



## COUNTY OF EL DORADO PLANNING COMMISSION

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

Rich Stewart, Chair, District 1  
Gary Miller, First Vice-Chair, District 2  
Brian Shinault, Second Vice-Chair, District 5  
Jeff Hansen, District 3  
James Williams, District 4

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

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### MINUTES

**Regular Meeting**  
**June 9, 2016 – 8:30 A.M.**

#### CALL TO ORDER

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

#### ADOPTION OF AGENDA

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

**AYES: Williams, Shinault, Miller, Hansen, Stewart**  
**NOES: None**

#### PLEDGE OF ALLEGIANCE

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

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

**AYES: Miller, Hansen, Shinault, Stewart**  
**NOES: None**  
**ABSTAIN: Williams**

1. **16-0580** Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of May 26, 2016.

**This was Approved on Consent Calendar.**

**END OF CONSENT CALENDAR**

**DEPARTMENTAL REPORTS AND COMMUNICATIONS**  
**(Development Services, Transportation, County Counsel)**

Roger Trout, Development Services Division Director, stated that although the recent voter approval of Measure E would affect the General Plan policies, it was not in effect for this meeting.

Andrew Gaber, Transportation Division, announced that the construction season was in full swing.

**COMMISSIONERS' REPORTS**

Chair Stewart thought the new Silva Valley interchange was very nice and was appreciative of it.

**PUBLIC FORUM/PUBLIC COMMENT** – None

**AGENDA ITEMS**

- 2. 07-1802** Hearing to consider a request for the Shinn Ranch Tentative Map [Tentative Map Time Extension TM07-1441-E] to allow two one-year time extensions to approved Tentative Map TM07-1441-R creating 146 residential lots, resulting in a new expiration date of December 4, 2018, on property identified by Assessor's Parcel Numbers 319-260-89, 331-070-01, 331-620-04, 331-620-05, 331-620-13, 331-620-18, 331-620-23, and 331-620-30, consisting of 182.9 acres, in the El Dorado area, submitted by Silverado Homes, Inc.; and staff recommending the Planning Commission take the following actions:
- 1) Determine that pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15164 there is no substantial evidence requiring the preparation of a Subsequent Mitigated Negative Declaration or an Addendum to the existing Mitigated Negative Declaration, adopted by the Board of Supervisors on December 04, 2007, as described in the CEQA Findings;
  - 2) Approve TM07-1441-E extending the expiration of the approved tentative map for a total of two years to December 4, 2018 based on the Findings and subject to the Conditions of Approval as presented; and
  - 3) Approve minor texts edits to the map including a correction to lot numbering, and edits to the development summary description to correct the General Plan designations, proposed zoning, assessor's parcel numbers, accurate site acreage, and total number of lots, in accordance with the approved revised vesting tentative map.  
(Supervisory District 3)

Jennifer Franich presented the item to the Commission with a recommendation for approval. She stated that 4 public comments were received.

Chair Stewart confirmed that the previous changes to the project had been to clean up some typos.

Paul Eblen of Silverado Homes, applicant's agent, provided a history of their involvement and the reason for the need of the time extensions.

Discussion ensued on the issue of the land currently being leased for cattle grazing. County Counsel David Livingston stated that this was not what was before the Commission today and this issue could be addressed through the Code Enforcement process, if needed.

At the request of Chair Stewart, County Counsel Livingston provided a summary of the parameters of what was before the Commission today and that it was not an opportunity to revisit the original project and the Conditions of Approval.

Catherine Reay made the following comments:

- Requested a continuance for a review of the Findings;
- Road width issues;
- Fire issues, including emergency routes for existing residents;
- Meeting notification range of previous hearings was not sufficient;
- "Good Ole Boy" network; and
- If project goes through, will file suit if any residences burn.

Steve Watkins made the following comments:

- Understood that project was already approved but still wanted to provide some information on it;
- Questioned if a public hearing with the Zoning Administrator occurred;
- Traffic concerns;
- Light pollution not addressed; and
- Loss of privacy.

Roxanne Allgeier made the following comments:

- Concurred with previous public comment heard today;
- Was promised a small development;
- Asked to stop this development and the Commission was their last resort;
- No one was notified of the original project's public hearing and the decision was made very late at night;
- Would lose more agricultural land;
- Fold this back under Measure Y, which is the law; and
- Construction will push rattlesnakes into residential areas.

Lisa Arant made the following comments:

- No fire hydrants;

- Promised power to gate;
- No notification in 2007;
- No notification of master development;
- Cattle grazing on the land is an issue;
- Hunting occurs on the property;
- Fire danger; and
- Road maintenance is currently handled by a very small group of residents.

Jean Whitman made the following comments:

- Light and noise pollution;
- Lied to on what would be developed; and
- Fire danger.

Chair Stewart closed public comment.

Mr. Eblen made the following rebuttal comments:

- Unaware of the cattle issues and the Shinn Family is still responsible for the property;
- The project is conditioned to require applicant to do road improvements at the Kingvale/Motherlode intersection;
- Shinn Ranch will have an HOA that will govern all open space and enforce the Fire Safe Plan;
- Shinn Ranch Road has a road maintenance agreement and once development starts on the property, they would become a part of that agreement; and
- Unaware that the gate is not operable and the other gate will be used fire access only.

Tiffany Schmid, Planning, explained that the original project had been required to go before the Planning Commission and then forwarded to the Board of Supervisors due to the rezoning request. Zoning Administrator hearings are typically reserved for the less complex projects and this original project would not have been appropriate for that level of hearing.

Chair Stewart clarified that action could still be taken today even if there was enforcement action.

In response to Commissioner Williams inquiry if Measure E applied at all, County Counsel Livingston explained that the original project had been a vesting Tentative Map and would be developed under the laws at the time it was approved.

Chair Stewart stated that he wasn't sure if he would have supported the original project, but that was not what was before them today.

There was no further discussion.

**Motion: Commissioner Miller moved, seconded by Commissioner Hansen, and carried (5-0), to take the following actions: 1) Determine that pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15164 there is no**

substantial evidence requiring the preparation of a Subsequent Mitigated Negative Declaration or an Addendum to the existing Mitigated Negative Declaration, adopted by the Board of Supervisors on December 04, 2007, as described in the CEQA Findings; 2) Approve TM07-1441-E extending the expiration of the approved tentative map for a total of two years to December 4, 2018 based on the Findings and subject to the Conditions of Approval as presented; and 3) Approve minor texts edits to the map including a correction to lot numbering, and edits to the development summary description to correct the General Plan designations, proposed zoning, assessor's parcel numbers, accurate site acreage, and total number of lots, in accordance with the approved revised vesting tentative map.

AYES: Williams, Shinault, Hansen, Miller, Stewart  
NOES: None

This action can be appealed to the Board of Supervisors within 10 working days.

### Findings

#### 1.0 CEQA FINDINGS

- 1.1 Pursuant to CEQA Section 15162(b), it has been determined that no subsequent mitigated negative declaration is required because there is no substantial evidence that the conditions described in Section 15162(a) have occurred, including: (1) substantial changes to the project which would require major revisions to the previous mitigated negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) substantial changes occurred with respect to the circumstances under which the project has been undertaken which would require major revisions of the previous mitigated negative declaration due to the involvement of new significant environmental effects; or (3) a substantial increase in the severity of previously identified significant effects; or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of the previous mitigated negative declaration was adopted, shows the project will (a) have one or more significant effects not discussed in the previous mitigated negative declaration.
- 1.2 Pursuant to CEQA Section 15164(b) it has been determined that there is no substantial evidence requiring an addendum to the adopted mitigated negative declaration because no minor technical changes or additions are necessary and none of the conditions described in Section 15162 calling for the preparation of a subsequent mitigated negative declaration have occurred.
- 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 Development Services Division, Community Development Agency, at 2850 Fairlane Court, Placerville, CA, 95667.

#### 2.0 TENTATIVE SUBDIVISION MAP TIME EXTENSION FINDINGS

**2.1 The request for extension of the approved parcel tentative subdivision map complies with County Subdivision Ordinance Section 120.74.030.A.**

Section 120.74.030.A allows the subdivider to request up to six one-year extensions from the expiration date of an approved or conditionally approved tentative map, as allowed by Government Code Sections 66452.6(e) and 66463.5, by timely written application to the Development Services Division of the Community Development Agency. The subdivider may request more than one time extension at a time, up to the maximum allowed by this subsection or a development agreement applicable to the map for which the extension request is filed, but in no event shall the total time extension requested exceed six years. Each application shall be filed before the approved or conditionally approved tentative map expires and shall state the reasons for requesting the extension.

