



# COUNTY OF EL DORADO PLANNING COMMISSION

Building C Hearing Room  
2850 Fairlane Court, Placerville, CA 95667  
<http://www.edcgov.us/planning>  
Phone: (530) 621-5355 Fax: (530) 642-0508

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

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

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## **DRAFT MINUTES**

**Regular Meeting  
June 12, 2014 – 8:30 A.M.**

### **CALL TO ORDER**

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

### **ADOPTION OF AGENDA**

**Motion: Commissioner Heflin moved, seconded by Commissioner Shinault, and carried (5-0), to approve the agenda as presented.**

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

### **PLEDGE OF ALLEGIANCE**

**CONSENT CALENDAR** (All items on the Consent Calendar are to be approved by one motion unless a Commission member requests separate action on a specific item.)

**Motion: Commissioner Pratt moved, seconded by Commissioner Stewart, and carried (4-0), to approve the Consent Calendar.**

**AYES: Heflin, Shinault, Stewart, Pratt**  
**NOES: None**  
**ABSTAIN: Mathews**

**1. (14-0691) Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of May 22, 2014.**

**This was Approved on Consent Calendar.**

**END OF CONSENT CALENDAR**

**DEPARTMENTAL REPORTS AND COMMUNICATIONS**

**(Development Services, Transportation, County Counsel)**

Lillian MacLeod notified the Commission that on June 10, 2014 the Board of Supervisors approved the Alto Tentative Map Development Agreement and several Final Maps in Serrano.

Dave Defanti responded to questions from the Commission on Long Range Planning items. He stated that Long Range Planning would return at the next meeting to provide an update on the various timelines and workshops related to the Targeted General Plan Amendment and Zoning Ordinance Update.

**COMMISSIONERS' REPORTS**

Commissioner Shinault commented that the Tahoe area was in a high fire danger level due to the combination of high temps and high winds.

Commissioner Pratt voiced frustration on a recent bike event in South County that again caused financial impact to the local businesses. He strongly felt that these type of events need to have community input in order to resolve the negative economic impacts that are occurring. He also stated that he is still working on Fire Safe Council items which included locating seed money and matching funds.

Commissioner Stewart was surprised at the low turnout at the previous evening's informational open house for the El Dorado Hills Apartments project. He also indicated that he had heard that the May counts for the Green Valley Traffic Corridor Study had been lost and was hoping staff could confirm or deny that.

**PUBLIC FORUM/PUBLIC COMMENT** – None

**AGENDA ITEMS**

**2. (14-0278)** Hearing to consider request for a Specific Plan Amendment, Development Plan Amendment, and a Special Use Permit to allow a residential senior care facility, a Parcel Map creating one 14.8 acre and one 5.5 acre lot, and a Development Plan revision to the existing commercial property [Specific Plan Amendment SP13-0001/Planned Development Revision PD95-0002-R/Planned Development Revision PD95-0007-R/Parcel Map P12-0004/Special Use Permit S13-0017 El Dorado Hills Retirement Residence]\* on property identified by APN 117-160-38, consisting of 20.30 acres, in the El Dorado Hills area, submitted by Lenity Architecture, LLC (Agent: Mark Lowen); and staff recommending the Planning Commission forward a recommendation to the Board of Supervisors to take the following actions:

1) Adopt the Mitigated Negative Declaration prepared by staff based on the Initial Study;

- 2) Adopt Specific Plan Amendment SP13-0001 based on the Findings and subject to the Amendments and Revisions document;
  - 3) Approve Planned Development Revision PD95-0002-R based on the Findings and subject to the Amendments and Revisions document;
  - 4) Approve Planned Development Revision PD95-0007-R based on the Findings and subject to the Conditions of Approval;
  - 5) Approve Parcel Map P12-0004 based on the Findings and subject to the Conditions of Approval; and
  - 6) Approve Special Use Permit S13-0017 based on the Findings and subject to the Conditions of Approval.
- (Supervisory District 1) (Cont. 05-08-14, Item 3)

Lillian MacLeod presented the item to the Commission with a recommendation for approval to the Board of Supervisors. She referenced the Staff Memo dated February 19, 2014 and the Staff Memo dated June 10, 2014, each containing recommended changes.

Jim Wiley, applicant's agent, concurred with all the recommended Conditions of Approval and introduced Dan Roach of Lenity Architecture. Mr. Roach gave a PowerPoint Presentation.

Chair Mathews closed public comment.

