval of grading permit, the applicant shall incorporate the above provisions as notes on construction plans. The notes shall be verified by AQMD.

- 6. **MM AQ-5:** Prior to any grading activities, the project applicant shall retain a qualified geologist to test the soils on the project site for the presence of asbestos. In the event that asbestos is present, the project applicant shall comply with applicable state and local regulations regarding asbestos, including CARB's asbestos airborne toxic control measure (ATCM) (Title 17, CCR Sections 93105 and 93106), to ensure that exposure to construction workers and the public is reduced to an acceptable level. This may include the preparation of an Asbestos Hazard Dust Mitigation Plan to be implemented during construction activities.

Monitoring Responsibility: AQMD

Monitoring Requirement: Prior to approval of grading permit, the applicant shall incorporate the above provisions as notes on construction plans. The notes shall be verified by AQMD. Any Asbestos Hazard Dust Mitigation Plan shall be approved by AQMD prior to permit approval.

- 7. **MM BR-1:** Migratory Birds. If clearing and/or construction activities will occur during the migratory bird nesting season (April 15–August 15), preconstruction surveys for nesting migratory birds shall be conducted by a qualified biologist, up to 14 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot buffer surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds. Surveys shall be repeated if project activities are suspended or delayed for more than 15 days during nesting season.

If active nest(s) are identified during the preconstruction survey, a qualified biologist shall monitor the nest to determine when the young have fledged. Monthly monitoring reports, documenting nest status, will be submitted to the El Dorado County Community Development Agency until the nest(s) is deemed inactive. The biological monitor shall have the authority to cease construction if there is any sign of distress to a raptor or migratory bird. Reference to this requirement and the Migratory Bird Treaty Act shall be included in the construction specifications.

Monitoring Responsibility: Planning Services

Monitoring Requirement: Prior to construction, surveys for nesting migratory birds shall be performed. If active nests are found, construction zone buffers shall be used and nests shall be monitored.

8. **MM BR-2:** Active Raptor Nests. If construction activities will occur during nesting season for raptors (January 15–August 15), all suitable raptor nesting habitat within 0.5 mile of the impacted area shall be surveyed for active raptor nests within 14 days of construction commencement. If an active raptor nest is located within 0.5 mile of the construction site, a no-activity buffer will be erected around the nest while it is active to protect the nesting raptors. This buffer distance may be amended to account for nests that are not within the line-of-sight of the construction activity. Surveys shall be repeated if project activities are suspended or delayed for more than 15 days during nesting season.

Monitoring Responsibility: Planning Services

Monitoring Requirement: Prior to construction, surveys for nesting migratory birds shall be performed. If active nests are found, construction zone buffers shall be used and nests shall be monitored.

9. **MM TR-1:** The applicant shall pay fair-share TIM fees towards improvements associated with the El Dorado Hills Boulevard/Park Drive/Saratoga Way (Intersection #1) improvements.

Monitoring Responsibility: Transportation Division

Monitoring Requirement: Prior to issuance of building permit, the County shall ensure TIM fees have been paid.

10. **MM TR-2:** The applicant shall pay fair-share TIM fees towards improvements associated with the El Dorado Hills Boulevard/US 50 WB ramps (Intersection #2) improvements.

Monitoring Responsibility: Transportation Division

Monitoring Requirement: Prior to issuance of building permit, the County shall ensure TIM fees have been paid.

11. **MM TR-3:** The applicant shall pay fair-share TIM fees towards improvements associated with CIP improvements.

Monitoring Responsibility: Transportation Division

Monitoring Requirement: Prior to issuance of building permit, the County shall ensure TIM fees have been paid.

12. **MM UT-1:** The applicant shall pay fair-share fees towards the planned CIP improvement for the El Dorado Hills Boulevard (EDHB) trunk sewer line improvement, and associated EID connection costs.

Monitoring Responsibility: Planning Services

Monitoring Requirement: Prior to issuance of building permit, the County shall ensure fair-share fees have been paid. Prior to certificate of occupancy, final confirmation of adequate capacity in the EDHB trunk line to accommodate the project shall be provided to the County.