Rationale: The applicant submitted a request for two one-year time extensions and appropriate processing fees on October 7, 2015, prior to the expiration date of the tentative subdivision map of December 4, 2016. The two one-year time extension request complies with Section 120.74.030.B. Four one-year discretionary time extensions would be available for this Tentative Subdivision Map.

The applicant attests that the Shinn Ranch project was economically unviable during the recent economic recession, which delayed the progress. Approval of the extension request would allow the applicant the time needed to facilitate project financing, continue pursuing the necessary permits outlined in the mitigation measures, construct the necessary on- and off-site infrastructure improvements, and comply will all other applicable conditions of approval.

**2.2 The request for extension of the approved tentative subdivision map complies with County Subdivision Ordinance Section 120.74.030.B.**

Section 120.74.030.B. requires that the Development Services Division review the request and submit the application for the extension, together with a report, to the approving authority for approval, conditional approval, or denial. In approving, conditionally approving, or denying the request for extension, the approving authority shall make findings supporting its decision including findings with respect to the potential impact of any increases in applicable development fees which have occurred since the date of the approval or conditional approval of the tentative map (Sec. 120.74.030 (B)).

Rationale: The Development Services Division has reviewed the time extension request for Tentative Subdivision Map TM07-1441/Shinn Ranch, along with all submitted materials. The Shinn Ranch Tentative Map remains consistent with the policies of the General Plan and the Zoning Ordinance, as applied to the Planned Development. The applicant attests that the Shinn Ranch project was economically unviable during the recent economic recession, which delayed the progress. However, the applicant has made progress

toward completion of the Improvement Plans and the Final Map. The Improvement Plans are currently submitted to El Dorado County and El Dorado Irrigation District (EID) for review. This process is expected to occur over the next several months, but the Map may expire prior to the completion of these processes. No changes to the previously approved tentative map are proposed. The applicant will be required to pay all current fees associated with the conditions of approval, final map filing, improvement plans, and permits.

### Conditions of Approval

#### I. PROJECT DESCRIPTION

1. This ~~planned development and revised~~ vesting tentative subdivision map time extension is based upon and limited to compliance with the project description below, the Planning Commission hearing exhibits marked Exhibit G (Amended Vesting tentative map) and Exhibit H (Amended Phasing Plan) and revised 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 revised project description is as follows:

Two one-year time extensions to the Tentative Subdivision Map approved by the Board of Supervisors on December 4, 2009, extending the map expiration date from December 4, 2016 to December 4, 2018. The previous approval included:

- A. Reduction of total project site from 192 acres to 182 acres resulting from the removal of estate Parcels C and D contained within APN 331-620-10;
- B. Re-designate original 6.5-acre Remainder Lot as an estate residential parcel (Parcel X); and
- C. Modification of the Phasing Plan for Shinn Ranch Vesting Tentative Map;
- D. Designated lettered Lots A-G shall be Open Space as part of the Development Plan and are not eligible for residential or other development.

PD07-0012/TM07-1441-R consists of a revised vesting tentative subdivision map and phasing plan to create a total of 148 residential lots ranging in size from 13,500 square feet to 6.52 acres on 182 acres with approximately 70 acres of open space including a pond, Slate Creek and walking trails. Water and sewer service will be provided to the lots by the El Dorado Irrigation District. Primary site access will be provided via

Kingvale Road and Pleasant Valley Road with an emergency-only gated entry off Shinn Ranch Road.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

## **II. MITIGATED NEGATIVE DECLARATION CONDITIONS OF APPROVAL**

2. During construction, all activities shall apply standard Best Management Practices (BMPs) to control dust during construction. These practices shall be incorporated into the project and include:

- Application of water on disturbed soils and unpaved roadways a minimum of three times per day
- Using track-out prevention devices at construction site access points
- Stabilizing construction area exit points
- Covering haul vehicles
- Restricting vehicle speeds on unpaved roads to 15 miles per hour
- Replanting disturbed areas as soon as practical and other measures as deemed appropriate to the site, to control fugitive dust

3. If suitable avian nesting habitat is intended to be removed during the nesting season, from February 1 through August 31, a qualified biologist shall conduct a nesting bird survey to identify any potential nesting activity. If passerine birds are found to be nesting, or if there is evidence of nesting behavior within 250 feet of the impact area, a 250-foot buffer shall be required around the nests. No vegetation removal or ground disturbance shall occur within the 250-foot buffer. For raptor species--birds of prey such as hawks and owls--this buffer shall be 500 feet. A qualified biologist shall monitor the nests closely until it is determined that the nests are no longer active, at which time construction activities may commence within the buffer area. Construction activity may encroach into the buffer area at the discretion of the biological monitor.

**Monitoring:** The nesting survey shall be submitted to Planning Services staff with recommendations prior to issuance of the grading permit.

4. Prior to the commencement of grading activities, the applicant shall obtain a 1602 Streambed Alteration Agreement from CDFG. Loss of riparian habitat within the project boundaries shall be mitigated by the applicant's purchase of credits at an agency-approved mitigation bank within the region. Lost riparian habitat shall be mitigated at a ratio of no less than 1:1. The requirements of the 1602 permit shall be incorporated into the project.



**Monitoring:** The applicant shall provide a copy of the 1602 permit to Planning Services prior to issuance of the grading permit.

5. Prior to the commencement of grading activities, the applicant shall obtain a 404 permit from the USACE. Loss of wetland habitat within the project boundaries shall be mitigated by the applicant's purchase of credits at an agency-approved mitigation bank within the region. Lost wetlands shall be mitigated at a ratio of no less than 1:1. The requirements of the 404 permit shall be incorporated into the project.

**Monitoring:** The applicant shall provide a copy of the 404 permit to Planning Services prior to issuance of the grading permit.

6. The applicant shall replant the required number of oaks per General Plan Option A, or if available and desired, pay the established offsite mitigation fee under General Plan Option B.

**Monitoring:** The applicant shall either have an oak replanting plan submitted with the final map and reviewed and approved by staff prior to recordation, or payment of Option B fees at the time designated under that plan.

7. In accordance with El Dorado County General Plan Policy 7.4.5.2, the applicant shall submit the following documents to the County of El Dorado:
  - A written statement by the applicant or an arborist stating the justification for the development activity, identifying how trees in the vicinity of the project or construction site will be protected and stating that all construction activity will follow approved preservation methods;
  - A site map plan that identifies all native oaks on the project site; and
  - A report by a certified arborist that provides specific information for all native oak trees on the project site.

8. Prior to any ground disturbing activity within 50 feet of the site, drip-line fencing should be placed around each of the features, A and B as shown on the grading plan, and monitoring by a qualified archaeologist should occur during all grading or excavation activities near the feature.

**Monitoring:** Development Services staff shall verify in the field that fencing is in place prior to commencement of grading activities.

9. 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.

**Monitoring:** Recommendations of the archaeologist shall be transmitted to Planning Services to determine the course of action to mitigate the new impact.

10. In accordance with CEQA § 15064.5, should previously unidentified paleontological resources be discovered during construction, the project sponsor is required to cease work in the immediate area until a qualified paleontologist can assess the significance of the find and make mitigation recommendations, if warranted. To achieve this goal, the contractor shall ensure that all construction personnel understand the need for proper and timely reporting of such finds and the consequences of any failure to report them.

**Monitoring:** Recommendations of the archaeologist shall be transmitted to Planning Services to determine the course of action to mitigate the new impact.

11. 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).

**Monitoring:** Recommendations of the archaeologist shall be transmitted to Planning Services to determine the course of action to mitigate the new impact.

12. In accordance with by El Dorado County General Plan Policy 6.2.2.2, the applicant shall retain a Registered Professional Forrester to prepare a Fire Safe Plan that identifies "defensible space" requirements, emergency access routes, signage, emergency water standards, annual fuel modification maintenance plans, and other measures to address wildland fire hazards. The plan shall be submitted to the Diamond Springs/El Dorado Fire Protection District for approval. The Fire Safe Plan measures shall be incorporated into the Final Tract Map.

**Monitoring:** Prior to approval of the final map, the fire protection district shall notify Planning Services that the Fire Safe Plan is acceptable to them.

13. Prior to the issuance of building permits, the applicant shall provide plans to the County of El Dorado identifying a barrier of 6 feet in height at the property lines of the residences located nearest to Mother Lode Drive, in accordance with Figure of the Acoustical Assessment prepared by Ballard Acoustical Consultants.

**Monitoring:** The wall shall be installed prior to occupancy of any adjoining residence.

14. Mechanical ventilation (air conditioning) shall be provided for all residences in this project to allow the occupants to close doors and windows as desired to achieve compliance with the applicable interior noise level criteria.