Significant discussion ensued on the point that the project was being considered a community care facility yet no care was being provided.

County Counsel David Livingston read into the record the portion of the Zoning Code that described the three categories of a Community Care Facility. He stated that it was determined that the project does fit into the residential facility category as that it is providing care, just not medical care. County Counsel Livingston also read into the record Section 17.32.210 and spoke on the General Plan. He stated that this Specific Plan utilizes the Zoning Code.

Mrs. MacLeod stated that the project requires a Special Use Permit and, therefore, can't be transitioned into apartments.

Commissioner Stewart made the following comments:

- Inquired on the maximum height of the building;
- Concerned about water use during this time of drought;
- Discussion on the County's Landscaping Ordinance;
- Would like a condition requiring artificial turf; and
- Indicated that traffic counts would be very low.

Commissioner Pratt made the following comments:

- Confirmed that standard widths for sidewalk were being used;
- Confirmed that the aesthetics for the project had not yet been finalized;

- Felt the project fit into the residential facility category because there were no kitchens in the apartments; and
- Project would not bring in as many jobs as other businesses would, but recalls an analysis study done for another project in that area that indicated that El Dorado Hills had an over-supply of commercial areas.

Commissioner Heflin made the following comments:

- Concerned if project was conforming to the economic element of the General Plan;
- Questioned if this was a good use for that type of acreage versus a building that could employ 200+ employees; and
- Great project that is needed but would like to see if in a different location.

Commissioner Shinault felt, as it relates to the Building Code, this project would be considered a congregate care residential building.

Chair Mathews made the following comments:

- Business Park is not very full;
- Project would bring in a large number of people with disposable income;
- Inquired where else would a project like this be placed; and
- Good discussion on the economic element, but this is a well thought-out project.

There was no further discussion.

**Motion: Commissioner Stewart moved, seconded by Commissioner Pratt, and carried (4-1), to recommend the Board of Supervisors take the following actions: 1. Adopt the Mitigated Negative Declaration prepared by staff based on the Initial Study; 2. Adopt Specific Plan Amendment SP13-0001 based on the Findings and subject to the Amendments and Revisions document as modified; 3. Approve Planned Development Revision PD95-0002-R based on the Findings and subject to the Amendments and Revisions document as modified; 4. Approve Planned Development Revision PD95-0007-R based on the Findings and subject to the Conditions of Approval as modified; 5. Approve Parcel Map P12-0004 based on the Findings and subject to the Conditions of Approval as modified; and 6. Approve Special Use Permit S13-0017 based on the Findings and subject to the Conditions of Approval modified as follows: (a) Amend Condition 40 as identified in the Staff Memo dated 02-19-14; (b) Amend Revisions 1, 2, and 3 in the Amendments and Revisions document as identified in the Staff Memo dated 06-10-14; (c) Amend Conditions 14, 18, and 23 as identified in the Staff Memo dated 06-10-14; and (d) Further modify Condition 40 to state that a copy of the referenced Zoning Ordinance citation would be provided to tenants.**

**AYES: Shinault, Pratt, Stewart, Mathews**

**NOES: Heflin**

**Findings**

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made pursuant to Section 66472.1 of the California Government Code:

**1.0 CEQA FINDINGS**

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received during the public review process. The proposed project, as conditioned, will not have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 Through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with the corresponding permit monitoring requirement, is hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 1.4 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of the Development Services-Planning Services at 2850 Fairlane Court, Placerville, CA.

**2.0 GENERAL PLAN FINDINGS**

- 2.1 The El Dorado County General Plan designates the subject site as Adopted Plan (AP), a designation applicable to areas where specific plans have been adopted. The El Dorado Hills Specific Plan (Specific Plan) and the respective land use maps were accepted and incorporated by reference and adopted as the General Plan Land Use map for the project. As set forth in Finding 2.2, the project is consistent with the Specific Plan, as amended, and is therefore consistent with the General Plan.

**2.2 Specific Plan**

Under Section 1.3, a goal of the Specific Plan is to provide a “mix of residential types that will meet the various needs of community residents who differ in age and lifestyle”. Section 4.4 allows senior care facilities in suitable locations within the Plan area. The project site is located within Village U of the Specific Plan, the zone district of which is General Commercial – Planned Development (CG-PD). The proposed senior residential care facility is allowed within the CG zone district subject to a special use permit. With

approval of the special use permit, the project complies with the goals and requirements of the Specific Plan in providing this type of housing. The project will not increase residential units above the total allowed for the Specific Plan area. The project, as conditioned, will be consistent with Sections 1.4.1.3 and 1.4.1.4 for grading and air quality, and construction and noise impact provisions. The project is consistent with the Design Guidelines under Appendix B Section 3.0 pertaining to circulation, parking, and signage.

