

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: October 25, 2012
Item No.: 11
Staff: Mel Pabalinas

**GENERAL PLAN AMENDMENT/REZONE/PLANNED
DEVELOPMENT/TENTATIVE PARCEL MAP**

FILE NUMBER: A11-0003/Z11-0004/PD11-0002/P11-0003/Green Valley Center

APPLICANT: Winn Communities, LLC

AGENT: RSC Engineering

REQUEST: The project on the 6.85-acre site consists of the following:

1. General Plan Amendment amending the land use designation from High Density Residential (HDR) to Commercial (C);
2. Rezone from One-Family Residential-Planned Development (R1-PD) to Commercial-Planned Development (C-PD);
3. Preliminary Planned Development Permit for the proposed commercial development consisting of three commercial buildings totaling 28,615 square feet served with on-site parking, landscaping, and signs;
4. Tentative Parcel Map creating a total of three commercial parcels ranging from 1.53 to 3.04 acres in size;
5. Findings of Consistency with Interim Interpretive Guidelines for General Plan Policy 7.3.3.4 (Wetland Buffers and Setbacks) involving proposed reduced wetland setback from 50 feet to 25 feet; and
6. Design Waiver request reducing standard sidewalk width from 8-foot to 6-foot along Francisco Drive and Cambria Way.

ATTACHMENT B

LOCATION: The project is located at the southwest corner of Green Valley Road and Francisco Drive in the El Dorado Hills area, Supervisorial District 1 (Exhibit A).

APN: 124-140-33

ACREAGE: 6.85 acres (Exhibit B)

GENERAL PLAN: High Density Residential (HDR) (Exhibit C)

ZONING: One-Family Residential District-Planned Development (R1-PD) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

RECOMMENDATION: Staff recommends the Planning Commission forward a recommendation to the Board of Supervisors to take the following actions:

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
2. Adopt the Mitigation Monitoring Reporting Program in accordance with CEQA Guidelines Section 15074(d), incorporated as Conditions of Approval in Attachment 1;
3. Approve General Plan Amendment A11-0003 based on the Finding in Attachment 2;
4. Approve Rezone Z11-0004 based on Findings in Attachment 2;
5. Approve Preliminary Planned Development Permit PD11-0002 subject to the Conditions of Approval in Attachment 1 and based on the Findings in Attachment 2;
6. Approve Tentative Parcel Map P11-0003 subject to Conditions of Approval in Attachment 1 and based on the Findings in Attachment 2;
7. Approve a reduction of wetland setback from 50 feet to 25 feet based on the Findings in Attachment 2 and in accordance with Interim Interpretive Guidelines for General Plan Policy 7.3.3.4 (Wetland Buffers and Setbacks); and
8. Approve Design Waiver request reducing standard sidewalk width from 8-foot to 6-foot along Francisco Drive and Cambria Way.

BACKGROUND

The subject property was originally identified as Lot A of an 82-lot residential tentative map and planned development called Francisco Oaks that was approved in 1989 (Exhibit E). A revision to the tentative map with a reduced lot count 67 was approved in 2002 (Exhibit F). In December 2004, the

property was created with the recordation of the final map for the subdivision. To date, the property remains undeveloped.

The original project applications, which consisted of the General Plan Amendment and Rezone to change the land use designation, were filed on April 5, 2011. Upon advice from staff, the applicant submitted the Tentative Parcel Map and Planned Development (PD) Permit applications were filed on June 3, 2011.

PROJECT DESCRIPTION

The 28,615 square feet planned commercial Green Valley Center consists of three commercial buildings with specific uses that include an office, fast food restaurant, and pharmacy. The development would be accessed along Green Valley Road and Cambria Way. On-site facilities would include parking, landscaping, lighting, and signs. Public water, sewer and recycled water would be provided. Exhibit G includes a summary table of the proposed development.

Given the project's inconsistency issues with General Plan Policy 7.4.4.4, the applicant elected that the Planned Development Permit for the proposed commercial center be considered preliminary. The project has been conditioned that a Final PD be obtained prior to any construction or ground disturbance for the project, subject to review against all applicable policies and standards.

Site Description and Adjacent Lands: The vacant project site is located at the southwest corner of Green Valley Road, a major east-west arterial road, and Francisco Drive, a minor north-south collector road, within the El Dorado Hills area. Cambria Way intersects with Francisco Drive and borders the southern perimeter of the site.

Exhibits C and D graphically show the land use and zone designations of the subject site and adjacent properties. Existing commercial development borders the project site to the north, northeast, west, and east of the site. The Francisco Oaks residential subdivision borders the site to south. This private gated subdivision is also accessed at the northern end via Cambria and Brittany Way at the southern end.

The site is composed of annual grassland mixed with oak canopy. The oak canopy covers 3.42 acres of the 6.85-acre property. Site topography ranges from approximately 575 feet to 625 feet above mean sea level. Eighty seven percent of the site is contained within 0 to 30% slope gradient while the balance of the site within 40% slope range primarily situated within swale areas. A total 0.14 acre of jurisdictional wetland (ephemeral and swale features) exist along the northern and southern portions of the property. A 6-foot sidewalk exists along its frontage on Green Valley Road.

Site Design and Facilities: The proposed buildings are centrally located within the site with the building pads elevation ranging from 612 feet (Building 1) to 614 feet (Building 2). The buildings are visible entirely or partly along all bordering roads. The building pads are slightly higher than the existing grade of Green Valley Road, and lower in comparison with the grade along Francisco and Cambria Way.

Access points would be provided along Green Valley Road (right-in/right-out) and Cambria Way (full access) (Exhibit H). Large delivery trucks would primarily enter off Green Valley Road while Cambria Way would provide limited access other types of delivery. On-site circulation has been designed to meet standard drive aisle, parking, and vehicular turning radii serving the commercial uses. A total of 129 parking stalls are proposed to serve the development in excess of the required 123 stalls required by the ordinance. Buildings 1 (Retail Pharmacy) and 2 (Fast Food Restaurant) would have a drive thru stations. As total of two loading areas is required by the ordinance; however, given the site constraints, only Building 1 would be served by a full loading area located in the rear. This modification is allowed as part of the commercial Planned Development Permit.

Landscaping is proposed within the planter areas of the parking lot and along the perimeter utilizing a variety of type and size of drought tolerant and screening plants (Exhibit I). Proposed site lighting consists of various height and design of light standards distributed throughout the site (Exhibit J).