**Monitoring:** Air conditioning units shall be shown on mechanical sheets of the building plans.

15. Construction activities shall be limited to the hours of 7 a.m. to 7 p.m. during weekdays and 8 a.m. to 5 p.m. on Saturday, Sunday, and federal holidays. Exceptions are allowed if it can be shown that construction beyond these times is necessary to alleviate traffic congestion and safety hazards.

**Monitoring:** Development Services shall spot check construction hours and respond to any complaints from the public.

### **III. PROJECT CONDITIONS OF APPROVAL**

#### **Planning Services**

16. A meter award letter or similar document shall be provided by the water purveyor prior to filing the final map.
17. The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. The fees shall be paid at the time of filing the final map. Credit for dedicated open space shall be provided to a maximum of 50 percent.
18. The subdivider shall be subject to a \$150.<sup>00</sup> appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.
19. The developer shall enter into an agreement with the School Districts to pay a fee per residential unit constructed within the boundaries of the subdivision. The agreement shall provide for an annual adjustment in the fee by the increase in the Engineering News Record Construction Cost Index. This annual adjustment is based upon a base amount of \$8,288.<sup>00</sup> as of January 1, 1997. The increase shall be calculated by the Districts as of January 1 of each year and implemented on July 1 of each year. The applicant should contact the County Office of Education prior to the issuance of any building permits to verify the applicable fee at the time of building permit issuance. The fee shall be payable by the owner of record at the time the building permit is issued and the agreement or a notice of restriction shall be recorded on the property to alert subsequent owners of this obligation.
20. At time of map recording of each map phase, all lettered open space lots (A-G) within that phase shall be dedicated to a Homeowner's Association or similar entity as open space with appropriate maintenance program and are not eligible for residential or other development.

21. At time of map recording, CC&Rs shall be submitted and reviewed by County Counsel.
22. Setbacks for those lots zoned R1-PD and R1A-PD shall be consistent with those shown on Exhibit J for typical lots consisting of 25-foot front-yard setbacks, 20-foot rear-yard setbacks and five-foot side-yard setbacks. Setbacks for corner lots shall be applied as shown on Exhibit J. At time of map recording, setback notes consistent with this condition shall be recorded on the map.
23. At time of final map recordation, building envelopes shall be shown and recorded for each lot consistent with Exhibit L, Preliminary Site Plan.
24. The map shall be recorded and constructed in phases consistent with the phasing plan included within the vesting tentative map, as revised on April 26, 2012. Modifications to the phasing plan may be approved by the Development Services Department Director.
25. The final map shall include a 100-foot non-building setback from all ponds and a 50-foot non-building setback from all wetlands at the subject site as delineated on Exhibit F.
26. This vesting tentative map shall expire within 24 months from date of approval unless a timely extension has been filed.
27. All fees associated with the vesting tentative subdivision map shall be paid prior to recording the final subdivision map.
28. 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, as provided in Section 66474.9(b) of the Government Code.

The subdivider shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

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

**Air Quality Management District**

29. Prior to grading permit issuance, a fugitive dust plan shall be submitted to the Air Quality Management District (AQMD) for review and approval.

- 30. Burning of vegetative wastes that result from “Land Development Clearing” must be permitted through the District Rule 300 Open Burning. Only vegetative waste materials are permitted to be disposed of using an open outdoor fire.
- 31. The application of architectural coating shall adhere to District Rule 215 Architectural Coatings.
- 32. The applicant shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.

**California Department of Transportation (Caltrans)**

- 33. Prior to conducting any work within the State right-of-way, an encroachment permit shall be obtained from Caltrans.

**Department of Transportation**

- 34. The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual and the following table. 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 recordation of the final map:

<b>ROAD NAME</b>	<b>ROAD WIDTH</b>	<b>DISM REFERENCE</b>	<b>GENERAL PLAN REFERENCE</b>
On –site roads (cul-de-sacs)	36ft (50ft R/W)	Std Plan 101B	Table TC-1
“A” Drive	40ft(50ft R/W)	Std Plan 101B	Table TC-1
Kingvale Road	40ft (50ft R/W)	Std Plan 101B	Table TC-1

All roads shall be paved per recommendations of geotechnical engineer.

- 35. The applicant shall construct a cul-de-sac at the end of the on-site roadway, as specified in Standard Plan 114. 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 recordation of the final map.
- 36. The applicant shall construct the proposed roadway approach for “A” Drive to the provisions of county Standard Plan 103C and shall be paved per recommendations of geotechnical engineer. 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 recordation of the final map.
- 37. The applicant shall construct the proposed roadway encroachment for “A” Drive onto Pleasant Valley Road to the provisions of county Standard Plan 103C and shall be paved per recommendations of geotechnical engineer. 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 recordation of the final map. The applicant and El Dorado County shall enter into a reimbursement agreement in the event that this development occurs prior to El Dorado County construction of the roads for the Animal Shelter.
38. The applicant shall design and construct a left hand turn lane at the intersection of Kingvale Road and Motherlode Drive. 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 recordation of the final map.
  39. The applicant shall design and construct a left hand turn lane at the intersection of "A" Drive and Pleasant Valley Road. 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 recordation of the final map. The applicant and El Dorado County shall enter into a reimbursement agreement in the event that this development occurs prior to El Dorado County construction of the roads for the Animal Shelter.
  40. The applicant shall design and construct acceleration and deceleration lanes at the intersection of Kingvale Road and Motherlode Drive. 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 recordation of the final map.
  41. The applicant shall design and construct acceleration and deceleration lanes at the intersection of A Drive and Pleasant Valley Road. 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 filing of the final map. The applicant and El Dorado County shall enter into a reimbursement agreement in the event that this development occurs prior to El Dorado County construction of the roads for the Animal Shelter.
  42. The applicant shall demonstrate to the County that this project has entitlements for use of the off-site roads and public utility easements along the western and southern boundaries of this project.
  43. Prior to filing of the final map, the applicant shall join and/or form an entity, satisfactory to the County, to maintain all roads not maintained by the County, both on-site and for those roads that are required for access to County or State maintained roads.
  44. Prior to filing of the final map, the applicant shall form drainage zone of benefit (ZOB) or other appropriate entity to ensure that all storm water drainage facility maintenance requirements are met.

45. Property owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to adjoining property.
46. Drainage Ditches and swales shall be designed per Sections 3.3.4 and Section 6 of the County of El Dorado Drainage manual.
47. Include an energy dissipater at the outlet of the culverts per Sections 6.4.1 and 7.3.3 of the County of El Dorado Drainage manual.
48. Per Section 3.B) (6) of the County of El Dorado Design Standards, a tangent at least one hundred feet long shall be introduced between reversed curves. A line and curve table should be introduced to demonstrate that street alignments meet County design criteria prior to the recordation of the final map.
49. Cross lot drainage will not be allowed without the proper drainage easements and/or drainage structures. Drainage easements shall be provided where deemed necessary prior to the recordation of the final map.
50. 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.
51. Per Section 3.B) (4) of the County of El Dorado Design Standards, all streets and intersections shall have a minimum sight distance based on the design speeds. Verify that Kingvale Rd, Court D and Shinn Ranch onto Road “A” meet sight distance criteria prior to the recordation of the final map.
52. As specified in the Conditions of Approval, the subdivider is required to perform off-site improvements. If it is determined that the subdivider 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 subdivider’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 or parcel map, the subdivider 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 twenty-percent (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 subdivider shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

**Drainage Study Conditions**

The following conditions shall be addressed prior to filing of the final map:

53. The drainage study (hydrologic and hydraulic study) must be sealed and signed. Please see drainage manual section 1.8.3.
54. Page 1: There is no figure 4 in Appendix A. Figure needs to be labeled.
55. The drainage report does not address the downstream and upstream impact at this time. "Impacts to downstream facilities and other proposed mitigation measures included in the design should be discussed. Potential impacts resulting from backwater effects, hydraulic scour and deposition, off-site discharges and other environmental issues should be thoroughly analyzed and discussed in the report" (County Drainage Manual Section 1.8.3 page 1-17). The downstream and upstream impact shall be analyzed.
56. A detailed calculation shall be included for the Mother Lode Triple Culvert Capacity (County Drainage Manual page 1-17).
57. A-drive culvert capacity calculation for slate creek crossing and other pipe size calculations shall be included.
58. Appendix B is HEC-1 analysis for the whole watershed done by Carlton Engineering in 1997. Watershed needs to be analyzed with updated version of HEC software with current watershed information.
59. Composite curve number (CN) has been changed because of the development after 1997 and proposed development upstream of this subdivision.
60. Page 4: HEC-2 was used to calculate water surface profile (not included in appendix). Water surface profile needs to be calculated with the updated version of HEC software with current watershed information.
61. Drainage study pages 4, 5, 6 & 7
  - a. Per the study "the peak discharge method-section 2.5 was used to estimate both the 10-year design flows and 100-year design flows" (onsite peak flow calculation



not included in the report). Hydrograph method is shall be used instead of peak discharge method because of the extent and the nature of the watershed.