### **3.0 ZONING FINDINGS**

- 3.1 The senior residential care facility is a permitted use by special use permit within the General Commercial zone district pursuant to Section 17.32.090. The PD Combining Zone requires subsequent development within Village U to be subject to the provisions of the Development Plan unless deferred to the Zoning Ordinance. As such, the project complies with the standards under Chapter 17.18 for parking and Section 17.14.170 for exterior lighting requirements.

### **4.0 ADMINISTRATIVE FINDINGS:**

#### **4.1 SPECIAL USE PERMIT.**

- 4.1.1 The issuance of the permit is consistent with the General Plan and the El Dorado Hills Specific Plan;
- 4.1.2 As conditioned and mitigated, the proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood;
- 4.1.3 The proposed residential senior care facility is specifically permitted by Special Use Permit as a community care facility pursuant to Section 17.32.190.N of this Title.

#### **4.2 TENTATIVE PARCEL MAP**

- 4.2.1 As proposed, the tentative map conforms to the General Plan and the El Dorado Hills Specific Plan and their applicable policies concerning adequate roadways, utilities, compatibility with the surrounding neighborhood, adequate water supply and fire safe access. The proposed tentative map, including design and improvements, is consistent with the General Plan and Specific Plan, where applicable.
- 4.2.2 The proposed parcel sizes of 5.5 and 14.8 acres conform to the 10,000 square foot minimum parcel size of the CG zone district and all applicable provisions of the Minor Land Division Ordinance. The tentative map conforms to the applicable standards and requirements of the County's zoning regulations and Minor Land Division Ordinance.
- 4.2.3 The creation of two parcels from the 20.3 acre site creates a density that is compatible with existing commercial development. The project is designed in a manner which allows adequate water, emergency access, and wastewater disposal. Further, the

proposed development complies with the land use and density requirements of the Specific Plan as amended, the Development Plan as revised, and the minimum parcel size and development standards of the CG Zone District. The site is physically suitable for the proposed type and density of development.

- 4.2.4 The proposed Parcel Map is not anticipated to cause substantial environmental damage as determined in the Initial Study and Mitigated Negative Declaration prepared by staff.

### **4.3 TOWN CENTER WEST PLANNED DEVELOPMENT**

- 4.3.1 The proposed development is consistent with the Development Plan subject to circulation improvements, including pedestrian, bikeway, and public transportation accommodations to adjacent development required under Section 3.1 of the Development Plan; Section 3.2 (Architectural Character) of the Town Center West Design Guidelines that require consistency and compatibility in color and building materials with the surrounding general commercial development; monument sign standards under Sections 6.2.1 and 6.2.2 (User Identification Monument Signs) of Appendix 5 – *Town Center West Signage Program*, and exterior lighting design standards under Section 3.5 of the Development Plan where applicable

### **4.4 PD95-0007-R**

- 4.4.1 The project will not change or modify the existing uses and development standards under the approved development plan.

### **Amendments and Revisions**

1. Prior to approval of the proposed senior residential care facility, the following amendments and revisions shall be adopted:
  - a. SP13-0001, El Dorado Hills Specific Plan amendments to Village U (Town Center West) uses and development standards; and
  - b. PD95-0002-R, Development Plan revisions to allow a residential senior care facility in Town Center West and to the applicable development standards;

### **SP13-0001:**

The El Dorado Hills Specific Plan shall be amended as follows:

#### **2. AMENDMENT 1:**

##### **“Section 1.4.2.1 Architecture**

The policies set forth in this section are intended as guides to the general architectural style and appearance employed in the construction of all residences in the Plan area. The

objective is to provide for building design and placement in a manner that reflects the natural character of the Plan Area and the particular village.

- a. Buildings generally shall be limited to ~~two~~ three stories in height except in instances where topography reasonably allows higher structures that would not detract from visual amenities.”

“Appendix B, Section 2.1.a

- “a. Buildings in general shall be limited to ~~two~~ three stories except where topography allows higher structures to be built without causing a significant visual impact.”

3. AMENDMENT 2

(Shall be amended to ~~strikeout the original Specific Plan summary and underline the current approved maps in the Serrano portion plus this project.~~)

- a.