Subject to the Design Waiver request, 6-foot wide sidewalks would be constructed along site frontage on Cambria Way and Francisco Drive matching the existing sidewalk along the commercial development to the east.

Building Design and Signs: The proposed stucco buildings depict Craftsman-style design consistent with the existing commercial development in the surrounding area (Exhibit K). The buildings present various types of materials and architectural features that are highlighted by primary and accent exterior colors. All buildings are below the maximum height with Building 1 measuring the highest at 36 feet.

Wall and monument signs would be integrated with the building and site design based on the Preliminary Sign Program. A total of two monument signs are proposed (one located along Green Valley Road and another on Francisco Drive) that would have exterior lighting (Exhibit N). Illuminated tenant wall signs would be installed based on the specifications of the program which includes limitations on sign area, height, and quantity. The program also details the prohibited types of signs including painted and window signs.

The program would deviate from sign standards in the ordinance (e.g. proposed 90 square foot of monument sign area in excess of the maximum 50 square feet) which is permitted as part of the Planned Development Permit for the project. As a result of the recent sign moratorium urgency ordinance, the maximum sign area would be limited to 80 square feet. A condition of approval is recommended prohibiting any signs facing the southern perimeter of the project, which would minimize potential visual or lighting effects to the Francisco Oaks subdivision. A Final Sign Program shall be reviewed as part of the Final Planned Development Permit for the project.

Site Improvements: Approximately 3.85 acres of the site would require grading in order to establish the necessary infrastructure to serve the proposed uses (Exhibit L). To balance the site, a total of 14,000 cubic yard cut is estimated which would require approximately 2,500 cubic yard of fill and 11,500 cubic yard of import. Retaining walls with varying heights ranging from 1 to 11 feet tall are proposed at specific locations providing structural support for the level surface necessary for commercial development.

The project would require construction of off-site road improvements in accordance with county road design standards and as means to mitigate identified project traffic impacts. These improvements include a 117-foot deceleration taper lane and additional channelized east bound right-turn and south bound receiving lanes at Francisco Drive and El Dorado Hills Blvd.

Site disturbance would affect existing biological resources on the property including the removal of 2.28 acres of the 3.42 acres existing oak canopy and preserving the balance 1.14 acres (Exhibit M). Implementation of the project would also impact 0.037 acre of total 0.146 acre (approximately 25%) acre of jurisdictional wetlands while the remaining 0.109 acres of wetland would be avoided through buffers and preserved as part of site design.

Utilities: Operation of the development would require connection to public water, sewer, and recycled water services provided by El Dorado Irrigation District (EID) (Exhibit L). According to the Facilities Improvement Letter (FIL) provided by EID to the applicant, an 8-inch water line exists along Cambria Way and Green Valley Road and 16-inch line in Francisco Drive. The applicant shall be required to purchase water meters prior to parcel map filing or issuance of building permit.

On-site storm drainage would be managed through construction of an underground drainage network. Existing offsite drainage inlets along Francisco Drive and Green Valley Road would connect to the proposed on-site storm drains and pipes conveying flow into the open, natural drainage at the southwest corner of the site. The project would also utilize designated landscape planter areas as storm water detention. A culvert would be constructed at the crossing for the proposed driveway access along Green Valley Road conveying drainage along the northern perimeter of the site.

Commercial Tentative Parcel Map: The proposed Tentative Parcel Map would divide the property into three parcels each containing a commercial building (Exhibits G and O). The resulting parcel size exceeds the standard minimum size of 5,000 square feet. Parcels 1 and 3 would include preserved wetland features along the northern and southwest perimeters, respectively. Each parcel would also include portions of the off-street parking stalls, drive aisles, and landscaping. Future users of the proposed commercial buildings would have mutual parking use and access to these on-site improvements.

STAFF ANALYSIS OF PROJECT ISSUES

The following discussion summarizes the specific project issues in relation to consistency with applicable General Policies and standards of the County ordinance and improvement standards. Additional justification is provided in Attachment 2.

1. General Plan Amendment

The applicant is proposing a change of the land use designation from Residential to Commercial. The change to Commercial land use designation would provide a full range of commercial retail, office, and service uses from which the residents, businesses, and visitors of this area of El Dorado Hills, and the County, in general, would benefit (General Plan Policy 2.2.1.2). The commercial development has been designed to meet the policy standards of General Plan Policy 2.5.2.1 and

2.5.2.3 with regards to maximum buildable site, providing on-site parking construction of pedestrian sidewalk for connectivity and other design criteria.

The proposed development would be compatible and blend with the existing development in the area. Its location along the busy roadways, Green Valley Road and Francisco Drive, would provide immediate visibility, accessibility, and shopping convenience for its patrons. Each of the three existing commercial development at the intersection of Green Valley Road and Francisco Drive is immediately bordered by a residential development and provides retail and services to the neighborhood (General Plan Policy 2.2.5.21). The vacant project site is surrounded by and would match adjacent lands with similar designation and uses in the west, north and east, where public utilities and services are readily available.

The project would be bordered by a residential subdivision (Francisco Oaks) to south. Cambria Way would be a shared roadway for both uses, but would serve as a limited delivery access for the commercial development. The residents of the subdivision would have convenient and direct access to the commercial development, would be able to utilize the sidewalks along the project site and connect to existing off-site sidewalks. The identified project effects, including aesthetic, noise and traffic, have been analyzed and would be minimized to less than significant impact with implementation of mitigation measures and proposed project design (General Plan Policy 2.2.5.18).

Though the site has an underlying residential designation, residential development of the site may not be the most suitable best use of the site. A high density or multi-family residential development of the site could potentially expose residents to traffic and safety concerns along the roads, significant noise impacts from the vehicular traffic and surrounding commercial uses, and air quality effects from vehicular emissions. Addressing and mitigating these potential effects could pose site and building challenges in developing the site residentially.

2. Oak Canopy Impacts

The removal of oak trees within El Dorado County is regulated under General Plan Policies 7.4.4.4, 7.4.4.5, and 7.4.5.2. Policy 7.4.4.4 contains two options to mitigate for the loss of oak woodlands: 1) Option A requires conformance to on-site tree canopy retention and replacement standards; and 2) Option B provides for in-lieu payment of mitigation fees in accordance with an Oak Woodland Management Plan (OWMP). With the recent invalidation of the OWMP as a result of the Third District Court of Appeals ruling in the case of *Center for Sierra Nevada Conservation v. County of El Dorado*, mitigation via in-lieu fee payment (Option B) is not available.