- b. Overland release criteria: per the County Drainage Manual “One foot freeboard shall be maintained between the building finished floor elevation and the water surface elevation resulting from a storm runoff event with an average recurrence interval of 100 years”. The overland release locations 1 foot below proposed building finish floors is not adequate. And all open channels should have a freeboard (County Drainage Manual section 1.8.2 page 1-10, section 6.3.5 page 6-14). Revise.
  - c. Total on-site watershed for this subdivision is 167.7 acre, which is a significant amount. Comparison of onsite impervious area with the total watershed (2374 acre) is not rational because the total watershed (2374 acre) contains both pervious and impervious surfaces. The whole watershed both onsite as well offsite (upstream) should be included in the design and in the analysis.
  - d. Per report, the peak discharge time of concentration for the proposed development is approximately 1 hr. There is no calculation to support the time of concentration (drainage manual 1.8.3). Provide supporting calculations.
  - e. The energy grade line should be at least 0.5 feet below all manholes lids and grate inlets for 10 year return period flood. For 10-year return period flow, hydraulic grade line should be below the ceiling of the pipe (County Drainage Manual section 4.3.2, page 4-11). Provide energy grade line.
62. Appendix A
- a. Pre-development shed map is missing as mentioned in the appendix sheet. Provide pre-development shed map.
  - b. Post construction off-site shed map is missing as mentioned in the appendix sheet. Provide post construction shed map.
63. There is an on-site pond within this subdivision. If it is a retention pond for the attenuation of flood, downstream impact needs to be addressed in the drainage study and operation procedure needs to be developed and submitted to the concerned entity including El Dorado County DOT (County Drainage Manual 1.8.2). Does this dam meet the DSOD criteria (Drainage Manual section 5.1)?

**Summary and Recommendation**

64. New version of the hydrologic and hydraulic study is required because of the upstream development. For the new report, updated version of HEC software should be used to analyze the upstream watershed and to analyze the water surface profiles/flood plain. Watershed map should be broken down to more sub-shed maps with more detail information.
65. "Peak-only method is restricted to catchments with area less than 100 acres. In any analyses in which the peak-only method is used, the design engineer must determine and demonstrate that the model is, in fact, appropriate". Please see County drainage manual section 2.2.2. Therefore, hydrograph method shall be used instead of rational method for on-site watershed because of extent and nature of the watershed.
66. Per the County Drainage Manual Section 1.8.2 "Drainage facilities for areas greater than 100 acres shall be designed to safely convey the storm runoff for an event with an average recurrence interval of 100 years. All available headwater depth of the culvert may be utilized for these facilities. Flooding effects from backwater shall be analyzed when available headwater depth is incorporated into the design". Does this applicable to this subdivision?
67. Onsite pre-development and post development storm runoff calculations are required.
68. Drainage easement needs to be shown on the plan (for future improvement plan) as applicable per drainage manual section 1.8.2.
69. The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
70. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Major Land Division Ordinance, prior to filing the final map.
71. The construction of all required improvements shall be completed with the presentation of the final map to the Planning Director before presentation of the final map to the Board of Supervisors for its approval. For improvements not completed, the subdivider shall provide a 100 percent performance surety and a 50 percent labor and materialmen surety by separate bond, cash deposit, assignment, or letter of credit from a financial institution. For improvements which have been completed, the subdivider shall provide a ten percent maintenance surety in any of the above-mentioned forms. Verification of construction, or partial construction, and cost of completion shall be determined by the County Department of Transportation. The developer shall pay the traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.

72. An irrevocable offer of dedication, in fee, for the required rights-of-way shall be made for all the proposed roads, with slope easements where necessary. Said offer may be rejected at the time of the final map, in which case, a homeowner's agreement and association, or other entity, shall be established in order to provide for the long-term maintenance of the roads.
73. The final map shall show all utility, road and drainage easements per the recommendation of the utility purveyors and the County Engineer. Final determination of the location of said easements shall be made by the County Engineer. Said easements shall be irrevocably offered to the County.
74. A final drainage study shall be prepared by the project proponent and submitted with the subdivision grading and improvement plans to the approval of the Department of Transportation. All drainage facilities identified in the drainage study shall be included in the subdivision grading and improvement plans.
75. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.
76. 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.
77. 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.
78. Grading 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. The County shall issue no building permits until the Department of Transportation approves the final grading and erosion control plans and the grading is completed.
79. 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.

80. Subdivision improvements shall include rough grading of driveways for all lots with street cuts or fills along the frontage of six feet or more difference in elevation, or as found necessary for reasonable access by the County Engineer. Construction of said driveways shall conform to the Design and Improvements Standards Manual and the Encroachment Ordinance. As an alternative, a Notice of Restriction shall be filed against all downhill lots with fill in excess of 6 feet which allows structural driveway access only.
81. The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).
82. Cross lot drainage shall be avoided. When cross lot drainage does occur, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway.
83. 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.
84. Construction activities shall be conducted in accordance with the County noise regulation or limited to the following hours and days: 7:00 a.m. and 5:00 p.m. on any weekday; 8:00 a.m. and 5:00 p.m. on Saturdays; and prohibited on Sundays and holidays.
85. This project disturbs more than one acre of land area (43,560 square feet). The Developer 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 State of California. 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 SWRCB, with a duplicate copy submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.

**Diamond Springs – El Dorado Fire Protection District**

86. Prior to improvement plan approval, the applicant shall submit the appropriate review fee to the Diamond Springs – El Dorado Fire Protection District (DSED FPD), as determined by DSED FPD.

87. At time of final map filing, documentation from the El Dorado Irrigation District shall be submitted to the DSED FPD confirming that the fire protection system will meet the required fire flow for this project consisting of 1,500 gallons per minute at 20 pounds per square inch for two hours for residential units larger than 3,600 square feet and 1,000 gallons per minute at 20 pounds per square inch for two hours for residential units smaller than 3,600 square feet.
88. All additional required fire hydrants shall be shown on the improvement plans and installed throughout the subdivision subject to DSED FPD approval.
89. All driveways shall provide a minimum of 10-foot wide traffic lane with unobstructed horizontal clearance of 14 feet and unobstructed vertical clearance of 15 feet and be capable of supporting a 40,000 pound load.
90. Any driveway which exceeds a 16 percent slope shall be constructed of an all weather surface. Those driveways which exceed a 20 percent slope shall require review and approval by the DSED FPD prior to building permit issuance.
91. Any driveway exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet in length, turnouts shall be provided no more than 400 feet apart.
92. Parking on both sides of on-site roadways shall only be permitted if the roadway is a minimum of 40 feet wide. Parking on one side of the road shall be permitted for roads which are a minimum of 30 feet wide. CC & R's shall be submitted for review and approval by County Counsel which incorporate these standards at time of map recording.
93. A fire safe turnaround shall be provided prior to occupancy of any building sites with driveways exceeding 300 feet in length. Turnarounds shall be within 50 feet of the building with a minimum turning radius of 40 feet from the center line of the road.
94. Any future proposed gates are subject to review and approval by the DSED FPD.
95. At time of final map filing, a fire safe plan shall be submitted to the DSED FPD for review and approval.
96. Prior to map recordation, the subdivision shall be annexed into the Community Facilities District established by the DSED FPD for the provision of public services.

**Environmental Management Department – Environmental Health**

97. For newly created parcels less than five acres, all existing abandoned and active wells shall be properly destroyed, under permit, by a license well driller, prior to map recordation.

98. If any existing structures on septic systems will be demolished or connected to public water, a septic system abandonment permit is required, prior to map recordation.

**Surveyor's Office**

99. All survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval; or the developer shall have the surety of work to be done by bond or cash deposit. Verification of set survey monuments, or amount of bond or deposit shall be coordinated with the County Surveyor's Office.
100. The roads serving the development shall be named by filing a completed road name petition with the County Surveyor's Office prior to filing the final map.
101. At time of final map recordation, a 200-foot setback shall be recorded along the southern property boundary of Assessor's Parcel Number 331-620-10 along the common property boundary with Assessor's Parcel Number 090-260-11 to serve as a buffer for Agricultural Preserve No. 50.