Planning Services

13. **Conditions Compliance:** Prior to issuance of a building permit or commencement of any use authorized by this permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services prior to issuance of a building permit for verification of compliance with applicable conditions of approval.
14. **Site Improvements:** Building design, colors, building placement, and parking lot improvements shall be completed in conformance with the plans submitted and in conformance with the conditions of approval herein and shall substantially comply with all exhibits listed in Condition 1 above. Minor variations may be permitted; however, any major changes in the design and location of building, building elevations, landscaping, trash enclosure, bike racks, access driveways, or parking shall require review and approval by Planning Services prior to project modifications.
15. **Landscaping:** The final landscape plan shall be consistent with Exhibit K comply with Zoning Code Chapter 17.18.090 and General Plan Policies 7.3.5.1 and 7.3.5.2; and be approved by Planning Services prior to issuance of a building permit. The following additional information would need to be submitted prior to final inspection of installed landscaping:
 - A. Completed, signed Model Water Efficient Landscape documents consistent with the new County Model Water Efficient Landscape Ordinance.
 - B. A filed copy of an irrigation audit report or survey approved by the El Dorado Irrigation District with the Certificate of Completion.

The applicant shall install and maintain the landscaping in accordance with the approved final landscaping plan in perpetuity.

16. **Lighting:** All outdoor lighting shall conform to Section 17.14.170 of the Zoning Ordinance and the approved Development Plan Standards for the project, and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Any light fixture shown on Exhibit I-1 that does not have a specification sheet submitted with the building permit that specifically states that the fixture meets the said full cut-off standards shall require a fixture substitution that meets that requirement. In addition, the following shall apply:
- A. External lights used to illuminate a sign or side of a building or wall shall be shielded in order to prevent light from shining off the surface to be illuminated.
 - B. No more than 50 percent of the parking lot lighting may remain in parking on during hours of non-operation. Any security lighting on the buildings shall be designed with motion-sensor activation.

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

17. **Signs:** All signage installed as part of the project shall demonstrate consistency with the approved Sign Plan as detailed in Exhibit P for location, materials, sizes, and colors. There shall be no unapproved signs and/or banners placed, mounted, or displayed within the approved project area.
18. **Parking:** Parking shall be improved consistent with Chapter 17.18 of the County Code and approved Development Plan Standards for the project.
19. **Hold Harmless Agreement:** In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action.
- The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval by El Dorado County. County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.
20. **State Fish and Wildlife Fee:** The applicant shall submit to Planning Services a \$50.00 recording fee and a \$2,181.25 Department of Fish and Wildlife fee (subject to adjustment by the state) prior to filing of the Notice of Determination by the County. No permits shall be issued until said fees are paid.

21. **Maintenance Agreement:** Prior to issuance of a certificate of occupancy, the applicant shall submit an executed copy of a maintenance agreement in accordance with Section 17.28.161 of the Zoning Ordinance.
22. **Lot Merger:** Prior to issuance of a grading permit, an application for a Boundary Line Adjustment shall be approved for the merger of the project parcels.
23. **Development Services Division Processing Fees:** Prior to issuance of a building permit, the applicant shall pay all outstanding Development Services Division fees associated with this application.
24. **Human Remains:** Prior to approval of Grading and Improvement Plan, the following shall be noted on the plans.
 - If utility trenches or any construction excavation exceed the depth of the fill (approximately 12 feet), a representative from Shingle Springs Band of Miwok Indians (SSBMI) shall be consulted to observe the exaction work to ensure no cultural materials are present. In the event that previously unknown cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study in coordination with SSBMI. The qualified archeologist in coordination with SSBMI shall identify measures to be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds, in accordance with Section 15064.5 of the CEQA Guidelines. Cultural resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites.
 - If human remains are encountered during earth-disturbing activities within the project area, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. If the remains are determined to be Native American in origin, both the Native American Heritage Commission (NAHC) and any identified descendants shall be notified by the coroner and recommendations for treatment solicited (CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94 and 5097.98).

Transportation Division

Project-Specific Conditions

2425. **Gates, Location:** Pursuant to Article 2, Section 1273.11 of the SRA Fire Safe Regulations, all gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road. Additionally, gate entrances shall be at least 2 feet wider than the width of the traffic lane(s) serving that gate.

2526. **Gates, Turnarounds:** All gates shall be designed and constructed with turnarounds acceptable to the Transportation Division and the Fire Department. The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved improvement agreement with security prior to final occupancy.

Standard Conditions

2627. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.

2728. **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 Transportation Division 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 Transportation Division prior to improvement plan approval.

2829. **Curb Returns:** All curb returns and pedestrian crossings shall include a pedestrian ramp with truncated domes per Caltrans Standard A88A and 4 feet of sidewalk/landing at the back of the ramp. Peer review by an Accessibility Specialist is advised.