“Table 1  
 Summary of Residential Use by Development Neighborhood

Specific Plan Area	(a) Dwelling Units	(b) Net Acres <sup>(2)</sup>	(c) Net D.U./Ac
<b>Commercial Neighborhood</b>			
Village U	<del>0</del> <u>130</u>	5.5	<u>24</u>
Subtotal	<del>0</del> <u>130</u>	5.5	<u>24</u>
Grand Total	<del>6,162</del> <u>4,956</u>	<del>2,021</del> <u>2,048.5</u>	<del>3.05</del> <u>2.42</u>

- b.

“Table 1  
 Summary of Residential Use by Development Neighborhood

Specific Plan Area	(a) Dwelling Units	(b) Net Acres <sup>(2)</sup>	(c) Net D.U./Ac
<b>Miscellaneous</b>			
Village T (by others)		126	
Village U (by others)		<del>130</del> <u>124.5</u>	
Subtotal		<del>256</del> <u>250.5</u>	



**PD95-0002-R:**

The Town Center West Development Plan shall be revised as follows:

4. **REVISION 1.**

**“Figure 2: Planned Square Footage by Use and Planning Area**

	LM	RD	BPO	C	CCF <sup>2</sup>	Total
Planning Area A	250,000	200,000	27,000	10,000 <sup>1</sup>	<del>114,000</del> 116,000	<del>477,000</del> 594,000
Planning Area B	300,000	47,000				347,000
Planning Area C			237,000	250rm Hotel <sup>1</sup>		237,000
Planning Area D		150,000	194,000	15,000 <sup>1</sup>		344,000
Planning Area E				35,000 <sup>1</sup>		60,000 <sup>1</sup>
Total	550,000	397,000	458,000	60,000 <sup>1</sup>	<del>114,000</del> 116,000	<del>1,465,000</del> 1,579,000

Note <sup>1</sup>: The total Planned Square footage of Category C use shall not exceed 60,000 square feet. When allocated to a Planning Area other than Planning Area E, the number of square feet of Category C uses allocated shall be deducted from Category BPO.

Note <sup>2</sup>: Community Care Facility (CCF)”

5. **REVISION 2.** (Page 2):

**“Town Center West**

**Planning Area A** is located on the southeast quadrant of Town Center West with access provided by Town Center Boulevard. Planning Area A consists of approximately 36 acres. Planned building square footage is ~~477,000~~ 594,000 square feet.

6. REVISION 3.

“Figure 1: (Planning Areas and Planned Building Square Footage)

	Area Acreage	Planned Building Square Footage
Planning Area A	36.3	<del>477,000</del> <u>593,000</u>
Planning Area B	29.7	347,000
Planning Area C	24.4	237,000
Planning Area D	22.7	344,000
Planning Area E	7.1	60,000
Roads	10.9	
Totals	131.1	<del>1,465,000</del> <u>1,579,000</u> ”

7. REVISION 4.

“2. The Development Standards

(Refer to the Improvements Phasing Plan for Planning sub-Areas.)

2.1 Planning Area A

2.1.1 Building Height – Buildings situated in Planning sub-Area A1 shall be limited to 50 feet in height, and A2 shall be limited to 35 feet in height, whereas buildings in Planning sub-Area A3 shall have a maximum height of 65 feet.”

Conditions of Approval

1. **Project Description:** This Special Use Permit is based upon and limited to compliance with the project description, the Conditions of Approval set forth below, and Exhibits E through G and Exhibits I through P.

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

The project description is as follows:

- a. S13-0017, a special use permit for the proposed residential senior care facility, as required under Section 17.32.190.N of the Zoning Ordinance;
- b. PD95-0007-R, a revision to the existing development plan for the manufacturing facility consistent with new lot boundaries under the proposed parcel map; and

- c. P12-0004, a parcel map creating two lots of approximately 14.8 and 5.5 acres respectively.

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 must be submitted for review and approval and shall be implemented as approved by the County.

