



# COUNTY OF EL DORADO PLANNING COMMISSION

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

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

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

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## MINUTES

**Regular Meeting  
June 26, 2014 – 8:30 A.M.**

### CALL TO ORDER

Meeting was called to order at 8:32 a.m. Present: Commissioners Stewart, Pratt, Heflin, Mathews, and Shinault; David Livingston-County Counsel; and Char Tim-Clerk of the Planning Commission.

### ADOPTION OF AGENDA

Chair Mathews requested that Item #5 be moved after the Public Comment as it will be a brief update.

**Motion: Commissioner Stewart moved, seconded by Commissioner Shinault, and carried (4-0), to approve the agenda as amended.**

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

*[Clerk's Note: Commissioner Pratt arrived at 8:33 a.m. and took his seat on the Commission.]*

### 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 Mathews moved, seconded by Commissioner Pratt, and carried (5-0), to approve the Consent Calendar.**

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

1. (14-0766) Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of June 12, 2014.

**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, informed the Commission that on June 24, 2014, the Board adopted the Ordinance approving the Alto LLC Development Agreement.

Lillian MacLeod, Acting Principal Planner, introduced the Division's newest Associate Planner, Joe Prutch.

**COMMISSIONERS' REPORTS**

Commissioner Shinault commented that the Tahoe area was at a high fire danger level. He also announced that there would be a meeting that night on the Meyers Community Plan.

Commissioner Pratt stated that he had been attending the Water Agency's Drought Advisory meetings and the Outingdale area was discussed due to the concern that the river would drop to a level that wouldn't allow water to be pulled out of it for the residents.

**PUBLIC FORUM/PUBLIC COMMENT** – None

**AGENDA ITEMS**

2. (14-0767) Hearing to consider the construction of a wireless telecommunication facility consisting of a 65-foot mono-oak tower with 12 panel antennas, 2 microwave dishes, equipment shelter and related ground equipment [Special Use Permit S13-0014/AT&T Silva Valley Parkway Cellular Site (Mono-Oak)]\* on property identified by Assessor's Parcel Number 121-190-35, consisting of 3.2 acres, in the Serrano El Dorado Hills Specific Plan area, submitted by AT&T Mobility; and staff recommending the Planning Commission take the following actions:

- 1) Adopt the Negative Declaration based on the Initial Study prepared by staff; and
- 2) Approve Special Use Permit S13-0014 based on the Findings and subject to the Conditions of Approval.

(Supervisory District 1)

Joe Prutch stated that this would be the first mono-oak cell tower in the County. He informed the Commission that the applicant has requested a continuance to August 28, 2014/

Barb Winn, applicant, stated that they were finishing up their first mono-oak cell tower and it was located in Fairfield. They would like to complete that project in order to provide pictures for the Commission and also the additional time would allow them to resolve some issues connected with the project.

Chair Mathews closed public comment.

There was no further discussion.

**Motion: Commissioner Pratt moved, seconded by Commissioner Stewart, and carried (5-0), to continue the item to the August 28, 2014 meeting.**

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

**NOES: None**

**3. (14-0768)** Hearing to consider request for a parking area, trailhead facility, and a trail system [Special Use Permit S13-0010/Salmon Falls Ranch Trail and Trailhead Facility]\* on property identified by Assessor's Parcel Numbers 104-060-48 and 104-060-07, consisting of 196.36 acres, in the Pilot Hill area, submitted by American River Conservancy; and staff recommending the Planning Commission take the following actions:

- 1) Adopt the Negative Declaration based on the Initial Study prepared by staff; and
- 2) Approve Special Use Permit S13-0010 based on the Findings and subject to the Conditions of Approval.

(Supervisory District 4)

Aaron Mount presented the item to the Commission with a recommendation for approval. He informed the Commission that the Transportation Division had recommended amending the language in Condition 10 (read into the record) and deleting Condition 21.

Commissioner Stewart disclosed that he is good friends with an ARC Board member and felt he could still make a fair decision on the project.

In response to Commissioner Pratt's inquiry on encroachment, Mr. Mount distributed a map.

