

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



**Agenda of:** March 27, 2014  
**Staff:** Tom Dougherty

**SPECIAL USE PERMIT/PLANNED DEVELOPMENT**

**FILE NUMBER:** S11-0009/PD11-0005/Green Valley Nursery and Landscape

**APPLICANT:** Don and Julie Devorss

**OWNER:** Barbara Orosco

**REQUEST:** Special Use Permit request and Development Plan to allow a nursery and landscaping business with outdoor sales and storage.

**LOCATION:** Southeast corner of the intersection of Shadowfax Lane and Green Valley Road, in the north El Dorado Hills area, Supervisorial District 1. (Exhibit A)

**APN:** 124-301-03 (Exhibit B)

**ACREAGE:** 9.62 acres

**GENERAL PLAN:** Commercial (C) (Exhibit C)

**ZONING:** Commercial-Planned Development (C-PD) (Exhibit E)

**ENVIRONMENTAL DOCUMENT:** Mitigated Negative Declaration

**RECOMMENDATION:** Staff recommends the Planning Commission take the following actions:

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
2. Adopt the Mitigation Monitoring Program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the Conditions of Approval and Mitigation;

3. Approve Planned Development PD11-0005, based on the Findings and subject to the Conditions of Approval; and
4. Approve Special Use Permit S11-0009 based on the Findings and subject to the Conditions of Approval.

## STAFF ANALYSIS

**Project Description:** Special Use Permit request and Development Plan to allow a nursery with outdoor sales and storage of landscape plants and bulk landscape materials, and outdoor growing areas. Also proposed is the operation of a landscaping business, seasonal sales of Christmas trees and pumpkins, the growing and sales of fruit and vegetables, and the continued operation of the growing and sales of strawberries by a separate tenant. The applicants are requesting they obtain a formal “Right to Farm” protection under Zoning Ordinance Section 17.13.030 as part of the Special Use Permit request and to utilize one 64 square-foot free standing sign and wall signs for the entire project parcel.

The project also includes requests for waivers for the following requirements:

1. Connect to public sewer and water;
2. Provide a fire hydrant;
3. Construct a permanent bathroom;
4. Paving of the interior roadways and parking lot areas; and
5. No impact or disturbance requirement of General Plan Policy 7.3.3.4 within the required 50-foot setback from the intermittent streambed.

**Site Description:** The 9.62-acre parcel is located between 400 and 420 feet elevation above sea level. It is bordered on the north and west sides by roadways. There is an unnamed intermittent stream flowing east to west bisecting the parcel which empties into the Mormon Island Wetland Preserve, which is located on the west side of Shadowfax Lane. The Mormon Island Dam, one of the dams containing Folsom Lake, is located approximately 900 feet to the northwest across Green Valley Road. The Sacramento County line is located one parcel away to the west. Approximately five acres south of the intermittent stream is planted in strawberries and contains a storage shed. The area north of the stream has been graded flat and is the location of the interior driveways, strawberry patch sales shed, a well pump house, the applicant’s modular office building, graveled parking area, and outside storage area for nursery plants in containers and piles of bulk landscaping materials. There is one well located north of the stream within a small shed, and one south of it located within another storage shed. There is one mature valley oak tree located on the parcel located near where the stream exits the parcel near Shadowfax Lane.

**Background:** On January 15, 2008, the Board of Supervisors approved rezone application Z07-0024 to change the zoning designation from Two-acre Residential (R2A) to Commercial-Planned Development (C-PD).

Sometime around April-May of 2011, the applicants moved a modular building onto the parcel, began grading for a parking area, distributed and flattened soil north of the stream, installed signs in excess of what is allowed, and commenced operating a nursery and landscaping business without the required special use and planned development permits, building and grading permits, or a business license approved for this location. There is no septic system, public sewer or water system, or permanent bathroom facility currently utilized by the nursery's modular office and sales building. The business is currently operating at the site without a business license approved for that location.

On June 27, 2011 a Notice to Correct (Case 202327) for operating a commercial nursery in the Commercial-Planned Development Zone District without required permits, in violation of the Zoning Ordinance, was issued by the Code Enforcement Unit in response to a complaint filed by a member of the public. The applicants were informed they were to cease illegal use of the property immediately and to obtain the required special use permit before continuing the use.

