

FINDINGS

Conditional Use Permit CUP19-0005/EID Wastewater Collection Administrative Facilities Relocation Planning Commission/December 12, 2019

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 Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 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 their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Building Department at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

2.1 The project is consistent with General Plan Policy 2.2.1.2.

The Public Facilities (PF) land use designation identifies, “publicly owned lands used for public facilities such as sanitary landfills, storage and maintenance yards... transit facilities, water and sewer treatment facilities, etc.”

Rationale: The proposed project would facilitate the transfer of administrative and maintenance operations related to wastewater treatment from the Bass Lake EID site to the existing EDH Latrobe Road site. This is consistent with the PF land use designation.

2.2 The project is consistent with General Plan Policy 2.2.5.21.

General Plan Policy 2.2.5.21 requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses.

Rationale: The proposed use and development are expansions of the existing uses and facilities at the site. Administrative and maintenance operations and facilities would not constitute an incompatible use with surrounding

2.3 The project is consistent with General Plan Policy 5.1.2.1.

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

Rationale: The project applicant is the water and sewer service provider for the site. The applicant has confirmed the existing service capacity is adequate to support the additional operations and facilities.

2.4 The project is consistent with General Plan Policy 5.1.3.1.

General Plan Policy 5.1.3.1 specifies that Growth and development and public facility expenditures shall be primarily directed to Community Regions and Rural Centers.

Rationale: The project site is located within the El Dorado Hills Community Region.

2.5 The project is consistent with General Plan Policy 5.2.1.2.

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

Rationale: The project applicant is the water service provider for the site. The applicant has confirmed the existing service capacity is adequate to support the additional operations and facilities.

2.6 The project is consistent with General Plan Policy 5.2.1.13.

General Plan Policy 5.2.1.13 specifies that the County shall encourage water purveyors to design water supply and infrastructure projects in a manner that avoids or reduces significant environmental effects to the maximum extent feasible in light of the water supply objectives of a given project.

Rationale: The project would involve expansion of an existing semi-developed site already owned by EID. This prevents the need for EID to acquire a completely undeveloped or potentially environmentally sensitive site for the project.

2.7 The project is consistent with General Plan Policy 6.2.3.2.

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

Rationale: The EDH FD, Department of Transportation (DOT), and Long Range Planning Transportation reviewed the application materials and site plan for adequate access for emergencies. No comments or concerns regarding on site circulation were received. A CA legal 65' capable truck turn around consistent with EDH FD requirements is proposed as a part of parking and loading area improvements.

2.8 The project is consistent with General Plan Policy TC-1x.

General Plan Policy TC-1x specifies that to reduce heavy truck traffic in residential areas and near noise sensitive land uses associated with discretionary projects, the County will review truck routes to ensure traffic noise impacts are minimized.

Rationale: Measure TC-W directs the DOT to develop a procedure to review truck routes associated with discretionary projects to ensure project-related heavy truck traffic noise impacts are minimized. No comments regarding concerns with transportation noise sources were received from DOT. Additionally the submitted acoustical assessment specifies that, "expected truck turn-around noise level is below the daytime performance standards and the measured existing daytime ambient noise levels shown" (Exhibit L).

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

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

Rationale: As discussed above in item 2.7, DOT has determined that payment of the County's TIM fees is appropriate mitigation.

2.10 The project is consistent with General Plan Policy TC-Xc.

General Plan Policy TC-Xc mandates that developer paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development during peak hours upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county.

Rationale: Traffic impact fees for the project will be collected prior to building permit issuance, as is standard.

2.11 The project is consistent with General Plan Policy TC-Xd.

General Plan Policy TC-Xd specifies acceptable levels of service (LOS) for County-maintained roads and state highways within the unincorporated areas of the County.

Rationale: A traffic impact study (TIS) was prepared by Dudek consulting firm analyzing potential trip generation during A.M. and P.M. peak hours as well as potential impacts to Levels of Service (LOS) for seven existing intersections and two road segments (Exhibit N). As demonstrated in the TIS, the Latrobe Road/White Rock Road intersection would operate at LOS F in the PM peak hour under cumulative conditions, with or without the project. However, the project would add 16 trips to the intersection during the peak hour, thus exceeding the ten trip threshold used by DOT for a potential impact. DOT has determined that reconfiguration and adjusted timing to the turn movements for this intersection would improve the intersection to LOS E. However, because the impact occurs only under the cumulative conditions, DOT has determined that implementation of the above improvements is not needed at this time and that payment of the County's Traffic impact Mitigation (TIM) fees is appropriate mitigation.

2.12 The project is consistent with General Plan Policy TC-Xg.

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

Rationale: As discussed above in item 2.7, DOT has determined that payment of the County's TIM fees is appropriate mitigation.