- 3. 16-0581** Hearing to consider the Carson Creek Specific Plan Amendment [Specific Plan Amendment SP94-0002-R-2] to amend the text of the Carson Creek Specific Plan, Section 4.8 - Local Convenience Commercial (LC) and Community Center (CC), to allow the following: 1) Community Care Facilities with a Conditional Use Permit; and 2) Increase the maximum floor-to-area ratio (FAR) from 0.40 to 0.50 on property identified by Assessor's Parcel Number 117-490-01, consisting of 710 acres-Carson Creek Specific Plan and 4.11 acres-Local Convenience Commercial Zone/Site, in the Carson Creek Specific Plan Area in El Dorado Hills, submitted by Anthony G. Scotch; and staff recommending the Planning Commission forward a recommendation to the Board of Supervisors to take the following actions:
- 1) Adopt the EIR Addendum pursuant to Section 15164 of the CEQA Guidelines; and  
2) Amend Section 4.8 - Local Convenience Commercial (LC) and Community Center (CC) of the Carson Creek Specific Plan (CCSP) to allow community care facilities with a Conditional Use Permit in the Local Convenience Commercial (LC) Zone and an increase in the maximum floor-to-area ratio (FAR) from 0.40 to 0.50.  
(Supervisory District 2)

Jennifer Franich presented the item to the Commission with a recommendation for approval to the Board of Supervisors.

Anthony Scotch, applicant, stated that this was basically a down-zone that would reduce traffic and he provided the reasoning for this request. He currently did not have an existing project to move forward.

Chair Stewart closed public comment.

Chair Stewart made the following comments during the hearing:

- Inquired if increase in maximum FAR applied only to community care facility with a conditional use permit;
- Community Commercial-zoned projects have changed over the last several years and appear to be getting away from community commercial, which was to decrease traffic, and inquired what the basis was for these lost opportunities, in general;
- Inquired if use would be allowed in a business park; and
- Inquired as to whether the parcel was located on the proposed southeast connector planned route and staff indicated it was.

After the motion was made, but prior to the vote, Chair Stewart stated that although he didn't see an issue with this particular site, he would not support it because he didn't feel that he had the broader perspective that the Board would have and since this item was strictly a recommendation, he would like the Board to address the question in terms of the whole western end of the County for all the local commercially-designated parcels as he might be missing something.

Roger Trout stated that he was offended by Chair Stewart's position and frustrated that he was directing the Board to do something. He stated that staff had prepared a Staff Report with all of the relevant facts needed to make a logical decision and stressed that their vote should solely reflect their decision on the request before them for this particular site.

There was no further discussion.

**Motion: Commissioner Miller moved, seconded by Commissioner Williams, and carried (4-1), to recommend the Board of Supervisors take the following actions: 1) Adopt the EIR Addendum pursuant to Section 15164 of the CEQA Guidelines; and 2) Amend Section 4.8 - Local Convenience Commercial (LC) and Community Center (CC) of the Carson Creek Specific Plan (CCSP) to allow community care facilities with a Conditional Use Permit in the Local Convenience Commercial (LC) Zone and an increase in the maximum floor-to-area ratio (FAR) from 0.40 to 0.50.**

**AYES: Shinault, Hansen, Williams, Miller**

**NOES: Stewart**

## **Findings**

### **1.0 CEQA FINDINGS**

- 1.1 The project site is located within the Carson Creek Specific Plan (CCSP) Area which was subject to review under the California Environmental Quality Act (CEQA) with an Environmental Impact Report (EIR). Section 6.3(b) (3) of the Specific Plan requires the County to make the appropriate environmental determination for any discretionary review applications. An Addendum to the Program EIR for the CCSP (Exhibit G) in accordance with Subsection (a) of the CEQA Guidelines Section 15164 has been prepared to determine if the project would have a significant effect on the environment.

It has been determined that none of the conditions described in Section 15162 or 15163 calling for the preparation of a subsequent or supplemental EIR have occurred. A Notice of Determination will be filed upon adoption of the EIR Addendum. Because an EIR was previously prepared, the Carson Creek Specific Plan EIR, State Clearinghouse Number 94072021, no new California Department of Fish and Wildlife fee is required.

- 1.2 The County has adopted a Mitigation Monitoring Program for the Carson Creek Specific Plan in accordance with Section 15097 of the CEQA Guidelines. In order to ensure that the mitigation measures identified in the Addendum are implemented, the Mitigation Monitoring Program is being updated (Exhibit H). In addition, in accordance with Subsection (c) of CEQA Guidelines Section 15097, reporting has been provided demonstrating mitigation compliance.
- 1.3 The documents and other materials that constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Division 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 purpose of the Adopted Plan land use category is to allow for areas for which specific land use plans have been prepared and adopted. These plans (e.g., specific plan or community plan) are accepted and incorporated by this reference, and the respective land use map associated with each such plan is adopted as the General Plan map for each such area.

Rationale: The CCSP was consistent with those policies upon adoption, which planned for development in a comprehensive manner, providing land uses consistent with surrounding properties. The applicant has provided a preliminary site plan with building envelopes and project entry design (Exhibit F). These drawings are for informational purposes, identifying the way the parcel could be developed. They are not intended to be mandatory requirements for building permits. The project would be subject to a Special Use Permit for the Community Care Facility, and would be required to comply with the standards set forth in the CCSP. As currently proposed, there would be a community center benefitting the residents of the facility and the surrounding Four Seasons community, off-street parking, walkways, and three buildings totaling 87,500 square feet.

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

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



include a Maximum Lot Coverage of 40 percent, Minimum Setbacks, and a floor-to-area ratio (FAR) of 0.40.

**Rationale:** The text amendment would include community care facilities under the uses allowed with a Conditional Use Permit in the LC zone, and allow this use an increase in the maximum FAR from 0.40 to 0.50. The El Dorado County zoning ordinance definition for Community Care Facilities would allow for senior assisted living or memory care facilities, but exclude senior housing that does not include a service or care aspect.

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

The project does not propose any landscaping, signage, or lighting for the site at this time. Because the amendment request would only amend the

text of the Specific Plan in order to include Community Care Facilities as an allowed use in the LC Zone, any other commercial use currently allowed in the LC zone under the specific plan could be proposed for the site. At the time of use permit or building permit application, the project will be reviewed for compliance with the requirements of the CCSP. The proposed amendment does not affect the development requirements of the LC Zone, and the project will be reviewed for compliance with setbacks, height, and other requirements as part of the Special Use permit review. However, the preliminary site plan provided appears to comply with Section 4.8 of the Carson Creek Specific Plan, which establishes permitted uses and Development Standards for the LC-CC land use designation. The proposed facility would be reviewed under a Special use permit and conditioned as needed in order to be consistent with the development standards in the CCSP.

**2.3 The project is consistent with General Plan Policy 2.2.5.21.**

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

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

**2.4 The project is consistent with General Plan Policy 5.2.1.2.**

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

Rationale: The project was reviewed by the County Transportation Division, El Dorado Hills Fire Department, and the El Dorado Irrigation District for adequate public services capacity. The applicants propose to connect to existing water and sewer service from EID. An FIL extension was issued January 14, 2016. The project will be served by EID public water and wastewater services and all other utilities are located in the project area. The project will not exceed the service abilities of the facilities and utilities in the area. This information would be validated upon submittal of a special use permit for the proposed assisted living facility.

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

TC-Xg directs that each development project shall dedicate right-of-way, design and construct or fund any 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: Daily, AM, and PM peak hour trip generation was documented in the DEIR for the CCSP. A Technical Memorandum from Fehr and Peers Dated September 25, 2015 compared the trip generation for Local Convenience Commercial uses included in the DEIR to the potential trip generation resulting from the CCSP Amendment. While 71,400 square feet of Local Convenience Commercial uses would result in approximately 3,672 daily trips, 81 AM trips, and 343 PM trips, Assisted Living facilities with 100 beds would generate 274 Daily Trips, 18 AM trips, and 29 PM trip ends. The proposed use at the site would not add any vehicle trips to number of potential trips analyzed under the CCSP; if the site were to be developed as an Assisted Living facility, the number of trips generated would be substantially less than anticipated. The project will be accessed via Carson Crossing Drive. The location(s) of the proposed access will be determined under the Special User permit, and will be reviewed and conditioned by the Department of Transportation and the Fire Department.