Dave Spiegelberg/Transportation explained that the applicant had proposed a left-turn lane but there was concern on potential rear-end accidents and difficulty for horse trailers to exit onto Salmon Falls Road. He also stated that the Division was proposing the same type of pavement, just not striping.

In response to Commissioner Pratt's inquiry on signs, Mr. Spiegelberg stated that it could be addressed at the design stage and although it was not typical to put signs in before a driveway, they could place guide signs due to safety concerns. Commissioners Pratt and Stewart voiced consensus to placing safety guide signs in that area.

Elena Delacy, applicant, stated that trails were becoming very popular and the parking area would relieve some of the issues of cars parking on the road, which was a safety concern. She stated that this had been a community grassroots project which had been funded by the community.

Chair Mathews closed public comment.

There was no further discussion.

**Motion: Commissioner Stewart moved, seconded by Commissioner Heflin, and carried (5-0), to take the following actions: 1) Adopt the Negative Declaration based on the Initial Study prepared by staff; and 2) Approve Special Use Permit S13-0010 based on the Findings and subject to the Conditions of Approval as modified: (a) Amend Condition 10 as identified; and (b) Delete Condition 21.**

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

**NOES: None**

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

### **Findings**

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

#### **1.0 CEQA FINDINGS**

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 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 Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

#### **2.0 GENERAL PLAN FINDINGS**

- 2.1 As proposed, the project is consistent with the Agricultural Lands/Rural Residential (AL/RR) land use designations as defined within General Plan Policy 2.2.1.2 because the land use designations permit recreational facilities with an approved special use permit.

- 2.2 As conditioned, and with adherence to County Code, the project is consistent with all applicable Policies of the General Plan, including:
- 2.2.1 2.2.5.21 (compatibility with surroundings) because as conditioned and designed, it would be compatible with surrounding uses, have minimal impacts on visual resources, existing emergency response access and times, and will be consistent with County noise policies. Adequate access and site design has been provided, and attention to design features ensures that the project fits within the context of the surrounding uses;
  - 2.2.2 6.2.3.2 (adequate access) because the project will utilize a driveway and encroachment that will be developed to County Standards for access and interior circulation;
  - 2.2.3 6.5.1.7 (noise) because the project is for passive recreation uses only and is approximately 1,000 feet from the closest residence with a significant grade change between the two uses.
  - 2.2.4 7.4.1.6 (special statue species) because the loss of special status plants has been avoided;
  - 2.2.5 7.4.4.4 (oak canopy) because the project includes a condition of approval that complies with Option A requirements; and
  - 2.2.6 9.1.2.8, 9.1.3.1, 9.1.3.2, Objectives 9.3.1, 9.3.2, and 9.3.3 because that the proposed project is a trailhead and trail system that is an asset to the community and County by protecting and maintaining existing recreational based assets, protecting and preserving those resources that attract tourism, and linking trails for public use that provide access to recreational resources. This project specifically provides public access to the South Fork of the American River increasing public access to scenic waterways.

### **3.0 ZONING FINDINGS**

- 3.1 The proposed use is permitted by special use permit in the Exclusive Agriculture (AE) zone district, pursuant to Section 17.36.080.B provided that the administrative findings outlined below can be made by the Planning Commission.
- 3.2 As proposed and conditioned, the project meets all applicable development standards contained within the El Dorado County Zoning Ordinance. The project has been proposed with sufficient access, and parking and would meet the development standard requirements contained in Section 17.36.090.

### **4.0 ADMINISTRATIVE FINDINGS FOR A SPECIAL USE PERMIT**

#### **4.1 The issuance of the permit is consistent with the General Plan;**

As stated in more detail above in the General Plan section, the proposed project has been analyzed for consistency with the General Plan Policies listed above and is consistent with these policies.

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

The proposed project will comply with the Development Standards of the AE Zone District. The proposed Special Use Permit for the recreational facilities complies with the requirements of Chapter 17.22, Special Use Permits, and the proposed use is not considered detrimental to the public health, safety and welfare, nor injurious to the neighborhood, because the project has been designed to comply with development standards, provides for safe access, circulation, parking, and conservation of natural resources.

**4.3 The proposed use is specifically permitted by Special Use Permit pursuant to this Title.**

The proposed use is permitted in the AE Zone District pursuant to 17.36.080.B of the Zoning Ordinance.