As outlined by Table 1 of the Policy 7.4.4.4 (Option A), a site containing 50% of oak canopy requires 80% of the canopy to be retained and leaving 20% allowed for removal. Of the project site's 3.42 acres of existing oak canopy, 2.73 acres must be retained and the maximum allowed for removal at 0.68 acres. The project proposes to remove a total of 2.28 acres of the existing canopy, while retaining only 1.14 acres. Based on this, project impacts to oak canopy do not meet the policy.

Until the County adopts a new mitigation program as an alternative to retention of on-site oaks, development of the site cannot proceed without modifying the plan to conform to the retention standards. Accordingly, Mitigation Measure BIO-7 and Condition No. 13 require review of a Final

Planned Development and Grading Permit, which cannot be approved until such time as the County has adopted a new program that provides for a feasible alternative to retention of on-site oaks. Should the County fail to adopt an alternative to on-site retention of oaks, the project would be required to be redesigned prior to approval of the Final Development Plan and could be subject to additional environmental review.

3. Traffic and Circulation

Traffic and circulation impacts were analyzed in accordance with the standards of General Plan Policies TC-Xd and TC-Xe (Exhibit Q-Attachment 17). The Department of Transportation reviewed the analysis and imposed specific conditions of approval and mitigation measures to lessen the identified impacts via payment of impact fees or construction of necessary improvements in accordance with Policy TC-Xf and TC-Xh. Necessary right-of-way along Green Valley Road would be provided according Policy TC-Xg, affected traffic signals shall be synchronized per Policy TC-3d, and sidewalks shall be constructed in accordance with Policy TC-5b.

The DOT also analyzed traffic safety concerns in the immediate area that could be further affected with the project. The department conducted site visit and speed survey at the intersection of Cambria Way and Francisco Drive and verified adequate stopping site distance in accordance with Traffic Impact Study Policy and Procedures and Caltrans Highway Design Manual (Exhibit Q-Attachment 14).

Attachment 1 contains the specific conditions of approval recommended by DOT and traffic mitigation measure identified in the Initial Study/Checklist (Exhibit Q).

4. Wetlands

Wetland buffers are required under General Plan Policy 7.3.3.4 and the interim interpretive guideline of the policy. The project includes a request for a reduction of the wetland buffer from 50 feet to 25 feet along the southern ordinary high water mark of wetland channel CH-1. This channel feature conveys both on- and off-site drainage from the northeast corner of the site into an existing off-site swale features to the west (Exhibit Q-Attachment 18). As analyzed, this reduced buffer would adequately protect and preserve this wetland feature subject to Mitigation Measure BIO-6 and application of standard construction measures.

5. Planned Development Standards

The project includes two development standards that would be modified as part of the Planned Development for the Green Valley Center. Based on the size of the development, a total of two loading areas are required; however, given the site constraints and in order to minimize unnecessary development impacts, only one loading area (Building 1) would be provided. The project proposes to accommodate loading for Buildings 2 and 3 within the proposed parking area and limit loading and unloading duration during non-peak hours of the operation.

The Commercial zone district limits the maximum sign area of 50 square feet (one display surface) for each of the two monument signs. The project proposes a maximum area of 90 square feet, but

would be limited to 80 square feet with the current sign moratorium. The signs are architecturally integrated with the entire development, small in profile, and would be located within the perimeter landscaping.

6. Design Waiver

The project includes a request to construct a 6-foot wide sidewalk along Francisco Drive and Cambria Way. This width is a reduction from the standard width of 8-foot wide required for commercial development. The proposed reduced sidewalk would match and continue to provide connectivity to the existing sidewalk in the surrounding development and neighborhood. If the standard width is applied, it could result in unnecessary ground disturbance and compromise the engineered perimeter slope adjacent to these proposed sidewalks. Construction of the reduced sidewalk would not be injurious as this modified improvement would adequately and safely accommodate pedestrians.

7. Zoning

Corresponding with the proposed Commercial land use designation, the zoning of the site would be changed to Commercial (C) combined with an overlay zone of Planned Development (-PD). This zone provides a wide range of commercial uses and applicable development standards which implements the policies, objectives, and goals of the Commercial land use designation. This zone would match the existing zones in the adjacent commercial development. The -PD overlay zone would establish additional layer of discretionary review under a Planned Development Permit as the comprehensive development plan for the commercial project.

The proposed rezone is consistent with General Plan Policy 2.2.5.3. The site is within the El Dorado Hills Community Region where public infrastructures and services needed to serve the proposed development currently exists. The development would match the existing development pattern in the area. Development of the site would be subject to county construction and building standards and would impact existing resources on-site subject that would be mitigated less than significant.

8. Agency and Public Comments

The local advisory committee, El Dorado Hills Area Planning Advisory Committee (APAC), originally voted 7 to 0 to not support the project at its July 13, 2011 meeting. This was based on only having a General Plan Amendment and Rezone request at that time. The full project applications, which include the Tentative Parcel Map and Planned Development Permit, had yet to be distributed for agency review.

On November 11, 2011, the full project applications were distributed for review by various agencies. APAC received the updated project information and held follow-up meetings on the project on February 8 and March 14, 2012. APAC's follow-up comments primarily focused on the potential traffic impacts on the project, citing that the Green Valley Center traffic analysis did not contemplate other traffic analysis of other proposed projects in the area and that the Green Valley Center analysis contained flawed information (Exhibit P). DOT evaluated and addressed all of APAC's concerns, which is detailed in the letter attached as Exhibit R. In particular, DOT indicated and confirmed that

the project traffic impact analysis was conducted in accordance with current department protocols. DOT evaluated and determined minimal traffic queuing effects at the Francisco Oaks residential entry gate. The department also reviewed submitted plans and verified sufficient on-site turning ratio necessary to accommodate fire emergency vehicles.

During processing of the project, staff, Planning Commissioners, and Board of Supervisors received comment letters on the project from the general public, predominantly from the residents of Francisco Oaks. The comments includes concerns regarding traffic generated by the project, pedestrian safety, justification for additional commercial in the area, and impacts on noise and air quality.