**S13-0017:**

**Conditions from the Mitigated Negative Declaration**

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

2. The applicant shall use a paint that contains no greater than 50 g/L of VOC that, when added to the other construction sources of ROG emissions, will result in 80.5 pounds/day ROG emissions, below the 82 pounds/day threshold.  
*Timing/Implementation: Prior to the first building permit issuance subject to review and approval by the Air Quality Management District.*
3. Preconstruction surveys for burrowing owls shall be conducted within 30 days of site disturbance from grading and/or construction activities according to current California Department of Fish and Wildlife (CDFW) protocols. If wintering or nesting owls are found, work shall stop and CDFW shall be consulted to determine appropriate avoidance procedures.  
*Timing/Implementation: Prior to the first grading or building permit issuance subject to review and approval by Development Services, Transportation Services, and the Resource Conservation District.*
4. If project grading and/or construction activities are to occur during March 1 through August 31, a qualified biologist shall conduct a preconstruction survey of the work area to determine if any special status bird and raptor species are nesting in or near the vegetation to be removed. The survey should be conducted within 15 days prior to start of work between March through May and within 30 days prior between June through August. If active nests are found, the biologist shall determine an appropriately-sized buffer around the nest where no work will be allowed until the young have fledged. Said buffers typically may range between 300 to 500 feet.

*Timing/Implementation: Prior to the first grading or building permit issuance subject to review and approval by Development Services, Transportation Services, and the Resource Conservation District.*

5. Under a grading permit, partial removal, screening, and re-compaction of the existing fill will be required prior to placing additional fill on site or constructing the proposed improvements. As part of the grading permit, the applicant will be required to submit a soil report addressing, at a minimum, the composition of the fill material, scarification of native soil prior to fill, and compaction of fill prior to its transport to the project site. Certification by the project engineer as to the integrity of the fill material in supporting the proposed structures and improvements will be required. As such, impacts on soil stability will be reduced to a less than significant level.

*Timing/Implementation: Prior to the first grading permit issuance subject to review and approval by Development or Transportation Services.*

### Planning Services Division

6. **Lighting.** Exterior lighting shall comply with the design standards under Section 3.5 of the Development Plan where applicable, and shall conform to 17.14.170 and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Should final, installed lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of the Planning Department.

7. **Landscaping.**

- a. Landscaping shall conform to Specific Plan requirements under Section 1.4.1.1.e requiring 20 percent of all roadside and parking lot trees to be native oaks. Oak protection measures shall comply with standards under Appendix B, Section 2.2 where applicable. The remainder of the landscaping shall comply with Appendix 3 – *All Planning Areas* and the Specific Plan Appendix B - *Plant List*.

- b. The final landscape plan shall be prepared in compliance with the Model Water Efficient Landscape Ordinance, if applicable, and shall be reviewed and approved by the Development Services Director or designee prior to issuance of a building permit. Applicant shall install and maintain landscaping in accordance with the approved final landscaping plan in perpetuity or unless otherwise modified through any future permit.

8. **Parking.** Minimum parking requirements are for 80 parking spaces of which four must be ADA compliant with at least one van accessible.

9. **Signage.** Signage shall comply with the standards under Section 6.2.1 (User Identification Monument Signs) of Appendix 5 – *Town Center West Signage Program* providing for one illuminated monument sign at the primary off-street entry to the building at least 10 feet from the edge of Town Center Boulevard right-of-way and a

maximum of four feet high and 40 square feet in area, subject to approval of the Town Center West Design Review and/or Property Owners Association. A revised sign package shall be submitted prior to issuance of a building permit for any sign, subject to Planning Services approval. On-site directional and convenience signs shall be provided as part of the sign permit package demonstrating compliance with Section 6.2.2 maximum standards of four signs per lot, four feet in height, and four square feet in area.

10. **Shared Access Agreement.** Shared access will be from the existing driveway off of Town Center Boulevard. A Shared Access Agreement between the property owners of the two created parcels shall be recorded prior to final occupancy is approved for the facility. The conditions, covenants, and restrictions of the agreement shall stay with the real property and be binding upon all parties having right, title, or interest in the property, and will run with the land in perpetuity.
11. **Internal Circulation.** The project will be subject to circulation improvements, including pedestrian, bikeway, and public transportation accommodations to adjacent development required under Section 3.1 of the Development Plan and the El Dorado County Bicycle Transportation Plan (EDC Transportation Commission, 2010 Update). Pedestrian pathways shall be designed in compliance with Sections 3.1.12 through 3.1.15 and 3.2.10 of the Development Plan prior to building permit issuance.
12. **Architecture.** The facility will be required to conform to Section 3.2 (Architectural Character) of the Town Center West Design Guidelines that require consistency and compatibility in color and building materials with the surrounding general commercial development of stucco texture and neutral colors. Prior to issuance of a building permit, staff shall determine the elevations have been approved by the Design Review Committee as being consistent with the Development Plan guidelines and standards.
13. **Noise.** Sound-attenuating windows and interior ventilation systems consistent with the Specific Plan shall be required as part of the building permit plans.
14. **Disclaimer.** The applicant shall provide a disclaimer and copy of the referenced Zoning Ordinance citation to every initial and future tenant of the 130-unit facility, as follows:

“This is to inform you of the potential disturbance to your peaceful enjoyment of this facility from noise, odors, smoke, dust, or other factors from the surrounding general commercial development by uses allowed under Section 17.32.180 of the Zoning Ordinance (General Commercial Districts-Permitted Uses).”