**Conditions of Approval**

**1. Project Description:** This Special Use Permit is based upon and limited to compliance with the project description, the Conditions of Approval set forth below, and the following hearing exhibits:

- Exhibit F.....Site Plan
- Exhibit G.....Site Plan Detail
- Exhibit H1-6.....Grading Plan
- Exhibit I1-2 .....Site Photos
- Exhibit J .....Preliminary Landscape Plan

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

The project description is as follows:

Special Use Permit request for a parking area, trailhead facility, and a trail system. The parking area would contain 30 parking spaces including 20 standard parking spaces and 10 trailer parking spaces connected to Salmon Falls Road by a driveway. The parking area would be available to the public year round from dawn to dusk with evening parking allowed with advance permission from the property owner. The trailhead at the eastern end of the parking lot would contain a kiosk with trail maps, safety guidelines, and emergency contact information, recreation information, and natural resource interpretation. The trail would consist of 5,280 linear feet of natural surface trail connecting the parking lot to the existing South Fork American River Trail. Passive recreation events may take place in the parking lot, however no amplified voice or music

is allowed without first submitting an acoustical analysis to Planning Services for review and approval by the Development Services Division Director to confirm consistency with General Plan noise policies.

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

**Development Services Division (Planning)**

2. **Oak Canopy Replacement:** The project will remove 0.47 acre of oak canopy. The applicant shall plant, maintain and monitor the required replacement of oak canopy as described in the Tree Replacement Plan in Exhibit L Attachment 4. The replacement plan shall be included with the grading permit plans and Planning shall verify inclusion prior to issuance of the grading permit. The applicant shall schedule a site inspection with Planning Services for verification that the planting has occurred in compliance with the Plan prior to grading permit final.
3. **Raptor Survey:** If any grading or tree removal activities are proposed during the general raptor breeding season (February 1 to August 31), a pre-construction survey shall be conducted by a qualified biologist within 10 calendar days prior to the onset of grading or tree removal to identify any active raptor nests within 500 feet of the proposed impact area. The results of the survey will be summarized in a written report to be submitted to CDFG prior to the beginning of grading. If nesting raptors are found during the focused survey, no grading or tree removal will occur within 500 feet of an active nest until the young have fledged (as determined by a qualified biologist) or until the project applicant receives written authorization from CDFG to proceed. If nest trees are unavoidable, they shall be removed during the non-breeding season.
4. **Permit Implementation:** Pursuant to County Code Section 17.22.250, implementation of the project must occur within twenty-four (24) months of approval of this Special Use Permit, otherwise the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with conditions of approval.
5. **Condition Compliance:** Prior to issuance of certificate of occupancy of a building permit or commencement of any use authorized by this permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval.

6. **Hold Harmless Agreement:** In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action.

The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval by El Dorado County. County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

7. **Fish and Game Fee:** The applicant shall submit to Planning Services a \$50.00 recording fee and a \$2,181.25 Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No permits shall be issued until said fees are paid.

8. **Archeological Resources:** The following shall be incorporated as a note on the grading/improvement plans:

In the event archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a “unique archeological resource”, contingency funding and a time allotment sufficient to allow recovering an archeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archeological mitigation takes place.

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

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

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

In the event of the discovery of human remains, all work shall cease and the County coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the

remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

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

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

### **Transportation Division**

10. **Encroachment Permit Salmon Falls Road:** The applicant shall obtain an encroachment permit from EDCTD and shall construct the roadway encroachments from the access roadway onto Salmon Falls Rd to the provisions of County Design Std **103D**. The applicant shall construct a 10 foot shoulder (3" AC over 6"AB, 95% compaction) west of the encroachment as specified on submitted plans dated January 20, 2014 by Lebeck and Young engineering. The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved improvement agreement with security, prior to the issuance of the grading permit.