As discussed above and supporting staff report information, the proposed project would be suitable and compatible with the existing development in this area of El Dorado Hills. Project impacts to traffic, biological resource, and air quality have been analyzed and determined to be less than significant with application of specific mitigation measures and conditions of approval.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study to determine if the proposed project would have a significant effect on the environment (Exhibit Q). Supporting studies were referenced in this Initial Study. Based on the Initial Study, a Mitigated Negative Declaration has been determined as specific impacts to Air Quality, Biological Resource, Transportation/Traffic has been identified, which would be subject to mitigation measures minimizing its effects to less than significant level.

Note: This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.). In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$2,101.50 after approval, but prior to the County filing the Notice of Determination on the project. This fee plus a \$50.00 administration fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,101.50 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

SUMMARY RECOMMENDATION

Based on the above analysis, staff recommends approval of the preliminary Development Plan for the Green Valley Center. Implementation of the commercial project, which requires a change of the land use designation and zoning, would otherwise conform to other policies of the General Plan, including Transportation and Circulation, Economic Development, and Land Use. The project design would conform to the development standards of the Zoning Ordinance including site design, parking and landscaping. An Initial Study/ Mitigated Negative Declaration has been prepared evaluating the environmental impacts by the project and identified specific mitigation measures minimizing impacts to less than significant level. Conditions of Approval are incorporated addressing the orderly implementation of the project.

The proposed commercial retail center would be developed in a heavily traveled area of El Dorado Hills, surrounded by existing residential and commercial development, and where public utility services are readily available. Project design would conform to the existing architectural theme in the area. Implementation of the project would complement and strengthen the retail commercial base of the community, aid in providing a range of employment opportunities, and retain a greater share of retail dollars within the County.

SUPPORT INFORMATION

Attachments to the Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Location Map
Exhibit B	Assessor's Parcel Map
Exhibit C	General Plan Land Use Map
Exhibit D	Zoning Map
Exhibit E	Original Francisco Oaks Tentative Subdivision Map
Exhibit F	Revised Francisco Oaks Tentative Subdivision Map
Exhibit G	Green Valley Commercial Center Summary
Exhibit H	Preliminary Site Plan/Truck Turn Exhibit
Exhibit I	Preliminary Landscape Plan
Exhibit J	Preliminary Photometric Plan
Exhibit K	Preliminary Building Elevations
Exhibit L	Preliminary Grading Plan/Building Limit Line
Exhibit M	Oak Tree Canopy Analysis
Exhibit N	Preliminary Sign Program
Exhibit O	Tentative Parcel Map
Exhibit P	El Dorado Hills Area Planning Advisory Committee (APAC) Comment Letters
Exhibit Q	Proposed Mitigated Negative Declaration and Initial Study/Checklist
Exhibit R	County Response Letter to El Dorado Hills Area Planning Advisory Committee (APAC); October 2, 2012

ATTACHMENT 1

CONDITIONS OF APPROVAL

**General Plan Amendment A11-0003/Rezone Z11-0004/
Planned Development PD11-0002/Parcel Map P11-0003/Green Valley Center
Planning Commission/October 25, 2012**

PROJECT DESCRIPTION

1. The proposed General Plan Amendment, Rezone, Preliminary Planned Development, and Tentative Parcel Map are based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits G through O, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project consists of the following:

- A. General Plan Amendment amending the land use designation from High Density Residential (HDR) to Commercial (C);
- B. Rezone from One-Family Residential-Planned Development (R1-PD) to Commercial-Planned Development (C-PD);
- C. Preliminary Development Plan for the proposed commercial development consisting of three commercial buildings totaling 28,615 square feet served with on-site parking, landscaping, and signs;
- D. Tentative Parcel Map creating a total of three commercial parcels ranging from 1.53 acres to 3.04 acres in size;
- E. Findings of Consistency with Interim Interpretive Guidelines for General Plan Policy 7.3.3.4 (Wetland Buffers and Setbacks) involving proposed reduced wetland setback from 50 feet to 25 feet; and
- F. Design Waiver request reducing standard sidewalk width from 8-foot to 6-foot along Francisco Drive and Cambria Way.

As conditioned, a Final Development Plan for Green Valley Commercial Center shall be required subject to review and consideration by the Planning Commission. The required application materials and exhibits shall include an oak tree plan, updated site plan, preliminary grading and drainage plan. 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 be consistent with the

formal action taken on this plan, subject to the conditions of approval and mitigation measures approved for the project.

PLANNING SERVICES

Mitigation Monitoring Reporting Program (MMRP): The following conditions of approval are specific mitigation measures identified in the Initial Study/Mitigated Negative Declaration for the project.

2. Prior to Approval of Improvement Plan and Issuance of Grading Permit, the applicant shall implement EDCAQMD's Rule 223-1 regulations. This measure shall be incorporated as Notes on Improvement Plan and Grading Plan

Monitoring Agency: Air Quality Management District (AQMD) and Planning Services
(MM AIR-1)

3. Prior to Approval of Improvement Plan and Issuance of Grading Permit, the applicant shall implement EDCAQMD's Rule 223-2 regulations. This measure shall be incorporated as Notes on Improvement Plan and Grading Plan.

Monitoring Agency: Air Quality Management District (AQMD) and Planning Services
(Mitigation Measure AIR-2)

4. Prior to Approval of Improvement Plan and Issuance of Grading Permit, all contractors using diesel powered construction equipment shall verify that all equipment is 1996 model year or later. With this newer equipment, the threshold of 402 gallons of diesel fuel per day shall not be exceeded. This measure shall be incorporated as Notes on Improvement Plan and Grading Plan.

Monitoring Agency: Air Quality Management District (AQMD) and Planning Services
(Mitigation Measure AIR-3)

5. Prior to Approval of Improvement Plan and Issuance of Grading Permit, a pre-construction survey for active bird nests shall be conducted by a qualified biologist if vegetation removal is conducted within the nesting period for most migratory bird species and nesting raptor species (between March 1 and August 15). If vegetation removal activities are delayed or suspended more than one month after the pre-construction survey, the area shall be re-surveyed. If active bird nests are identified, vegetation removal in these areas shall be postponed until after the nesting season, or a qualified biologist has determined the young have fledged and are independent of the nest site. No known active nests shall be disturbed without a permit or other authorization from USFWS or CDFG. A copy of the survey shall be provided to Planning Services Division.