On July 25, 2011 a second Notice to Correct, was issued for signage in excess of that allowed, and for a trailer occupied without a building, was issued by the Code Enforcement Unit. The applicants were again informed they were to cease illegal use of the property immediately, and to obtain the required special use permit before continuing the use.

On August 3, 2011 the applicants submitted an application for a Planned Development and Special Use Permit which was determined to be incomplete, as stated in the August 19, 2011 Incomplete Letter.

On July 26, 2011, Planning informed the applicants that the County Code one year time frame requirement for submittal of the requested incomplete items and that the applications would be considered abandoned if they were not received as required. On August 22, 2012, the Division Manager of the Community Development Agency determined the applicants could have an extension to September 21, 2012 to submit the items necessary to move the project forward. On September 11, 2012, Planning met with the applicants to review the items they were submitting, to explain the County Code requirements for building and grading permits, allowable signs, stream protection, and to help them assemble the information and items needed to proceed.

On October 4, 2012, Planning determined that the application package was complete enough to send out for agency review. That letter advised the applicants what signs the County Code allowed and requested that all other signs in excess of that be removed. Additionally, an addendum to the 2006 wetland study (originally prepared for the rezone application) was requested to analyze the grading, vehicle, and container growing area infringements on the 50-foot stream setback. They were instructed to cease all growing, storage, grading, and driving of vehicles within the setback and to submit a restoration plan for that area. The applicants did not submit any of the requested items and proceeded to grade the entire area up to the edge of the intermittent stream, and bulldozed the entire stream bed and banks.

On October 30, 2012, an additional Code Compliance Case was initiated (210248) for grading over 10,000 square feet of land without a permit, and for not using any required erosion control methods. The U.S. Army Corps and California Department of Fish and Wildlife representatives

were informed of the grading of jurisdictional wetlands without the required 1602 Fish and Game, California Water Quality Control Board, and Army Corps 404 permits.

A Technical Advisory Committee meeting had been scheduled for November 19, 2012. Representatives from Planning, Environmental Management, DOT, and the El Dorado Hills Fire Department attended. Neither the applicants nor property owners attended.

The strawberry growing area and their sales building are leased from the parcel owner by a separate individual. That use has been ongoing since the late 1990s and predated the zone change that added the PD overlay. It is considered a legal, non conforming use.

The project was heard at the March 28, 2013 Planning Commission hearing where the item was continued off-calendar and with the direction to staff to work with landowner and applicant on identified issues including the following:

- Conditions 2, 3, 4, & 5: Determine alternate ways to address the wetland setback issue and which determine which documents need to be updated;
- Condition 9: Ensure public can exit safely from the existing modular building;
- Conditions 20 & 21: No sidewalks, discussion on “pork chop” for traffic safety;
- No lighting plan;
- Research more on need for sewer and water connections;
- Resolution needed for sewer/septic issue that needs discussion between staff, property owner, and applicants;
- Sign area needs to include seasonal strawberry business; and
- Revisit Fire Department requirements.

Conditions 2-5 from the prior staff report have been revised and replaced by the current recommended conditions 2-4, in response the *General Plan Policy 7.3.3.4 Analysis of Setback to a Wetland Swale for the Green Valley*, dated November 27, 2013. The sidewalk requirement has been removed and a condition for the “porkchop” has been added. The applicant’s original lighting plan has been deleted from the plans at their request. Environmental Health has revised their recommended conditions for sewer/septic/water issues and the Fire District has revised their requirements as well. The applicants did not revise their sign plan.

**Adjacent Land Uses:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	C-PD	C	Agricultural strawberry farm, commercial nursery and landscape business.
<b>North</b>	RF	OS	Green Valley Road and Folsom Lake State Recreation Area
<b>South</b>	R2A	MDR/PF	Shadowfax Lane and single-family residence and Mormon Island Relocation Cemetery
<b>East</b>	C-PD	C/MDR	Vacant, and one single-family residence
<b>West</b>	R2A	MDR	Shadowfax Lane and the Mormon Island Wetland Preserve

**Project Issues:** The primary issues with this project are access, sewage disposal and water supply, and impacts to the intermittent stream. Other discussion items include building elevations/materials, fire protection, grading and drainage; landscaping, land use compatibility, lighting; parking; right to farm; and signs.