2930. **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).

3031. **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.

3132. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.

3233. **DISM Consistency:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (as may be modified by these Conditions of Approval or by approved Design Waivers) from the County Transportation Division, and pay all applicable fees prior to occupancy.

3334. **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. Applicant is required to provide proof of off-site borrow or disposal site compliance with all local, state, and federal laws (including but not limited to CEQA, Fish and Game Code Section 1600, federal Clean Water Act requirements).

3435. **Grading Permit/Plan:** A *commercial* grading permit is required for the project. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to EDC CDA for review and approval. The plan shall be in conformance with the County of El Dorado “Design and Improvement Standards Manual,” the “Grading, Erosion and Sediment Control Ordinance,” the “Drainage Manual,” the “Off-Street Parking and Loading Ordinance,” and the State of California Handicapped Accessibility Standards. All applicable plan check fees shall be paid at the time of submittal of improvement plans. All applicable inspection fees shall be paid prior to issuance of a permit. The improvements and grading shall be completed to the satisfaction of the El Dorado County Community Development Agency (EDC CDA) prior to final occupancy.
3536. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the EDC CDA. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Transportation Division 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.
3637. **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 Transportation Division. The EDC CDA shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
3738. **Soils Report:** At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from, the EDC CDA. 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, groundwater, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
3839. **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 EDC CDA. The Drainage Study shall 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 the applicant shall 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. A scoping meeting for the required drainage study between County staff and the engineer shall occur prior to the first submittal of improvement plans. The engineer shall bring a watershed map and any other existing drainage system information to the scoping meeting. The improvements shall be completed to the approval of the EDC CDA, prior to occupancy.

3940. **Drainage Easements:** Pursuant to Section 4.D of the El Dorado county Design and Improvement Standard Manual (DISM), the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans.

4041. **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 1 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 shall be done prior to commencing construction.

4142. **Storm Water Drainage BMPs:** Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed water quality treatment facilities (BMPs) for removal of pollutants of concern (e.g., sediment, oil/grease), as approved by the Transportation Division. This project is located within the area covered by El Dorado County's municipal storm water quality permit, pursuant to the National Pollutant Discharge Eliminated System (NPDES) Phase II program. Project-related storm water discharges are subject to all applicable requirements of said permit.

BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) storm water runoff in accordance with "Attachment 4" of El Dorado County's NPDES Municipal Storm Water Permit (State Water Resources Control Board NPDES General Permit No. CAS000004).

With the Improvement Plans, the applicant shall verify that the proposed BMPs are appropriate to treat the pollutants of concern from this project. A maintenance entity of these facilities shall be provided by the project applicant. The Transportation Division shall review the document forming the entity to ensure the provisions are adequate prior to approval of improvement/ site grading plans.

4243. **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 the Transportation Division with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
4344. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees at issuance of building permit.

Solid Waste & Hazardous Materials Division

4445. **Solid Waste:** For all refuse collection/storage areas, enclosures shall include room for both trash and recycling dumpsters. The enclosures shall be accessible to service trucks. All solid waste, including animal waste, shall be stored in trash containers with tight-fitting lids and hauled from the site at least once every seven days for proper disposal.
4546. **Construction Waste Management:** The applicant shall comply with CALGreen Section 5.408. 1 (Construction waste management). The applicant shall recycle and/or salvage for reuse a minimum of 50 percent of the non-hazardous construction waste in accordance with Section 5.408.1.1, 5.408.1.2 or 5.408.1.3, or meet a local construction and demolition waste management ordinance, whichever is more stringent.

El Dorado Hills Fire Department

4647. **Fire Protection:** The potable water system with the purpose of fire protection for this mixed residential/parking garage development shall provide a minimum fire flow of 4,000 gallons per minute with a minimum residual pressure of 20 psi for a four-hour duration. This requirement is based on an apartment building 301,260 square feet or less in size, Type V-A construction, and a parking garage 142,600 square feet or less in size, Type II-B construction. All structures shall be fire sprinklered in accordance with NFPA 13 and Fire Department requirements. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval. Conformance with this condition shall be verified at building permit review.