Monitoring Agency: Planning Services
(Mitigation Measure BIO-1)

6. Prior to issuance of Grading Permit, the applicant shall obtain a Nationwide Permit from the U.S. Army Corp of Engineer. A copy of the executed permit shall be submitted to Planning Services Division.

Monitoring Agency: Planning Services
(Mitigation Measure BIO-2)

7. Prior to issuance of Grading Permit, the applicant shall acquire wetland credits at an approved mitigation bank or National Fish and Wildlife Foundation. The wetland credits shall be equivalent to the amount of wetlands impacted. A copy of the executed permit shall be submitted to Planning Services Division.

Monitoring Agency: Planning Services
(Mitigation Measure BIO-3)

8. Prior to Issuance of Grading Permit, a Streambed Alteration Agreement, pursuant to Fish and Game Code Section 1600 et seq, shall be obtained by the applicant from the California Department of Fish and Game for the stream crossing and any other activities affecting the bed, bank, or associated riparian vegetation of any stream on the site. Appropriate mitigation measures shall be developed in coordination with CDFG in the context of the agreement process. Authorization prior to placement of any fill is required from the U.S. Army Corps of Engineers if any impacts are proposed to jurisdictional riparian habitat that were not disclosed during the project review. This authorization may require mitigation as deemed necessary by the Corps of Engineers. A copy of the executed agreement shall be submitted to Planning Services Division.

Monitoring Agency: Planning Services
(Mitigation Measure BIO-4)

9. Prior to Issuance of Grading Permit, the applicant shall obtain a Water Quality Certification, Section 401 permit from the California Regional Water Quality Control Board for applicable project improvements. A copy of the executed agreement shall be submitted to Planning Services Division.

Monitoring Agency: Planning Services
(Mitigation Measure BIO-5)

10. A 25-foot setback line from all high-water marks or the outer boundary of Wetland CH-1 shall be shown and verified on the Parcel Map or Final Site Plan. No development shall occur within the setback area. Standard Best Management Practices (BMP) measures, including the installation of protective fencing around the wetland, shall be implemented.

Monitoring Agency: Planning Services
(Mitigation Measure BIO-6)

11. The applicant shall submit an Oak Tree Plan as part of a Final Planned Development Permit. The plan shall indicate the size and location of all onsite oak trees and will indicate which trees are to be removed and retained. Approval of the Final Planned Development Permit and issuance of grading permits shall not occur unless the County has adopted an offsite oak tree mitigation program and the applicant has submitted a project-specific oak tree mitigation plan which the County finds fully compliant with the adopted offsite oak tree mitigation program. Should the County fail to adopt an offsite oak tree mitigation program, the project shall be redesigned to allow for onsite retention. This redesign shall be subject to subsequent environmental review.

Monitoring Agency: Planning Services
(Mitigation Measure BIO-7)

12. Prior to Issuance of Building Permit, the applicant shall construct an additional eastbound right turn flare at the intersection of Francisco Drive and Embarcadero Drive to provide storage for 1 vehicle.

Monitoring Agency: DOT
(Mitigation Measure MM Trans-1)

Project Specific Conditions

13. A final Planned Development plan, pursuant to Chapter 17.04 of the County Code, shall be submitted for County review and approval by the Planning Commission prior to issuance of building or grading permit. The plans shall be reviewed for consistency with this Preliminary Development Plan approval, adopted mitigation measures as identified in the Mitigation Monitoring Reporting Program, and applicable standards of Title 17, Zoning Code.
14. 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. The qualified archeologist shall make recommendations on the 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 § 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.
15. 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).

16. Prior to issuance of building permit, the applicant shall remit payment for impacts to rare plants in accordance with Chapter 17.71 of the El Dorado County Zoning Ordinance and Board of Supervisor's Resolution No. 205-98.
17. This tentative map shall expire 36 months the date of approval unless a timely extension is filed.
18. Prior to parcel map filing or issuance of building or grading permit, the applicant shall pay all Development Services Department fees associated with this application.
19. The applicant shall submit to Planning Services a \$50.00 recording fee and the applicable California Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No parcel map shall be filed or building permits issued until said fees are paid.
20. A meter award letter or similar document shall be provided by the water purveyor prior to filing of parcel map or issuance of building permit.
21. The applicant shall submit a Final Sign Program as part of the Final Planned Development. The Sign Program shall include a provision that prohibit installation of any illuminated signs that face the southern perimeter of the project site. The sign area shall be limited to a maximum of 80 square feet.
22. Prior to filing the 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).
23. 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, or employees from any claim, action, or proceedings against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning the above project request which action is brought within the time period provided for in Section 66499.37.

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

DEPARTMENT OF TRANSPORTATION

Project Specific Conditions

24. Encroachment Permit: The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachments from the access roadway onto Green Valley Road and Cambria Way to the provisions of County Design Std 103C. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.
25. The applicant shall construct the encroachment along Green Valley Road as “Right-in, Right-out” turns only and shall be signed and striped in conformance with the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
26. Frontage Improvements: The applicant shall construct 6-foot sidewalk(s), type-2 curb and gutter in conformance with standard plan 101A of the Design and Improvement Standards Manual (DISM) along the westerly frontage of Francisco Road and the north frontage of Cambria Way. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map or issuance of building permit. The improvements shall be completed and approved by the department prior to occupancy of any structures.
27. Acceleration/Deceleration Lane: The applicant shall construct an acceleration/deceleration lane on the south side of Green Valley Road, a 6-foot wide sidewalk, and Type 2 curb and gutter in conformance with standard plan 101A of the Design and Improvement Standards Manual (DISM). The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map or issuance of building permit. The improvements shall be completed and approved by the department prior to occupancy of any structures.
28. Road Improvement Agreement & Security: The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements within the County right-of-way. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map.
29. Parcel Map Improvement Agreement & Security: If the required improvements are not completed prior to filing of the map or if the Engineer’s Estimate is \$100,000 or greater for the required improvements, the developer shall enter into a Parcel Map Improvement Agreement (PMIA) with the Department of Transportation for onsite roadway, drainage infrastructure, grading, etc. The developer shall also provide a security to guarantee performance of the PMIA as set forth within the County of El Dorado Subdivision Division

Ordinance, prior to filing of the map. The improvements shall be installed to the satisfaction of DOT prior to filing of the map