**Access:** This project lies on the south side of Green Valley Road between the County border with Sacramento County and Sophia Parkway. The project currently has encroachments onto two County maintained roads, Green Valley Road and Shadowfax Lane. Green Valley Road fronting the project is currently a 2 lane road. Just a couple hundred feet to the east at Sophia Parkway, Green Valley Road has been improved to a 4 lane road with curb, gutter, sidewalks and a striped median. Folsom Dam is directly across Green Valley Road from the project and is currently undergoing improvements in both El Dorado County and the City of Folsom. Once the improvements to the dam are complete, the County will coordinate the new alignment and improvements of Green Valley Road with the City of Folsom. Because the final improvements for this stretch of Green Valley Road are undetermined, the Transportation Division has determined that permanent frontage improvements would not be required at this time.

West bound traffic on Green Valley Road is turning left at the Green Valley Road encroachment to enter the project, crossing the 2-double yellow striped median. This turning movement was determined by Transportation to be not only illegal, but hazardous. There is not a left turn lane for this movement so the vehicles waiting to cross the east bound lane can block the west bound traffic. One solution is to discourage the use of the Green Valley Road driveway by the west-bound vehicles and direct the traffic to the existing left turn pocket at Shadowfax Lane. From there the vehicles can enter the project from the existing Shadowfax Lane encroachment. The existing Green Valley Rd encroachment can be used for “right-in right-out” only traffic. Transportation has recommended conditions to correct the existing potentially hazardous conditions. They are included with the recommended Conditions of Approval.

Policy TC-Xf requires projects that “worsen” traffic levels of service on the County road system must either construct the improvements to lessen the impact or ensure that adequate funding exists to assure the improvements are completed. A Phase 1 Initial Determination – Traffic Impact Study form was reviewed by the El Dorado County Department of Transportation (DOT). The project does not exceed any of the thresholds to require any further traffic studies.

Shadowfax Lane is a county maintained road. The project currently has an existing encroachment onto Shadowfax Lane. It is the responsibility of the owner to maintain the encroachment to County standards. Transportation determined that this existing encroachment is satisfactory and that no further actions are required at this time.

**Sewage Disposal and Water:** The applicants are requesting approval of the use of portable toilets and bottled water. The parcel currently has no water service from EID. Both the strawberry patch and the nursery utilize the two existing wells for irrigation, and the nursery provides bottled water and a portable toilet for employees and customers.

Policies 5.3.1.1 and 5.3.1.7 require commercial projects to connect to EID sewer service facilities. Policies 5.2.1.3 and 5.2.1.11 require that a commercially-designated parcel located within a Community connect to public water. The Health and Building Codes require flush toilets and running water for washing. Any wells utilized must meet the criteria for commercial use.

The use could be considered an interim use until a more intense commercial use is proposed with permanent buildings. There appears to be adequate water quantity available from the two existing wells. The 9.62-acre parcel size would be anticipated to allow adequate room for a septic system. A Facility Improvement Letter (FIL) from the El Dorado Irrigation District is required to determine the ability of the El Dorado Irrigation District to provide the sewer and water service. The applicants did not submit a FIL or an engineer's report to show connecting to public sewer and water service is infeasible. A FIL submitted for the previous Z07-0024 project dated September of 2005 showed there is an eight-inch line located at the northeast corner of the parcel in Green Valley Road, however, without an updated FIL it cannot be determined if that line has adequate capacity to serve the project.

The Environmental Health Division has informed the applicants that the California Plumbing Code requires sanitary facilities for any public use building, meaning flushing toilets, and operable lavatory. The applicants would be required to obtain a septic system permit from the Environmental Health Division for the public restroom.

If a private well is utilized for the water source, the facility would be required to operate under permit and in compliance with Small Public Water System requirements for a Transient Noncommunity Water System. Permit requirements include a technical, managerial, and financial capacity report, including water quality and quantity testing. Water source capacity would be required to meet the required daily demand, along with the same daily demand required to be met in storage capacity. The well is required to be constructed as a public water well with a minimum 50 foot annular seal under permit issued by the Environmental Health Division. The original well production report is required, accompanied by a plot plan signed by a licensed well driller. If the well was drilled after May 10, 1990, a separate well permit is required and must be finalized before this office can approve the Building Permit Application.