4748. **Fire Hydrant Location:** This development shall install Mueller Dry Barrel fire hydrants or any other hydrants approved by the El Dorado Irrigation District. This conforms to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants for this development shall not exceed 300 feet. The exact location of each hydrant shall be determined by the Fire Department.
4849. **Fire Hydrant Marking:** In order to enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and California Fire Safe Regulations.
4950. **Fire Hydrant Installation:** In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to combustibles being brought onto the site as specified by the Fire Department, Standard B-003.
5051. **Fencing:** All fencing that backs up to wildland open space shall be required to use noncombustible type fencing.
5152. **Grounding:** All fire apparatus access roads shall be an asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds. The applicant needs to demonstrate that the turf block will sustain 75,000 pounds.
5253. **Traffic Calming Device:** This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump/dip section of roadway.
5354. **Wet Standpipe:** Based on the proposed layout, per CFC 901.4.3, a wet standpipe system will be required in the apartment building. The Fire Department will work with the applicant to determine exact locations for the main level FDCs and outlets on each level.
5455. **Dry Standpipe:** A dry standpipe system will be required in the parking garage with FDCs located at both entrances to the garage. The Fire Department will work with the applicant to determine exact locations for the main level FDCs and outlets on each level.
5556. **FDC:** Any Fire Department Connection (FDC) to the sprinkler/standpipe system shall be positioned so as not to be obstructed by a parked vehicle.
5657. **Landscaping:** The landscaping plan will be revised to remove trees proposed to be adjacent to the fire apparatus access road on the west side of the project that will impede fire apparatus access when fully grown.
5758. **Knox Box:** The proposed gates accessing the fire apparatus access on the west side of the project will require a Knox box padlock for access. Applications for Knox box padlocks are available at Fire Station 85, 1050 Wilson Blvd., El Dorado Hills, CA 95762.

5859. Fire Protection Systems

- a. Installation of all on-site fire protection systems shall be in accordance with NFPA 24 and Fire Department standards.
- b. All on-site fire protection systems shall be tested in accordance with the requirements of NFPA 24 and shall be witnessed by the Fire Department.
- c. The installing contractor, or sub-contractor, for all on-site fire protection systems shall notify the Fire Department at least 24 hours in advance of requesting a date and time for inspections.
- d. If plastic pipe is installed for fire protection systems, the pipe used shall be C-900 Class 200.
- e. After installation, rods, nuts, bolts, washers, clamps, and other restraining devices except truss blocks, used in on-site fire protection systems shall be cleaned and thoroughly coated with an acceptable corrosion-retarding material.
- f. The section of private fire service piping within 5 feet of the building foundation and the fire sprinkler riser shall be ductile iron piping.

5960. Knox Box: A Knox box is required for nighttime and after-hours access to the alarmed buildings.

6061. Addressing: Addressing is required as described in accordance with the El Dorado Hills Fire Department Addressing of Buildings Standard B-001.

6162. Electronic Copy: A PDF electronic copy of all plans shall be provided to the Fire Department for electronic storage and use for engine company pre-fire planning.

Air Quality Management District (AQMD)

6263. Asbestos Dust: Current county records indicate this subject property is located within the Asbestos Review Area. An Asbestos Dust Mitigation Plan (ADMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to project construction (Rules 223 and 223.2). The project shall adhere to the regulations and mitigation measures for fugitive dust emissions asbestos hazard mitigation during the construction process. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223 and 223.2.

6364. Paving: Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).

- 6465. Painting/Coating:** The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
- 6566. Construction Emissions:** During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (CARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (Section 2449 et seq., Title 13, Article 4.8, Chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at CARB's website here: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>. An applicability flow chart can be found here: http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf. Questions on applicability should be directed to CARB at 1-866-634-3735. CARB is responsible for enforcement of this regulation.
- 6667. New Point Source:** Prior to construction/installation of any new point source emissions units (i.e., boiler/hot water heater(s) for pool exceeding 1MMBTU/hour, an emergency standby engine, etc.), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications, and emission factors (Rules 501 and 523).
- 6768. Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be under permit from the California Air Resources Board (CARB). A copy of the current portable equipment permit shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project to include the make, model, and year, and daily hours of operation of each piece of equipment.

County Surveyor's Office

- 6869.** Prior to final occupancy, the applicant shall coordinate all addressing, including apartment number or suite number assignments, with the El Dorado County Surveyor's Office.

El Dorado Hills Community Services District (CSD)

- 6970.** Prior to issuance of building permit, the applicant pay all applicable park improvement fees. Payment shall be collected by Development Services Division-Planning Services on behalf of the El Dorado Hills CSD.

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