15. **Medical/Hazardous Waste.** The removal of medical waste from the site, such as used needles, may require a Medical Waste Permit to ensure compliance with the California Medical Waste Management Act. The applicant shall seek a determination from the Environmental Management Division as to whether a permit is required prior to building permit issuance. In the event a permit is not required, the applicant shall contract with either their waste management provider or the medical vendor for proper disposal of medical/hazardous waste.

16. **Permit Implementation:** Pursuant to County Code Section 17.22.250, implementation of the project must occur within twenty-four (24) months of approval of this Special Use Permit, otherwise the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with conditions of approval.
17. **Condition Compliance:** Prior to issuance of certificate of occupancy 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.
- “18. **Park In-lieu Impact Fees.** ~~Parkland dedication or in-lieu Park Impact Fees (PIF)~~ will be required for the project based on the following calculation:  
~~The applicant shall submit a request for park in-lieu fee appraisal to Planning Services, with a check for \$150 made out to the El Dorado County Assessor. Upon completion of the appraisal, the applicant shall pay the park fee calculated at the fair market value of 1.5 acres (130 dwelling units x 2.1 persons per dwelling unit x 5.5 acres / 1,000) to the El Dorado Hills Community Service District pursuant to Section 16.12.090 of the El Dorado County Subdivisions Ordinance.~~  
Two full residential units for the manager and co-manager at \$8,103 (multi-family PIF) each and two units per the Equivalent Dwelling Unit (EDU) rate equaling 65 units (130 units/2) x \$5,736 for a total PIF of \$389,046 as follows:
- [65 units x \$5,736 = \$372,840 + (8,103 x 2) = \$389,046;
- Or, the applicant may substitute any portion of the fee requirement with in-lieu work on Master Plan projects subject to approval by the El Dorado Hills Community Service District. The applicant shall submit the receipt showing compliance with this condition to the County Surveyor prior to recordation of the parcel map.”
19. **Fish and Game Fee:** The applicant shall submit to Planning Services a \$50.00 recording fee and a \$2,181.25 Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No permits shall be issued until said fees are paid
20. **Archeological Resources:** The following shall be incorporated as a note on the grading/improvement plans:
- In the event archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a “unique archaeological resource”, contingency funding and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archaeological mitigation takes place.

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

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

21. **Human Remains:** The following shall be incorporated as a note on the grading/improvement plans:

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

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

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

22. **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.

23. “In order to comply with County noise standards, should the County require construction of a sound wall between the project property and the adjoining commercial property along its western boundary as a condition of approval for the development of the commercial property, the project applicant shall be responsible for building said wall.”

### Transportation Division - Standard Conditions

- ~~23~~24. **Easements.** All applicable existing and proposed easements shall be shown on the project plans.
- ~~24~~25. **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.
- ~~25~~26. **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.
- ~~26~~27. **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 offsite grading.
- ~~27~~28. **Grading Permit / Plan.** If more than 250 cubic yards of earth movement are required for improvements, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Transportation Division for review and approval. The plan shall be in conformance with the County of El Dorado Design and Improvement Standards Manual, the Grading, Erosion and Sediment Control Ordinance, the Drainage Manual, the Off-Street Parking and Loading Ordinance, and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of the Transportation Division prior to final occupancy.
- ~~28~~29. **Grading Plan Review.** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Transportation Division. 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.

2930. **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 Transportation Division shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
3031. **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 El Dorado County Transportation Division. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
3132. **NPDES Permit.** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
3233. **TIM Fees.** The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is issued.

### **Air Quality Management District**

3334. **Fugitive Dust.** The project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM<sub>10</sub>) in the form of dust. The project shall adhere to the regulations and mitigation measures for fugitive dust emissions during the construction process. In addition, a Fugitive Dust Mitigation Plan (DMP) Application with

appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction. (Rules 223 and 223.1)

3435. **Paving.** Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).
3536. **Open Burning.** Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only vegetative waste materials may be disposed of using an open outdoor fire (Rule 300 Open Burning).
3637. **Painting/Coating.** The project construction may involve the application of architectural coating, which shall adhere to AQMD Architectural Coatings AQMD (Rule 215).
3738. **Construction Emissions.** During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at ARB'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](http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf).