2.13 The project is consistent with General Plan Policies TC-4a, TC-4b, and TC-4i.

General Plan Policies TC-4a, TC-4b, and TC-4i require that the County implement a system of recreational, commuter, and inter-community bicycle routes in accordance with the County's Bicycle Transportation Plan, as well as constructing and maintaining bikeways in a manner that minimizes conflicts between bicyclists and motorists.

Rationale: There are existing Class I and Class II bike lanes along Latrobe Road, White Rock Road, and the existing private entrance road (Exhibit E).

2.14 The project is consistent with General Plan Policy 6.5.1.1.

General Plan Policy 6.5.1.1 specifies that where noise-sensitive land uses are proposed in areas exposed to existing or projected exterior noise levels exceeding the levels specified in Table 6-1 or the performance standards of Table 6-2, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design.

Rationale: An acoustical assessment was provided as a part of the project application (Exhibit L).

3.0 ZONING FINDINGS

3.1 The project is consistent with Title 130.

The Open Space (OS) zone is applied to set aside for primarily open space purposes including, but not limited to, the protection of rare and endangered plant or animal habitat; wildlife habitat, such as critical winter deer range and migration corridors; sensitive riparian areas; oak woodlands; visual resources as a part of a development plan or along a designated scenic corridor; and watersheds and groundwater recharge areas.

Rationale: The project site has a zoning designation of OS. The proposed intensive public utility service facilities use type is allowed with a CUP. No CUP was previously required for the site because all existing facilities were constructed with the water treatment facility which is exempt from local zoning requirements under Government Code 53091. However this proposed relocation is for administrative and maintenance operations and facilities only thus a CUP is required.

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

Section 130.35 of the Zoning Ordinance establishes off-street parking requirements for residential and non-residential uses.

Rationale: Chapter 130.35 does not contain a use type specific to public utility administrative facilities such as this project. Staff has determined that the industrial general use type and requirements would be most applicable to the project due to the inclusion of fleet maintenance facilities, a fuel station, and materials storage. The parking requirements for industrial general use are as follows; one space per 500 sf. of indoor Active Use Area (AUA); plus one space per 1,000 sq. ft. of indoor storage area; plus one space per 2,000 sq. ft. of Outdoor Use Area (OUA); and one space per 5,000 sq. ft. of outdoor storage area. The project as proposed includes 3700 sq. ft. of indoor AUA, necessitating 8 spaces; 5100 sq. ft. of indoor storage area, necessitating 6 spaces; 2350 sq. ft. of OUA, necessitating 2 spaces; and 17,050 sq. ft. necessitating 4 spots; for a total of 20 additional

spots required. There are currently 26 spaces provided on site, and the project proposes to add 110, for a total of 162 spaces total on site. Many of the excess new spaces would be used for EID fleet parking (Exhibit F).

3.3 The project is consistent with Chapter 130.36: Signs.

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

Rationale: The project does not propose any signs that would be publicly visible.

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

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

Rationale: An acoustical assessment was submitted with the project application analyzing existing average and peak ambient noise levels at four sensitive receptors surrounding the site (Exhibit L). The existing average ambient noise levels do not exceed Zoning Ordinance standards for Community Regions. The acoustical assessment has confirmed that new noise sources proposed as a part of the project would not individually or cumulatively raise the average ambient noise levels above these standards. The existing peak (maximum level dBA) noise levels for most of the four sensitive receptors already exceed Zoning Ordinance standards. Considering the proximity of these sensitive receptors to an existing major road and the existing non-jurisdictional wastewater treatment plant, Staff and consultants cannot determine that the source of these exceeded peak noise levels is related to the administrative and maintenance operations at the project site. Additionally, because the wastewater treatment plant is non-jurisdictional under Government Code 53091, Staff cannot enforce Zoning Ordinance noise requirements on the adjacent treatment plant parcel. General Plan Policy 6.5.1.13 establishes that for areas with an existing ambient environment that exceeds noise standards an increase of 3 dBA is considered a significant impact. The acoustical assessment has confirmed that new noise sources proposed as a part of the project would not individually or cumulatively raise the peak noise levels by 3dBA.

4.0 CONDITIONAL USE PERMIT FINDINGS

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

Rationale: As discussed above in Section 2.0, General Plan Findings, the Conditional Use Permit is consistent with the applicable policies and requirements in the El Dorado County General Plan.

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

Rationale: The use will not significantly conflict with surrounding uses. The proposed use will comply with the Development Standards of the OS zone district. As conditioned, the project is not anticipated to result in significant environmental, visual, or noise impacts to the surrounding residents.

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

Rationale: The subject property is located in the OS zone district. Intensive public utility service facilities are specifically permitted in the OS zone with a Conditional Use permit pursuant to Section 130.25.020.