**4. 16-0582** Hearing to consider the El Dorado Hills Memory Care (The Pavilions) project [Planned Development PD15-0003]\* for Phase 1 construction and operation of a memory care facility on property identified by Assessor's Parcel Number 124-140-33, consisting of 6.85 acres, in the El Dorado Hills area, submitted by Family Real Property; and staff recommending the Planning 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);
- 3) Approve Planned Development PD15-0003 based on the Findings and subject to the Conditions of Approval as presented; and

4) Adopt a map amendment removing a portion of a vehicular access restriction recorded along Green Valley Road.  
(Supervisory District 1)

Prior to hearing the item, Commissioners Shinault and Williams disclosed that they had met with the applicant, while Chair Stewart disclosed he had spoken to the applicant over the telephone.

Mel Pabalinas presented the item to the Commission with a recommendation for approval. He referenced the Staff Memo dated June 8, 2016 recommending modifications to Condition #28 and removal of Condition #29. Mr. Pabalinas also recommended amending Finding 2.1.6 by deleting the sentence referencing a Facility Plan Report.

Mr. Pabalinas identified the following typos located in the Staff Report:

- Page 2, 3<sup>rd</sup> paragraph from the bottom, 1<sup>st</sup> sentence: “At a finished ~~pad~~ floor elevation of 615.5 feet, ...”; and
- Page 3, 3<sup>rd</sup> paragraph from the top, 1<sup>st</sup> sentence: “A total of ~~15~~ 16 stalls...”.

Jeremy Sutter of JD&A Architects, applicant’s agent, made the following comments:

- Thanked staff for their efforts with the project;
- Spoke on the history of the site and the past public comments that they had received on previous proposals;
- There is a significant need for this type of project in the County;
- This particular use will generate a low volume of traffic that would be comprised of staff, visitors, and delivery services; and
- Spoke on the need for the phases.

Steve Balliet of JD&A Architects, applicant’s agent, made the following comments:

- Commercial use but residential in nature;
- Spoke on the building footprint; and
- Surrounding neighborhood had been shown this concept and they received a positive response from them.

In response to Chair Stewart’s inquiry on the entrance/exit from Green Valley Road, Matt Weir of Kimley-Horn & Associates, applicant’s agent, spoke on the traffic study and acceleration/deacceleration lanes.

Commissioner Miller expressed deep concern on another driveway being placed on Green Valley Road, particularly that close to Francisco Drive.

At the request of Chair Stewart, Andrew Gaber with the Transportation Division, spoke on the nearby Safeway driveway design and the differences in the traffic volume between the two projects.

Discussion ensued on the use of Cambria Way and the necessity to have two points of access.

Brian Glover, owner of the business in question, made the following comments:

- Spoke on the visitor flow for these types of businesses and how the parking lots are not impacted;
- Concern on parking issues is valid but from his past experience, it doesn't occur;
- Spoke on the number of employees and their shifts;
- Not economically feasible to build Phase 1 by itself;
- Can provide locations of other similar businesses that will show open parking lots;
- Currently, there is an unmet demand of 218 people in the community that need this type of facility and businesses in surrounding areas have a waiting list.

Lenny Patane made the following comments:

- Requested that when an agenda had a large number of items located in El Dorado Hills, that the meeting be moved to El Dorado Hills and held in the evening so people can attend after work;
- This is a great project and is as low an impact as they are ever going to see on that site; and
- Requested the developer to leave as many Heritage Oak trees as possible.

Claire Lebeaux made the following comments:

- Thanked the Commission for their efforts;
- Appreciated Chair Stewart's comments on the need to look at the big picture;
- Last proposal had a huge turnout from the neighborhood, but this time she was the only one present;
- Developer has worked with the community to help develop an appropriate use for this site and this is the best use for it;
- Spoke on lighting and trash pick-up times;
- Voiced noise concerns on when ambulances respond; and
- Displayed pictures of surrounding roads while discussing traffic safety.

Chair Stewart closed public comment.

Discussion ensued between Commissioner Shinault and Dave Crosariol of CTA Engineering & Surveying, applicant's agent, on the cut and landscaping.

In response to Chair Stewart's inquiry on the traffic study recommendation of deceleration lanes, Mr. Gaber provided an explanation as to why staff did not support that recommendation for this project.

In response to Chair Stewart's suggestion on a compromise on the trash enclosure locations for Phase 1 and 2, County Counsel Dave Livingston reminded the Commission that only Phase 1 was before them today. Chair Stewart stated that if Phase 2 comes before the Commission, he would like to see the trash enclosure location remain in the same spot as in Phase 1.

Chair Stewart made the following comments during the hearing:

- Referred to El Dorado Hills APAC comment regarding signs on parking;
- Lighting Ordinance applies;
- Commercial is all around the site; and
- This project would not be conditioned for pork chops as mentioned during Ms. Lebeaux's public testimony.

There was no further discussion.

**Motion #1**

**Motion: Commissioner Miller moved 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); and 3) Approve Planned Development PD15-0003 based on the Findings and subject to the Conditions of Approval as amended: (a) Modify Finding 2.1.6 by deleting the sentence referring to a Facility Plan Report; and (b) Modify Condition #28 and delete Condition #29 as identified in the Staff Memo dated June 8, 2016. MOTION FAILED DUE TO LACK OF A SECOND.**

**Motion #2**

**Motion: Commissioner Hansen moved, seconded by Commissioner Williams, and carried (4-1), 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); 3) Approve Planned Development PD15-0003 based on the Findings and subject to the Conditions of Approval as amended: (a) Modify Finding 2.1.6 by deleting the sentence referring to a Facility Plan Report; and (b) Modify Condition #28 and delete Condition #29 as identified in the Staff Memo dated June 8, 2016; and 4) Adopt a map amendment removing a portion of a vehicular access restriction recorded along Green Valley Road.**

**AYES: Shinault, Williams, Hansen, Stewart**  
**NOES: Miller**

This action can be appealed to the Board of Supervisors within 10 working days.

**Findings**

**1.0 CEQA FINDINGS**

An Initial Study has been conducted to determine the project's potential effects on the environment. Based on the Initial Study, a Mitigated Negative Declaration concluding that specific impacts to Biological Resources (sensitive bird and raptor habitat, on-site riparian areas, and oak canopy) have been identified requiring mitigation measures to minimize the effects to a less than significant level. These measures are included in the Mitigation Monitoring Reporting Program (MMRP).

**2.0 ADMINISTRATIVE FINDINGS**

2.1 **General Plan**

2.1.1 **Land Use Element- General Plan Policy 2.1.1.7 (Applicable General Plan Policies and Timing of Development within Community Region).**

The project is within the Community Region of El Dorado Hills where public infrastructures such as roads and utility exist. The project would construct, extend and/or upgrade on- and off-site infrastructures necessary to serve the proposed development.

2.1.2 **Land Use Element- General Plan Policies 2.2.1.2 (Land Use Type) and 2.2.5.9, 2.2.5.21 (Compatibility).**

The project site is designated as Commercial. As a community care facility, the El Dorado Hills Memory Care facility is an appropriate use on parcels with this designation and provides specialized medical service in support of the existing uses in the community. The facility has been designed compatible with the existing development as involves site planning, access and preservation of resources.

2.1.3 **Land Use Element- General Plan Policy 2.2.3.1 (Application of Planned Development).**

The proposed facility employs Planned Development techniques such as preservation of resources and reserving 52% of the site as open, undisturbed areas.

2.1.4 **Circulation and Transportation Element- General Plan Policies TC-Xa, TC-Xd, TC-Xe (Levels of Service and Concurrency) and TC-4i, TC-5b (Connectivity).**

As analyzed, the project has been determined to not worsen the existing LOS in the area. As conditioned, payment of standard traffic impact mitigation (TIM) fees shall be required prior to issuance of the residential building permits. On-site connectivity would be extended into the existing and proposed sidewalks along project frontage, which provides connectivity outside of the facility.

2.1.5 **Housing Element 4.1 (Congregate Care Facilities).**

This project meets this policy as this facility is also classified as Congregate Care Facility.

2.1.6 **Public Services and Utility Element- General Plan Policies 5.1.2.1, 5.1.2.2, 5.1.2.3, 5.2.1, 5.2.1.3, 5.3.1.1, 5.7.1.1 (Adequacy of Public Utility for Water and Sewer Services).**

The proposed development is within the El Dorado Irrigation District (EID) service area where public water and sewer utilities currently exist. The development would be required to improve, upgrade, and connect to these infrastructures in order to obtain the

service. A Facility Plan Report (FPR), which details the necessary facility improvements for the project, would be required subject to review and approval by EID. An EID meter award letter would be required as proof of rights to service prior to issuance of building permit. Fire suppression standards and design shall be coordinated with the El Dorado Hills Fire Department prior to issuance of building permit.