### **Transportation Division Standard Conditions**

11. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
12. **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" sign as required by the Transportation Division. The signing and striping shall be designed and constructed per the latest version of the California Manual Uniform Traffic Control Devices (MUTCD).
13. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00

- a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.
14. **DISM Consistency:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (as may be modified by these Conditions of Approval or by approved Design Waivers) from the County Transportation Division, and pay all applicable fees prior to issuance of a grading permit.
  15. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
  16. **Grading Permit / Plan:** A commercial grading permit is required for the project. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to Development Services for review and approval. The plan shall be in conformance with the County of El Dorado "Design and Improvement Standards Manual", the "Grading, Erosion and Sediment Control Ordinance", the "Drainage Manual", the "Off-Street Parking and Loading Ordinance", and the State of California Handicapped Accessibility Standards. All applicable plan check fees shall be paid at the time of submittal of improvement plans. All applicable inspection fees shall be paid prior to issuance of a permit. The improvements and grading shall be completed to the satisfaction of the Development Services or the applicant shall obtain an approved improvement agreement with security, prior to issuance of a grading permit.
  17. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and Development Services. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, Development Services shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
  18. **RCD Coordination:** The timing of construction and method of re-vegetation 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 Development Services. Development Services shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
  19. **Soils Report:** At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for

such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from Development Services. 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.

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

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

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

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. The improvements shall be completed to the approval Development Services, prior to the issuance of a grading permit.

- ~~21. **Drainage (Cross-Lot):** Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easements and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or v ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to issuance of a grading permit.~~

2221. **Drainage Easements:** Pursuant to Section 4.D of the DISM, the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans.

2322. **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to grading permit issuance, and by state law must be done prior to commencing construction.

2423. **Electronic Documentation:** Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.

#### **El Dorado County Fire Protection District**

2524. **Future Construction:** The construction of any new buildings in the future will require additional fire flow (hydrant).

2625. **Access Driveway:** The fire apparatus access road shall be 20' wide from Salmon Falls Road to its terminus.

- a. The access road shall have an all-weather surface.
- b. The access road shall be capable of supporting 40,000 pounds.

#### **El Dorado County Air Quality Management District**

2726. **Asbestos Dust:** Current county records indicate this subject property is located within the Asbestos Review Area. An Asbestos Dust Mitigation Plan (ADMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to project construction. (Rules 223 and 223.2). The project shall adhere to the regulations and mitigation measures for fugitive dust emissions asbestos hazard mitigation during the construction process. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223 and 223.2.

2827. **Paving:** Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).

2928. **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).

3029. **Construction Emissions:** During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 2449 et al, title 13,

article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at ARB's website here: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>. An applicability flow chart can be found here: [http://www.arb.ca.gov/msprog/ordiesel/faq/applicability\\_flow\\_chart.pdf](http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf). Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation.

~~31~~30. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be under permit from the California Air Resources Board (CARB). A copy of the current portable equipment permit shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, daily hours of operations of each piece of equipment.

**4. (14-0769)** Hearing to consider the following: (1) General Plan Amendment increasing the maximum residential density to 55 dwelling units/acre; (2) El Dorado Hills Specific Plan Amendment incorporating multifamily residential use, density, and related standards; (3) Rezone from General Commercial-Planned Development (CG-PD) to Multifamily Residential-Planned Development (RM-PD); and (4) Revision to the approved Town Center East Development Plan incorporating multifamily residential use, density, and related design and development standards for the proposed 250-unit apartment complex [General Plan Amendment A14-0001/Rezone Z14-0001/Specific Plan Revision SP86-0002-R/Planned Development Revision PD94-0004-R-2/El Dorado Hills Apartments]\* on property identified by Assessor's Parcel Numbers 121-290-60, 121-290-61, 121-290-62, consisting of 4.56 acres, within the Town Center East Commercial Center in El Dorado Hills, submitted by Alexandro Economou/Spanos Corporation; and staff recommending the Planning Commission forward a recommendation to the Board of Supervisors to take the following actions:

- 1) Adopt the Subsequent Mitigated Negative Declaration based on the Initial Study;
  - 2) Adopt the Mitigation Monitoring Reporting Program in accordance with CEQA Guidelines Section 15074(d), incorporated as Conditions of Approval;
  - 3) Approve General Plan Amendment A14-0001 based on the Findings;
  - 4) Approve amendments to the El Dorado Hills Specific Plan SP86-0002-R based on the Findings;
  - 5) Approve Rezone Z14-0004 based on the Findings; and
  - 6) Approve Revisions to the Town Center East Planned Development PD94-0004R-2 based on the Findings and subject to the Conditions of Approval.
- (Supervisory District 1)

Mel Pabalinas presented the item to the Commission with a recommendation for approval. He conducted a PowerPoint presentation and referenced the Staff Memo dated June 25, 2014 which contained information on the public outreach, public comments received, and a recommendation for a new condition regarding cultural resources.