30. Signal Modification: The developer shall provide a signal cycle length optimization design for Green Valley Road at El Dorado Hills Boulevard/Salmon Falls Road. The design shall be substantially completed to the approval of the Department of Transportation prior to the filling of the map

DOT Standards Conditions

31. Easements: All applicable existing and proposed easements shall be shown on the project plans.
32. Sidewalks: Sidewalks may be located outside the right-of-way and meander as a means to provide interest and variety in alignment. The alignment and design of the sidewalks shall be reviewed and approved by the Department of Transportation prior to issuance of building permits. Pedestrian easements shall be provided where necessary. Final lane configurations, including the need for additional rights-of-way, shall be subject to review and approval of the Department of Transportation prior to improvement plan approval.
33. Curb Returns: All curb returns, at pedestrian crossing, will need to include a pedestrian ramp with truncated domes per Caltrans Standard A88A and 4 feet of sidewalk/landing at the back of the ramp.
34. Maintenance Entity: The proposed project must form an entity for the maintenance of any shared or common: private roads, parking facilities, landscaping, signs and drainage facilities. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the parcel map.
35. Signage: The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Department of Transportation prior to the filing of the 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.
36. 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.
37. 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.

38. **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 (dated May 1986, revised May 1990), from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
39. **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.
40. **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 Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado "*Design and Improvement Standards Manual*", the "*Grading, Erosion and Sediment Control Ordinance*", the "*Drainage Manual*", the "*Off-Street Parking and Loading Ordinance*", and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of DOT prior to occupancy clearance.
41. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
42. **RCD Coordination:** The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
43. **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 Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion

potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.

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

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

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

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

45. **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.
46. **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.
47. **Off-site Improvements (Security):** Prior to the filing of a final map or parcel map, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to

complete the required offsite improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in the amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.

48. Off-site Improvements (Acquisition): As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the applicant's expense and within 120 days of filing the Final Map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map, the applicant shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20% contingency:
- A. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
 - B. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
 - C. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements.

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

49. Electronic Documentation: Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
50. TIM Fees: The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete by the Building Services Division. The fees shall be collected prior to issuance of building permits.

AIR QUALITY MANAGEMENT DISTRICT

51. The applicant shall adhere to all District rules during project construction including, but not limited to, Rule 300 (Open Burning), Rule 215 (Architectural Coatings), and Rule 224 (Cutback and Emulsified Asphalt Paving Materials).

52. Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, boilers, internal combustion engines, etc.), authority to construction applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors.
53. All portable equipment (non-mobile) with a 50-horse power or greater engine to be utilized on the project shall be permitted by the California Air Resources Board. Copy of the current portable equipment permit shall be with equipment. This condition shall be verified prior to site construction

ENVIRONMENTAL MANAGEMENT

54. All construction debris resulting from the development of the project shall be disposed of in manner consistent with the solid waste diversion plan practiced by the El Dorado Hills CSD and as mandated by AB 939, and in compliance with El Dorado County Construction and Demolition Debris Recycling Ordinance, Section 1, Chapter 8.43 of Title 8 of the El Dorado County Code. Construction debris shall be disposed by current waste collection franchise.
55. Prior to construction of fast food facility and drug store, where food is sold, construction plans shall be submitted to Environmental Health for review and approval. The plans shall comply with California Retail Food Code. An annual operating permit from Environmental Health is required prior to opening
56. All refuse collection/storage areas (enclosures) shall include room for trash and recycling bins. The enclosures shall be accessible to service trucks.
57. The applicant shall conduct a Phase 1 Environmental Site Assessment (ESA) if any commercial, industrial, agricultural, mining, or any hazardous materials handling have taken place on the property in the past. The Phase 1 shall be conducted in accordance with ASTM Standard E 1527-00. All information developed in the Phase 1 shall be submitted to the Hazardous Materials Division for review. If upon review of the Phase 1 information the division determines that the property is a potentially impacted site, the applicant shall apply for a permit, a work plan, and conduct a Phase 2 ESA and any required site remediation activities prior to developing the property.

COUNTY SURVEYOR'S OFFICE

58. All survey monuments shall be set prior to the filing of the Final Map or the developer shall have the surety of work to be done by bond or cash deposit. Verification of set monuments or amount of bond or deposit to be coordinated with the Surveyors Office.

EL DORADO HILLS FIRE DEPARTMENT

59. A secondary means of egress shall be provided prior to any construction. The internal roadway shall be unobstructed throughout the construction. This condition shall be verified during review of the Improvement Plan.
60. The required fire flow for fire protection of the proposed referenced development is 2,500 gpm with a 20 psi residual for a two-hour duration. This flow rate is in addition to the highest maximum daily consumption and is based on the premise that a commercial, retail, fire sprinklered building is to be of masonry construction and shall not exceed 30,000 square feet in size. This condition shall be verified during review of the first building permit.
61. Commercial buildings shall have fire sprinklers installed in accordance with NFPA-13 2010 edition and Fire Department requirements. Fire Sprinkler plans shall be submitted along with building permit for review by the Development Services Department-Building Division.
62. Mueller Dry Barrel Fire hydrants shall be installed conforming to the 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 and all fire protection system devices shall be determined by the Fire Department during review of the Improvement Plan.
63. To enhance nighttime visibility, each hydrant shall be painted with safety white enamel marked in the roadway with a blue reflective marker as specified by the Fire Department and Fire Safe Regulations. Compliance with this condition shall be further verified during review of the Improvement Plan.
64. Traffic calming devices that utilize a raised bump/dip section of the internal drive aisles shall be prohibited. Compliance with this condition shall be verified during review of Improvement Plan.
65. The fire access roadways servicing the building shall be designed to accommodate a 40-foot inside and 56-foot outside turning radius. Compliance with this condition shall be further verified during review of Improvement Plan.
66. 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 combustible members being brought onto the site as specified by El Dorado Hills Fire Department Standard B-003. Compliance with this condition shall be verified during review of building permit.
67. The lots that back up to the wildland open space shall be required to use non-combustible type fencing. The Final Landscape Plan shall conform to Public Resource Code 4291 requirements and be subject to Fire Department approval. Additional vegetation mitigation

may be required. Compliance with this condition shall be verified during review of the building permit.