**2.1.7 Public Services and Utility Element- General Plan Policies 5.4.1.1, 5.4.1.2 (Drainage and Erosion).**

The facility has been designed to address storm drainage using a network of drainage facilities, subject to DISM construction standards. Best Management Practices and standard erosion measures shall be enforced in order to minimize erosion effects during site construction.

**2.1.8 Health and Safety Element- General Plan Policies 6.2.2.1, 6.2.3.1 and 6.2.3.2 (Fire Protection Services).**

The project is located within the El Dorado Hills Community Region, where fire protection service is provided by El Dorado Hills Fire Department. This site is designated as moderate in terms of fire hazard. Specific project conditions of approval, including minimum access points and driveway standards, shall be applied, subject to verification by the department prior to any construction.

**2.1.9 Health, Safety and Noise Element 6.5.1.1, 6.5.1.6, 6.5.1.11, 6.5.1.12, 6.5.1.13 (Noise Standards).**

The project has been evaluated for potential noise impacts, which have been determined to be insignificant based on project design and site setting.

**2.1.10 Health, Safety and Noise Element 6.7.7.1 (Air Quality).**

An Air Quality and Greenhouse Gas Analysis has been prepared for the project and determined that the project's construction and operational impacts to be insignificant with application of AQMD standard rules.

**2.1.11 Conservation and Open Space Element 7.3.2.2 (Erosion).**

The project shall be required to adhere to the County's erosion control program.

**2.1.12 Conservation and Open Space Element 7.3.3.4, 7.3.3.5 (Riparian Areas).**

Existing drainage swales and riparian areas shall be avoided as part of project design.

**2.1.13 Conservation and Open Space Element- General Plan Policy 7.4.4.4 (Option A- Oak Tree Canopy Retention and Replacement).**



Phase 1 of the facility has been designed consistent with the provisions of General Plan Policy 7.4.4.4 Option A. This amount of canopy removed would be replaced via on-site replanting within designated areas of the site.

**2.2 Zoning**

The project is consistent with the Zoning Ordinance including provisions under Community Commercial Zone District (Chapter 130.22), Planned Development (Chapter 130.28) and Parking and Loading (Chapter 130.35). Subject to a Planned Development Permit, the facility is an allowed use under the zone district and meets the minimum development standards including building setbacks, height coverage, on-site parking, and landscaping.

As a Planned Development, the propose project is consistent with the General Plan with application of appropriate facility siting and design that minimizes unnecessary impact disturbance, preserves of on-site biological resources, and maintains compatibility with the surrounding uses in the neighborhood.

**Conditions of Approval**

<b><u>Conditions of Approval</u></b>	<b><u>Timing/ Implementation</u></b>	<b><u>Enforcement/ Monitoring</u></b>	<b><u>Verification (Date and Signature)</u></b>
<b>On-Going</b>			
<p>1. The Planned Development Permit is based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits F 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.</p> <p>The project consists of the following:</p> <p><b>Planned Development Permit for the Phase 1 construction and operation of a memory care facility with a total of 36 beds within a 27,613 square feet building served with on-site parking, landscaping,</b></p>	On-Going	Planning Services Division	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
	<p><b>and pedestrian walkway.</b></p> <p>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.</p>			
2.	<p>In accordance with Section 130.54.060.A of the El Dorado County Zoning Ordinance, this Planned Development Permit shall expire 24 months from the date of approval unless a timely extension is filed.</p>	On-Going	Planning Services Division	
3.	<p>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.</p> <p>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.</p> <p>County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.</p>	On-Going	Planning Services Division	
4.	<p>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 building permit shall be issued until said fees are paid.</p>	On-Going	Planning Services Division	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
<b>Prior To or In Conjunction With Improvement Plans and/or Grading Plan Approval</b>				
5.	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. A note stating the above shall be placed on the Improvement Plans.	Improvement Plans	Planning Services Division	
6.	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). A note stating the above shall be placed on the Improvement Plans.	Improvement Plans	Planning Services Division	
7.	Fugitive Dust: The project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM10) in the form of dust. The project shall adhere to the regulations and mitigation measures for fugitive dust emissions during the	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	AQMD	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
	construction process. In addition, a Fugitive Dust Mitigation Plan (DMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction. (Rules 223 and 223.1)			
8.	Paving: Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	AQMD	
9.	Construction Emissions: During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at ARB's website here: <a href="http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm">http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm</a> An applicability flow chart can be found here: <a href="http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf">http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf</a> Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	AQMD	
10.	Open Burning: Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only vegetative waste materials may be disposed of using an open outdoor fire (Rule 300 Open Burning).	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	AQMD	
11.	New Point Source: Prior to construction/installation of any new point source emissions units (e.g., emergency standby engine, etc.), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors. (Rule	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	AQMD	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
	501 and 523)			
12.	Portable Equipment: All portable combustion engine equipment with a rating of 50 horsepower or greater shall be registered with the California Air Resources Board (CARB). A copy of the current portable equipment registration shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, daily hours of operations of each piece of equipment.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	AQMD	
13.	On-Site Road Improvements: The applicant shall construct an encroachment onto Green Valley Rd and Cambria Way. The driveway encroachments shall be constructed per County Standard 103G modified to comply with current ADA requirements.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	Transportation Division	
14.	Off-site Road Improvements: The applicant shall construct sidewalk and Curb & Gutter on Francisco Drive. Sidewalk constructed outside of the right of way shall be contained within a pedestrian easement. The applicant will construct sidewalk on the North side of Cambria Way. The sidewalk shall be 5.5-feet wide from back of curb. The applicant shall also construct ADA compliant curb ramps at the Southwest corner of Francisco Drive and Green Valley Rd. The applicant shall also construct an ADA compliant curb ramp at the intersection of Cambria Way and Francisco Dr. on the Northwest corner. The applicant shall construct all curb ramps per Caltrans Standard Plan A88A, or current revised standard plan in effect when the improvement plans are submitted for review to the County.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	Transportation Division	
15.	Consistency with County Codes and Standards: The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (as may be modified by these Conditions of Approval or by	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	Transportation Division	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
	<p>approved Design Waivers) from the Transportation Division and pay all applicable fees.</p> <p>Additionally, the project improvement plans and grading plans shall conform to the County Grading, Erosion and Sediment Control Ordinance, Grading Design Manual, the Drainage Manual, Storm Water Ordinance (Ord. No. 5022), Off-Street Parking and Loading Ordinance, all applicable State of California Water Quality Orders, the State of California Handicapped Accessibility Standards, and the California Manual on Uniform Traffic Control Devices (MUTCD).</p>			
16.	<p>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), and receive approval from the Transportation Division. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.</p>	<p>Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First</p>	<p>Transportation Division</p>	
17.	<p>Regulatory Permits and Documents: All regulatory permits or agreements between the Project and any State or Federal Agency shall be provided to the Transportation Division with the Project Improvement Plans. These project conditions of approval and all regulatory permits shall be incorporated into the Project Improvement Plans.</p>	<p>Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First</p>	<p>Transportation Division</p>	
18.	<p>Electronic Documentation: Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to the Transportation</p>	<p>Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs</p>	<p>Transportation Division</p>	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
	Division with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.	First		
19.	In order to enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	El Dorado Hills Fire Department	
20.	All fire apparatus access roads shall be an asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 70,000 pounds. No access roads shall exceed a grade of 16%.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	El Dorado Hills Fire Department	
21.	No entrances shall be gated on this project. The Cambria entrance shall be modified to accommodate fire apparatus turning radius of 40' inside/56' outside turning radius.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	El Dorado Hills Fire Department	
22.	The only authorized parking will be in the designated parking spaces shown on the plans. All curbs shall be painted red with the words "No Parking - Fire Lane."	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	El Dorado Hills Fire Department	
23.	This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump/dip section of roadway.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	El Dorado Hills Fire Department	
24.	The landscape plans shall not have any tree planted that will impede a 15' vertical clearance when fully grown adjacent to the main driveways surrounding the building. If the property is not fully landscaped, all weeds located on the property shall be cleared down to 2" by June 1st each year.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	El Dorado Hills Fire Department	
25.	Mitigation Measure BIO-1 (Migratory Bird and Raptor Species): Pre-construction nesting bird surveys, in accordance with USFWS and CDFW protocols, shall be conducted by a qualified biologist within 14	Improvement Plan Approval or Prior to Issuance of Grading Permit(s) Whichever Occurs	Planning Services Division	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
	<p>days of initiation of any construction during the nesting season (end of February through end of August). During the survey, the qualified wildlife biologist shall inspect all trees in and immediately adjacent to the impact area for raptor and migratory bird nests. If the survey does not identify any nesting raptor species on or near the construction site, further mitigation is not required. However, should any raptor species be found nesting on or near the construction site (within 500 feet of construction activities), the project applicant, in consultation with El Dorado County and CDFW, shall avoid all birds of prey or migratory bird nest sites located in the construction area during breeding season while the nest is occupied with adults and/or eggs or young. The occupied nest shall be monitored by a qualified wildlife biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a no disturbance buffer zone around the nest site. The size of the buffer zone shall be determined in consultation with El Dorado County and CDFW. Highly visible temporary construction fencing shall delineate the buffer zone. If a legally-protected species nest is located in a tree designated for removal, the removal shall be deferred until after August 31, or until the adults and young are no longer dependent on the nest site, as determined by a qualified biologist.</p>	<p>First</p>		
<p>26.</p>	<p>Mitigation Measure BIO-2 (Bat Species): Pre-construction bat surveys, in accordance with CDFW protocols, shall be conducted on-site by a qualified bat biologist within 14 days of any tree removal that will occur during the breeding season (April through August). Pre-construction surveys are not required for tree removal activities scheduled to occur during the non-breeding season, as determined by a qualified bat biologist. If pre-construction surveys</p>	<p>Improvement Plan Approval or Prior to Issuance of Grading Permit(s) Whichever Occurs First</p>	<p>Planning Services Division</p>	