Questions on applicability should be directed to ARB at [1-866-634-3735](tel:1-866-634-3735). ARB is responsible for enforcement of this regulation.

3839. **New Point Source.** Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, 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. (Rule 501 and 523)
3940. **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, which includes the make, model, year of equipment, daily hours of operations of each piece of equipment.

### El Dorado Hills Fire Department

4041. **Fire Flow.** The potable water system with the purpose of fire protection for this Retirement development shall provide a minimum fire flow of ~~4,000~~ 3,000 gallons per minute with a minimum residual pressure of 20 psi for a four-hour duration. This requirement is based on a structure ~~114,000~~ 115,800 square feet or less in size, Type V-B ~~V-A~~ 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.
4142. **Fire Hydrants.** This development shall install Mueller Dry Barrel fire hydrants or any other hydrant 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 in this development shall not exceed 300 feet. The exact location of each hydrant shall be determined by the Fire Department.
4243. **Hydrant Enhancements.** 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 State Fire Safe Regulations.
4344. **Construction Safety Measures.** 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.
4445. **Fire Department Connection (FDC).** Any FDC to the sprinkler system shall be positioned so as not to be obstructed by a parked vehicle. The hydrant located closest to the FDC shall be on the same side of the road as the FDC. The plans currently show the hydrant on the opposite side of the road from the FDC.
4546. **Fencing.** All fencing that backs up to wildland open space shall be required to use non-combustible type fencing.
4647. **Roadway Standards.** All fire apparatus access roads shall be paved with asphalt, concrete, or other approved driving surface capable of supporting the imposed fire apparatus load of 40,000 pounds. Any type of traffic calming device that utilizes a raised bump/dip section of roadway shall be prohibited.
4748. **Covered Entrance.** Any portion of the building that extends over the internal roadway shall be a minimum of 13 feet 6 inches in height.
4849. **Turning Radius Requirements.** The site plan shall be revised to accommodate the turning radius of fire apparatus at the northeast "S" curve entranceway off the main access driveway and at the circular drop-off area in front of the main entrance to the building, subject to review and approval of the Fire Department prior to building permit issuance.
4950. **Parking Restrictions.** The only authorized parking will be in the designated parking spaces shown on the plans. All curbs shall be painted red with the words "No Parking - Fire Lane."

5051. **Building Emergency Requirements.** A Knox Box is required for nighttime and afterhours access to the alarmed buildings. A Knox Key shunt system shall be installed to terminate power to generators.
5152. **Site Address.** Addressing is required as described in the in accordance with the El Dorado Hills Fire Department “Addressing of Buildings” Standard B-001.
5253. **Fire Protection Systems**
- a. Installation of all onsite fire protection systems shall be in accordance with NFPA 24 and Fire Department Standards.
  - b. All onsite 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 onsite 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 that are used for onsite fire protection systems shall be cleaned and thoroughly coated with an acceptable corrosion retarding material.
  - f. The section of private fire service piping within five feet of the building foundation and the fire sprinkler riser shall be ductile iron piping.
  - g. Based on the proposed layout, per (CFC 901.4.3) a wet standpipe system will be required.
5354. **Secondary Access.** A secondary access is required to connect to Town Center Boulevard for emergency vehicle access, subject to review and approval of the Fire Department prior to recordation of the parcel map.
5455. **Weed Abatement.** If the property is not fully landscaped, all weeds located on the property shall be cleared down to two inches high annually by June 1.
5556. **Gates.** If any gate is proposed, it shall meet the El Dorado Hills Fire Department Gate Standard B-002.
5657. **Electronic Plans.** 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 by sending to [mlilienthal@edhfire.com](mailto:mlilienthal@edhfire.com).

**P12-0004:**

**Planning Services Division**

**5758. Meter Award Letter.** A water and sewer meter award letter or similar document shall be provided by the water purveyor prior to filing the parcel map, consistent with Board of Supervisors Resolution 118-92.