68. A Knox Box shall be installed on commercial building to contain the master key to open all exterior doors. Compliance with this condition shall be verified prior to issuance of occupancy permit.
69. All commercial trash enclosures shall be located a minimum of 10 feet from a building wall and shall be contained in an enclosure. Compliance with this condition shall be verified during review of the building permit.
70. A fire alarm system shall be installed per the California Building Code and the California Fire Code, 2010 edition and NFPA 72, 2010 edition. Alarm plans shall be submitted during building permit for review and approval by the department.
71. The applicant shall verify and coordinate completion of all requirements by the Fire Department prior to issuance final occupancy.

ATTACHMENT 2

FINDINGS

**General Plan Amendment A11-0003/Rezone Z11-0004/
Planned Development PD11-0002/Parcel Map P11-0003/Green Valley Center
Planning Commission/October 25, 2012**

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*:

FINDINGS FOR APPROVAL

1.0 CEQA FINDINGS

- 1.1 Staff has prepared an Initial Study to determine if the proposed project would have a significant effect on the environment. Supporting studies, which evaluated the entire property, were referenced in this Initial Study. The Initial Study and Mitigated Negative Declaration concluded that identified potential impacts to Air Quality, Biological Resources, and Traffic would be minimized by to less than significant with implementation of mitigation Measures.
- 1.2 The documents and other materials, which constitute the record of proceedings upon which this decision is based, are in the custody of the Development Services Department- Planning Services 2850 Fairlane Court Placerville, CA 95667.

2.0 GENERAL PLAN FINDINGS

- 2.1 **General Plan Policies 2.1.1.7, 2.2.1.1, 2.2.1.2, 2.2.1.5, 2.2.3.2, 2.2.3.3, 2.2.5.3, 2.2.5.21, 2.4.1.2, 2.5.2.2, 2.5.2.3 (Land Use Element Policies Related to Commercial Development)**

The project has been reviewed for consistency with the above policies that involve compatibility of the project and design efforts to meet the applicable development standards. The change of the land use designation and zone to Commercial and Commercial-Planned Development, respectively, would facilitate the proposed commercial center. The proposed project site is located along a heavily traveled area where three other intersection corners are commercially developed, supporting retail and shopping needs of the residential area. The project is compatible with the surrounding land uses (2.2.3.3, 2.2.5.3, 2.2.5.21).

Public services and utilities-related infrastructure currently exists for the proposed project site. Implementation of the project would include additional infrastructure systems (such as wastewater and water connections) that would be designed to meet the needs of the project. Existing circulation infrastructures would adequately serve the commercial development (2.2.1.7).

The project is within the vicinity of existing commercial facilities. The proximity of the project to existing commercial facilities serves to strengthen existing shopping locations and opportunity. The project has been designed in order to place stores in clustered areas throughout a contiguous facility (2.5.2.2).

The project design is in accordance applicable development standards of the Zoning Ordinance and matches the architecture of the surrounding commercial uses. The development would have on-site parking, landscaping, signs necessary to operate the shopping center. The proposed commercial retail center would have a Floor Area Ratio (FAR) of .09 and building coverage of 28% (2.2.1.5, 2.5.2.3).

2.2 General Plan Policies 5.1.2.1, 5.2.1.2, 5.2.1.6, 5.4.1.1, 5.7.1.1, 5.7.2.1, 5.7.3.1 (Public Services and Utility Element)

Operation of the site would receive public and sewer water provided by EID. The project would be required to connect to existing facilities adjacent to the project site (5.1.2.1, 5.2.1.2).

Stormwater runoff from the project site would be directed to a network of storm drain piping and inlets throughout the site. A landscape detention basin would be constructed to ensure post-development runoff levels are equal to or less than pre-development levels. Improvement Plans will be prepared in accordance with county drainage standards subject to review and approval by the Department of Transportation (5.4.1.1).

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 of department conditions would ensure that the project is designed to allow for proper fire protection. (5.1.2.1, 5.2.1.2, 5.2.1.6, 5.7.1.1, 5.7.2.1).

2.3 General Plan Policies 7.3.3.1, 7.3.3.4, 7.3.3.5, 7.3.4.1, 7.3.4.2 7.4.1.6, 7.4.4.2, 7.4.4.4, 7.4.4.5, 7.4.5.1 (Open Space and Conservation Element Policies)

Based on jurisdictional delineation conducted for the project site, a total of 0.146 acre of jurisdictional wetland exists on site. These features consist of wetland channels and swale drainages that convey storm runoff generated on and off-site. A small portion of these features will be impacted with construction of infrastructure necessary to maintain drainage flow and water quality. Mitigation measures have been incorporated to minimize the impacts. The balance of the wetland features are preserved with site development design, reduced buffers, and implementation of construction standards and BMP's. (7.3.3.1, 7.3.3.4, 7.3.3.5, 7.3.4.1, 7.3.4.2, 7.4.1.6, 7.4.2.2).

Impacts to oak canopy are subject to consistency with standards of the General Plan Policy 7.4.4.4. The development of the commercial project cannot proceed unless it conforms to the retention standards or the County adopts a new OWMP that provides for off-site oak canopy

mitigation. Grading or construction resulting in any oak tree removal is prohibited until a feasible alternative method of satisfying this policy is adopted by the County, consistent with Mitigation Measure BIO-7 (7.4.4.4, 7.4.5.1).

2.4 General Plan Policies 6.5.1.2, 6.5.1.3, 6.5.1.7, 6.5.1.9 (Health, Safety and Noise Element)

The potential noise impacts associated with project implementation were analyzed and determined to be less than significant.

2.5 General Plan Policies TC-Xd, TC-Xe, TC-Xf, TC-Xg, TC-Xh, TC-3d, and TC-5b (Transportation and Circulation Element)

A traffic impact analysis utilizing current standard protocols was prepared for the project and verified by the County. Impacted road facilities have been determined to either have less than significant impact or significant but reduced to less than significant with incorporation of specific mitigation measures and subject to conditions of approval (TC-Xd, TC-Xe, TC-Xf, TC-Xg, TC-Xh and TC-3d).

The design would include sidewalks along the project boundaries and pedestrian connectivity throughout the project site is provided. A Class II bike lane exists along Green Valley Road frontage. Bicycle amenities would be provided as part of project design to accommodate potential bicyclists' patrons (TC-5b).