Alexandro Economou, applicant, provided a brief history of the company and project. He stated that this was an infill development that would provide a sensible way to grow and would contribute to community revitalization. He, along with John Binder, applicant's agent, conducted a PowerPoint presentation.

Mr. Binder made the following comments during the presentation:

- Would be a walkable residential community;
- Unique opportunity as infrastructure was already in place;
- Providing a maintenance-free, socially active lifestyle;
- Existing architecture in Town Center was marvelous;
- Parking would be within a parking garage;
- Building was designed to enliven and activate the street; and
- Strong vertical elements would be used.

Dave Robbins, applicant's agent, stated that he had prepared the transportation study and responded to various questions from the Commission regarding residential vs retail use, traffic impact, and peak hour numbers.

Chris Schulze, applicant's agent, responded to inquiries on anticipated water use. He also stated that recycled water would be used for landscaping and water efficient appliances would be used in the units.

Ellen Van Dyke made the following comments:

- Project has been rushed through;
- Fiscal analysis, sewer capacity, and aesthetics were all incomplete;
- Height limits was a concern and where was the quantitative analysis;
- Questioned analysis of response to comments; and
- More discussion was needed at the Planning Commission level (i.e., density too high, impact of removing commercial).

Sam Parlin read into the record Sue Taylor's comments as she was unable to attend:

- Opposed project;
- Project is a slap in the face to County standards;
- Is an intrusion of what El Dorado County stands for;
- Oversized;
- El Dorado Hills needs more water as it is an arid area;
- Violates the existing Specific Plan; and
- For the Planning Commission to be credible, project must be sent back to developers or a full EIR is needed.

Ed (?), manager of local mobile home park, made the following comments:

- There was already traffic issues in area;
- Water is an issue and the County can't be developed without resolving this;
- Section 8 residents live behind mobile home park and crime has since increased; and
- Applicant does very good projects but this area isn't ready for this right now.

Patrick (?), resident, made the following comments:

- Very excited about project as this is the missing piece for Town Center;
- He would be the type of resident that this project would be targeting;
- Transit stop is nearby;
- Attractive design; and
- Urged Commission to approve the project.

Lori Parlin made the following comments:

- Heart of the discussion is what does El Dorado County want to be;
- People chose this County for open space but the project's maps don't show a lot of open space;
- Inquired if this project was needed to accommodate the Housing Element in the General Plan;
- Project won't help put students in schools which are anticipating a decline in attendance;
- Should be sent back to see if the project meets current policies and it shouldn't be forwarded to the Board in its current form; and
- An EIR is needed.

Lenny Patane, 10-year El Dorado Hills resident, made the following comments:

- Area is not rural;
- Against project as it doesn't fit with the Town Center;
- No transparency in project;
- General Plan is in place;
- Density is too big;
- Not aesthetically pleasing;
- Increase in noise;
- Setting a precedent for large density projects in El Dorado County;
- Increase in traffic and area on Hwy 50 is already at Level of Service F per CalTrans;
- Area is being told to cut 30% of water usage but yet a large project is being proposed;
- Schools would be impacted;
- Recent El Dorado Hills survey had 2,200 people respond and read into the record the responses received on housing; and
- El Dorado Hills residents are tired of being held hostage by large developers.

Gay Willyard, manager of local mobile home park, made the following comments:

- Inquired where the guests were going to park;
- Inquired if pets would be allowed;
- Spoke on the current issue with Carson Creek;
- Stop sign is needed at Lone Oak by Target; and
- Beautiful project but needs to be someplace else.

Chris Berry, 7-year El Dorado Hills resident, made the following comments:

- Beautiful project, but concerned that it won't be built according to the renderings;

- Wants an EIR;
- Project appears to be towering over the other buildings; and
- Spoke on traffic.