	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
	indicate that no roosts of special-status bats are present, or that roosts are inactive or potential habitat is unoccupied, no further mitigation is required. If roosting bats are found, exclusionary measures approved by CDFW and USFWS shall be installed by a qualified bat biologist. Once the bats have been excluded, tree removal may occur. If these actions do not result in exclusion, a qualified biologist in possession of an applicable Department of Fish and Wildlife Memorandum of Understanding should consult with CDFW to determine appropriate relocation methods.			
27.	Mitigation Measure BIO-3 (Western Pond Turtle): Pre-construction western pond turtle surveys, in accordance with CDFW protocols, shall be conducted by a qualified biologist prior to any work within or adjacent to the creek. Any turtles found within the immediate work area shall be relocated within the same stream channel by a qualified biologist holding all required permits.	Improvement Plan Approval or Prior to Issuance of Grading Permit(s) Whichever Occurs First	Planning Services Division	
28.	Mitigation Measure BIO-4 (Indirect Impact to Riparian Areas): A Lake and Streambed Alteration Agreement, pursuant to Fish and Wildlife Code Section 1600 et seq, shall be obtained by the applicants, 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 CDFW in the context of the agreement process. <u>These measures shall include construction measures detailed in the June 3, 2016 memorandum prepared by Madrone Ecological Consulting.</u>	Improvement Plan Approval or Prior to Issuance of Grading Permit(s) Whichever Occurs First	Planning Services Division	
29.	<del>Mitigation Measure BIO-5 (Indirect Impact to Riparian Areas): The applicant shall obtain a Water Quality Certification (Section 401 permit) from the California Regional Water Quality Control Board for applicable project improvements.</del>	<del>Improvement Plan Approval or Prior to Issuance of Grading Permit(s) Whichever Occurs First</del>	<del>Planning Services Division</del>	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
30.	Mitigation Measure BIO-6 (Oak Canopy): The applicant shall submit a Landscape Plan as part of Improvement Plan detailing the applicable construction and replanting provisions associated with the preserved, removed, and replanted oak trees as part of Phase 1 facility construction, consistent with the Oak Canopy Analysis, Preservation, and Replacement Plan for El Dorado Hills Memory Care Revised Phase I (Pavilions) letter (dated April 20, 2016). An Oak Canopy Replanting Agreement the County shall be executed for the long term maintenance and preservation of any replacement trees and/or acorns planted.	Improvement Plan Approval or Prior to Issuance of Grading Permit(s) Whichever Occurs First	Planning Services Division	
<b>Prior To or In Conjunction With Building Permit</b>				
31.	The applicant shall acquire a Certificate of Correction for the modification of the access restriction recorded on the property along Green Valley Road.	Building Permit	County Surveyor	
32.	A meter award letter or similar document shall be provided by the water purveyor prior to issuance of building permit.	Building Permit	Planning Services Division /EID	
33.	Painting/Coating: The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.	Building Permit	AQMD	
34.	Electric Vehicle Charging: All parking stalls reserved for employees shall include at a minimum a Level 1 (110-120V AC) electrical outlet near the vehicle for charging of plug-in electric vehicles (PEV). The project shall be designed with or pre-wired for Level 2 PEV charging infrastructure.	Building Permit	AQMD	
35.	Solar/Photovoltaic Equipment: The proposed development shall incorporate solar photovoltaic equipment, or at a minimum, be pre-wired for the installation of roof-mounted solar photovoltaic systems in order to reduce the impact on the	Building Permit	AQMD	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
	electrical grid and reduce emissions from electricity generation and other forms of energy consumption.			
36.	The Applicant shall reconstruct any existing ADA compliance improvements adjacent to the Project to meet current standards.	Building Permit	AQMD	
37.	Exterior Electrical Outlets: Electrical outlets shall be provided along the front and rear exterior walls of the building to allow for the use of electric landscape maintenance tools.	Building Permit	AQMD	
38.	The potable water system with the purpose of fire protection for memory care facility shall provide a minimum fire flow of 1,750 gallons per minute with a minimum residual pressure of 20 psi for a three-hour duration. This requirement is based on a structure 40,600 square feet or less in size, Type V-A construction. All structures shall be fire sprinklered in accordance with NFPA 13 and Fire Department requirements. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval.	Building Permit	El Dorado Hills Fire Department	
39.	This development shall install Mueller Dry Barrel fire hydrants or any other hydrant as approved by the El Dorado Irrigation District. This conforms to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants for this development shall not exceed 300 feet. The exact location of each hydrant shall be determined by the Fire Department.	Building Permit	El Dorado Hills Fire Department	
40.	A Knox Box is required for nighttime and afterhours access to the alarmed buildings. A Knox Key shunt system shall be installed to terminate power to generators.	Building Permit	El Dorado Hills Fire Department	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
41.	In order to provide this development with adequate fire and emergency medical response during construction, both the Green Valley and the Cambria access roadways and fire hydrant systems shall be installed and in service prior to combustibles being brought onto the site as specified by the Fire Department, Standard B-003. All fencing that backs up to wildland open space shall be required to use non-combustible type fencing.	Building Permit	El Dorado Hills Fire Department	
42.	The covered section of the main entrance near the front doors of the building requires a minimum of 15' in height.	Building Permit	El Dorado Hills Fire Department	
43.	The applicant shall submit a Construction and Demolition Debris Recycling Acknowledgement Form And Debris Recovery Plan/Acknowledgement (Pre-Construction/Pre-Demolition form). Fillable forms are available at: <a href="http://www.edcgov.us/Government/EMD/SolidWaste/Construction_and_Demolition_Debris_Recycling.aspx">http://www.edcgov.us/Government/EMD/SolidWaste/Construction_and_Demolition_Debris_Recycling.aspx</a>	Building Permit	Environmental Management	
<b>Prior To Certificate of Occupancy</b>				
44.	A PDF electronic copy of all plans shall be provided to the fire department for electronic storage and use for engine company pre-fire planning.	Certificate of Occupancy	El Dorado Hills Fire Department	
45.	Addressing, including suite number assignments, shall be coordinated with and approved by the department.	Certificate of Occupancy	County of Surveyor	
46.	Addressing is required as described in the in accordance with the El Dorado Hills Fire Department Addressing of Buildings Standard B-001.	Certificate of Occupancy	El Dorado Hills Fire Department	

**11:00 A.M.**

**5. 16-0583** Informational Workshop - The Essentials of Land Use Planning and Proceedings. William (Bill) Abbott will provide an overview of planning law and practice in

California, covering such topics as the general plan, zoning, environmental review, and practical tips for land use proceedings. Mr. Abbott is a founding partner of Abbott & Kindermann, LLP, a Sacramento-based law firm focusing on land use issues. Mr. Abbott has participated in numerous training programs for local planning departments, County Supervisors Association of California, League of California Cities, and the County Planning Directors' Association. He also serves as an expert witness on California land use proceedings in state and federal court.

**No Action Taken.**

**ADJOURNMENT**

Meeting adjourned at 12:51 p.m.

APPROVED BY THE COMMISSION

Authenticated and Certified:

Rich Stewart 7/28/16  
Rich Stewart, Chair