**5859. Off-site Acquisition.** Where the subdivider is required to make improvements on land which neither the subdivider nor the County has sufficient title or interest to make such improvements, prior to filing of any final map, the subdivider shall submit to the Development Services Director or his designee for approval:

- a. A legal description prepared by a civil engineer or land surveyor of the land necessary to be acquired to complete the off-site improvements.
- b. Improvement plans prepared by a civil engineer of the required off-site improvements.
- c. An appraisal prepared by a professional appraiser of the cost of land necessary to complete the off-site improvements.

**5960. Off-site Improvements.** Prior to the filing of the final map, the subdivider shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required off-site improvements including the full costs of acquiring any real property interests necessary to complete the required improvements.

In addition to the agreement, the subdivider shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

**6061. Liens/Bonds.** Prior to filing a final map, if the subject property is subject to liens for assessment or bonds, pursuant to the provisions of Government Code Section 66493, the owner or subdivider shall either:

- a. Pay the assessment or bond in full, or
- b. File security with the Clerk of the Board of Supervisors, or
- c. File with the Clerk of the Board of Supervisors the necessary certificate indicating provisions have been made for segregation of bond assessment responsibility pursuant to Government Code Section 66493 (d).

**6162. Conformance.** Prior to final map recordation, 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.

**6263. Processing Fees.** Prior to filing of the Parcel Map, Development Services shall verify that all Development Services Department fees have been paid.

**6364. Map Expiration.** The Parcel Map shall expire in 36 months from its date of approval unless a timely extension has been filed.

**Transportation Division - Standard Conditions**

- 6465. Signage.** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Transportation Division prior to the filing of the map. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
- 6566. DISM Consistency.** The developer shall obtain approval (as modified by these conditions herein) of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (DISM, dated May 1986, revised May 1990), from the County Transportation Division, and pay all applicable fees prior to filing of the final map.
- 6667. 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 Transportation Division.

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

- a. The site can be adequately drained;
- b. The development of the site will not cause problems to nearby properties, particularly downstream sites;
- c. The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts; and
- d. 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 Transportation Division prior to the filing of the final map or the applicant shall obtain an approved improvement agreement with security.

- 6768. Drainage (Cross-Lot).** Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity

acceptable to the County. Any variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the final map.

6869. **Drainage Easements.** Pursuant to Section 4.D of the DISM, the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and/or on the final map.

6970. **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.

#### County Surveyor

7071. **Survey Monuments.** All survey monuments must be set prior to filing the Parcel Map.

7172. **Addressing.** Situs addressing for the project shall be coordinated with the El Dorado Hills Fire Department and the County Surveyors Office prior to filling the Final Parcel Map.

7273. **Conformance.** Prior to filing the Final Parcel Map, a letter will be required from all agencies that have placed conditions on the map. The letter will state that **“all conditions placed on P 12-0004 by (that agency) have been satisfied.”** The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.

#### El Dorado Hills Fire Department

7374. **Project Fees.** A \$500 parcel map fee is required prior to final map approval. The Fire Department will charge the applicant an additional cost for a third party entity to conduct the plan review for this project.

#### Health and Human Services

7475. **Affordable Housing.** Should the applicant wish to provide affordable units for low- to moderate-income senior households, defined as those households earning between 50 to 120 percent of the median family income as established for El Dorado County, an affordable housing plan and agreement shall be required, as follows:

- a. At least ten percent of the total units shall be designated as affordable housing for seniors of low- to moderate-income. Deed restrictions for these specific affordable units shall be recorded prior to approval of the final map.

- b. An affordable housing plan to include, but not be limited to financing arrangements, monitoring program, and 20-year deed restrictions shall be established by the applicant through a Developer's Agreement with El Dorado County. A copy of the affordable housing plan shall be submitted to the Health and Human Services Agency and Planning Services prior to final occupancy of the first unit.
- c. In accordance with General Plan Policy HO-3.9, the property owner(s) shall provide notice to the California Department of Housing and Community Development, the El Dorado County Health and Human Services Agency and the existing tenants at least two years prior to the conversion of the affordable rental housing units to market rate. For-sale units are subject to a Buyers Agreement as part of the housing plan's Developer's Agreement.

**PD95-0007-R:**

**Planning Services Division**

- 7576. **Proposed Revisions.** The existing development plan for the manufacturing facility shall be revised to be consistent with new lot boundaries following recordation of the parcel map.
- 7677. **Future Revisions.** Modifications to the facility or site plan shall require a revision to the development plan permit.

**ADJOURNMENT**

Meeting adjourned at 10:07 a.m.

APPROVED BY THE COMMISSION  
Authenticated and Certified:

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Walter Mathews, Chair