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

Air Quality impacts have been analyzed and determined to be less than significant with implementation of mitigation measures. Projected greenhouse gas emissions were also analyzed and determined to be insignificant. Commercial buildings designs would incorporate energy efficiency features, in accordance with the building code.

3.0 ZONING FINDINGS

The proposed commercial center and anticipated uses are consistent with the Commercial zone district under Section 17.32.170 and applicable standards in Title 17 including parking, landscaping, and lighting. As the project is considered a Preliminary Planned Development, the project must obtain final Planned Development approval in accordance with Section 17.04. Conditions of approval and mitigation measures are imposed to ensure implementation of the project occurs in an orderly and safe manner, consistent with all applicable development standards of Title 17.

3.1 Planned Development

3.1.1 *The PD zone is consistent with the general plan;*

Implementation of the project requires a change of the land use designation to Commercial and corresponding rezone to General Commercial-Planned Development. The project has

been reviewed for consistency with applicable policies of the General Plan including compatibility, density, traffic and circulation, and biological resources. Conditions of approval and mitigation measures are incorporated to ensure adequate construction and operation of the development as set forth in Section 2.0 of these findings.

3.1.2 *The proposed development is designed to provide a desirable environment within its own boundaries;*

The project site has been designed to meet applicable architecture theme and elements in the surrounding development. Applicable development and construction standards in the Zoning Ordinance and DISM involving encroachment, access, pedestrian sidewalks and pathways, parking and loading, landscaping, and lighting shall be adhered to ensure orderly operation of the commercial development. Vegetative and landscape buffers shall be installed along the site perimeter to emphasize site design and minimize any visual effects to adjacent residential uses.

3.1.3 *Any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography;*

The proposed modifications to the Commercial-zone district standards are justified by design of the project. The project will construct two monument signs (in excess of the maximum sign area) that will be low in profile and match the design of the proposed buildings. Given the site constraints and in order to minimize unnecessary development impacts, the project will construct only one loading area.

3.1.4 *The site is physically suited for the proposed uses;*

The site is physically suited for the proposed development. The project would develop portions of the site with the least constraints (i.e. slope, wetlands) but still maintain necessary foundation for the proposed commercial development. The project would have readily available utility connections and direct access off major roadways.

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

The project is required to improve and extend public water and sewer services which currently exist in the immediate area. As conditioned, the required road improvements shall be constructed consistent with County Design and Improvement Standards Manual. Subsequent permits review and approval would be required prior to any start of construction.

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

The design of the project protects most of the existing wetlands, preserves 1.14 acre of oak canopy, and avoid the steeper sloped areas. The proposed buildings are similar in design to adjacent uses to the west, north and east.

4.0 TENTATIVE MAP FINDINGS

- 4.1 *The proposed revised tentative map, including design and improvements, is consistent with the General Plan policies and land use map;*

With the change of the land use designation, the proposed commercial tentative map would be consistent with applicable commercial General Plan policies.

- 4.2 *The design or improvements of the proposed division are consistent with the General Plan.*

The commercial tentative map would ensure basic infrastructures necessary to develop the site as identified in the General Plan.

- 4.3 *The site is physically suitable for the proposed type and density of development.*

The site is physically suited for the proposed development. The project would develop portions of the site with least constraints (i.e. slope, wetlands) but still maintain necessary foundation for the proposed commercial development. The project would have readily available utility connections and direct access off major roadways. Construction and improvement plans and permits would be required prior to any construction.

- 4.4 *The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitats.*

As designed and analyzed in the Initial Study/Mitigated Negative Declaration, the proposed tentative map and related improvements would not have substantial environmental effects with strict adherence to identified mitigation measures.

- 4.5 *The design of the subdivision or the improvements are suitable to allow for compliance with the requirements of Section 4291 of the Public Resource Code (Section 4291 establishes criteria for fire and fuel breaks around buildings).*

Adequate fire protection measures based on the imposed conditions of approval from the El Dorado Hills Fire Department shall be implemented prior to or during construction. The proposed development would be constructed to accommodate necessary improvements for emergency purposes including secondary access roads, turnarounds, and fire hydrants. The public water system servicing the project shall provide adequate fire flow for the project. Therefore, the design of the subdivision and related improvements would be in compliance with Section 4291 of the Public Resource Code.

- 4.6 *That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. (Ord. 3805 §15, 1988: prior code §9702)*

Along with the imposed project conditions, necessary utility and right-of-way easements for the project shall be depicted and verified on submitted plans by the County Surveyor's Office at the time of filing of the Parcel Map.

5.0 DESIGN WAIVERS FINDINGS

The Design Waivers requested are subject to specific findings under Section 16.08.020 of the El Dorado County Zoning Ordinance described below.

- A. *There are special conditions or circumstances peculiar to the property proposed to be subdivided which would justify the waiver.*
- B. *Strict application of the design or improvement requirements of this chapter would cause extraordinary and unnecessary hardship in developing the property.*
- C. *The waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.*
- D. *The waiver would not have the effect of nullifying the objectives of this Article or any other law or ordinance applicable to the subdivision.*

The following summarizes each request with supporting justification to the above findings.

Design Waiver Request: Reduction of standard sidewalk width from 8-foot to 6-foot along Francisco Drive and Cambria Way.

- A. The proposed reduced sidewalk to a reduced width of 6 feet would match and provide connectivity to the existing sidewalks in adjacent development.
- B. Application of the standard wider width of sidewalk could result unnecessary ground disturbance and compromise the engineered perimeter slope adjacent to these proposed sidewalks.
- C. Construction of the reduced sidewalk would not be injurious as this modified sidewalk would adequately and safely accommodate pedestrians. Construction of the sidewalk shall be done according to the standards of the DISM, subject to review of Improvement Plans.
- D. Granting of this waiver would not have nullifying effect to the objectives of the Subdivision Ordinance as this modified sidewalk would still achieve safe pedestrian connectivity throughout the neighborhood.

6.0 FINDINGS FOR CONSISTENCY INTERIM INTERPRETIVE GUIDELINES FOR GENERAL PLAN POLICY 7.3.3.4

The project incorporates a reduced minimum buffer of 25 feet along the southern ordinary high watermark of wetland channel CH-1 as recommended by Gibson and Skordal. As analyzed, this buffer, which is reduced from the standard buffer of 50 feet, would adequately protect and preserve this wetland feature subject to Mitigation Measure BIO-6 and application of standard construction measures.