Don Van Dyke made the following comments:

- Doesn't agree with the Mitigated Negative Declaration analysis;
- Surprised at how fast staff moved on this project;
- Inquired on the need to move the project through the process so fast;
- Project doesn't meet current standards;
- Real traffic, water and noise studies are needed; and
- EIR is needed.

Chair Mathews closed public comment.

Commissioner Stewart made the following comments:

- Too many unanswered questions to go forward;
- Needs more time to digest the response to comments that was just provided; and
- Five areas need to be addressed:
  - Aesthetics: Wants photo sims;
  - Water: Questions the numbers being presented;
  - Traffic: More detail is needed on how those numbers were reached;
  - Economic Analysis: Wants to see back-ups to statements and wants a side by side analysis of what was proposed for this site vs the project; and
  - Precedence: Need to be aware that policy precedence would be set.

Commissioner Pratt made the following comments:

- Inquired on the breakdown of units (i.e., studio/1 bedroom vs 2 bedroom);
- Commented that price points lead to what income levels would be able to afford to live there;
- Inquired on anticipated water use;
- Inquired on impacts to schools;
- In response to public concern on transparency, noted that the project had a conceptual review with the Board of Supervisors in December 2013, was reviewed at three different El Dorado Hills APAC meetings, and an informational Open House was held recently;
- Information that was provided was somewhat muddled;
- Comparison to similar projects is needed to determine if a Mitigated Negative Declaration or an EIR is needed;
- Didn't hear anything on the Buxton report which states El Dorado Hills area has a lot of commercial;
- Need more on the economic development side;
- Sewer piece needs to be resolved; and
- Aesthetics overview from various vantage points is needed.

Commissioner Heflin made the following comments:

- Too much density for a Negative Declaration and would need an EIR; and
- Too many questions and a lot more study is needed.

Commissioner Shinault made the following comments:

- Overall, the project is good for the area, but the density is too great and doesn't fit in;
- Architecture is good;
- Not happy that design guidelines are having to be changed; and
- Doesn't like all of the apartment walls being on the outside view as it creates a tunnel with the other buildings.

Chair Mathews made the following comments:

- Likes the look and idea of the project;
- Had hoped to see commercial activity on the bottom level of the building;
- Concerned on height;
- Project would cause a tunneling effect;
- Not opposed to apartments and increasing density;
- Concerned on all the revisions and amendments that need to be made in order to make this project happen; and
- This is a pretty dramatic change that needs to have detailed analysis.

Chair Mathews asked the applicant how they would like to proceed based on the Commission's comments as the options were to call for a vote or continue the item to either a date specific or off-calendar. Mr. Economou requested that the item be continued to the July 24, 2014 meeting.

There was no further discussion.

**Motion: Commissioner Pratt moved, seconded by Commissioner Shinault, and carried (5-0), to continue the item to the July 24, 2014 meeting.**

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

**NOES: None**

**5. (14-0863)** Community Development Agency, Long Range Planning Division, providing a brief update on the various timelines and workshops related to the Targeted General Plan Amendment and Zoning Ordinance Update.

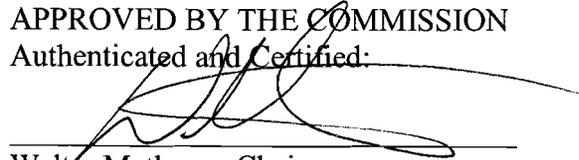
Shawna Purvines provided an update and the history of the presentations conducted at the Board of Supervisors' meetings. She distributed a flyer (Public Hearing/Meeting Schedule) containing all the upcoming meetings that will be held on the Targeted General Plan Amendment – Zoning Ordinance Update. She stated that all of the meetings would be held in the Board of Supervisors Chambers in order for the meetings to be videotaped.

*[Clerk's Note: Later in the meeting and after the item was heard, Ms. Purvines provided a written update handout to the Commission, which she had referred to during her presentation.]*

**ADJOURNMENT**

Meeting adjourned at 11:34 a.m.

APPROVED BY THE COMMISSION  
Authenticated and Certified:

A handwritten signature in black ink, appearing to read 'Walter Mathews', is written over a horizontal line. The signature is fluid and cursive, extending to the right of the line.

Walter Mathews, Chair