Planning would normally recommend that the project connect to public water and sewer. This would be consistent with General Plan Policy. However, the proposed use is interim in nature

and the existing wells, and a water storage system meeting the Fire Department requirements, are anticipated to be adequate to provide sufficient domestic and emergency water supply. The site is anticipated to have sufficient area to support a septic system for sewage disposal. The Environmental Health requirements apply for a septic system design and Small Public Water System. Either way, the condition to construct a permanent restroom would remain applicable.

The wells could continue to be utilized for irrigating the strawberries, vegetables, and nursery stock.

**Intermittent Stream:** General Plan Policy 7.3.3.4 requires that intermittent streams and wetlands have a 50-foot setback. The Policy allows that setback may be modified if information is received that demonstrates a different setback is necessary or would be sufficient to protect the waterway. The Policy allows exceptions for horticultural activities within the setback, but only for agriculturally zoned lands that utilize Best Management Practices as recommended by the Agricultural Commission, however, the project site is zoned for commercial use. The Interim Interpretive Guidelines for General Plan Policy 7.3.3.4 are utilized as the guide to implement the Policy.

Up and down-stream from the site, willows, valley oaks, and cottonwoods exist that show that this is a viable biological stream system that drains a large watershed area, albeit portions of have been stripped of natural vegetation mechanically and with weed killers in the past. This watershed system drains into a man-made ditch located on the west side of Shadowfax Lane. The ditch was constructed when soil from the dam construction was deposited and leveled in that area. That ditch travels south approximately 800 feet, turns to the west, and empties over the top of a waterfall into a round-rock pool and stream channel that joins the waters of the Mormon Island Wetland Preserve. The Preserve is significantly lower in elevation because of the soil deposits, creating the waterfall. The Mormon Island Wetland Preserve is a cooperative effort between Ducks Unlimited, Bureau of Reclamation, and California State Parks.

Subsequent to the March 28, 2013 Planning Commission hearing, the applicants submitted the General Plan Policy 7.3.3.4 Analysis of Setback to a Wetland Swale for the Green Valley, dated November 27, 2013. The Analysis determined that the portion of the intermittent stream crossing the parcel is classified as a wetland swale. The Analysis has demonstrated that the reduced setback shown in the proposed wetland setback map dated December 5, 2013 would be adequate to protect the wetland swale, with the inclusion of Mitigation Measures BIO-1 to 3, included in the Conditions of Approval. Allowing tractors, trucks, hand and machine digging of plants within the riparian zone would adversely affect the stream and riparian habitat community. The concentrations of fertilizer leaching and soil compaction and disturbance would not stabilize, enhance, or adequately protect the natural riparian biological community. A mitigation measure has been added requiring a permanent barrier be set at the setback line from the high water mark on the north side and to submit a re-vegetation plan for the graded streambed and associated riparian area. The California Department of Fish and Wildlife will require review of the final restoration and grading plans to make their final determinations during the 1602 process. The Army Corps has reviewed the project and determined that no 404 Permit would be required, but recommended a permanent barrier be required at the setback line shown in

Proposed Wetland Setback map dated December 5, 2013. A Mitigation Measure for the control of invasive species is also included.

With the inclusion of mitigation measures to minimize impacts on the wetland swale, and with adherence to Best Management Practices required by the grading permit, the project could be found to be consistent with the intent of General Plan Policy 7.3.3.4 and the Interim Interpretive Guidelines for that Policy.

**Building Elevations/Materials:** The applicants are proposing to utilize a 12-foot by 47-foot modular building for an office and interior sales area. The exterior walls are covered with dark tan grooved plywood with white metal windows, doors, with white trim. It has a flat roof.

There are up to six 15-foot by 30-foot shade structures proposed to shield some of the nursery plants. They are constructed of dimensional lumber with the tops covered with shade fabric.

There is one existing 12-foot by 13-foot strawberry stand constructed of dimensional lumber, sided with tan-colored grooved plywood, with a light brown pitched roof. The well and pump north of the stream bed are enclosed within a 4-foot by 6-foot shed constructed of dimensional lumber, sided with tan-colored grooved plywood, with a black pitched roof. The well pump south of the stream bed is enclosed within a 10-foot by 16-foot storage shed constructed of dimensional lumber, sided with plywood scraps, with a pitched roof.

None of the structures were constructed with a building permit. The modular office/sales building would be required to submit a building permit as an “as built” structure.

**Fire Protection:** Policy 5.7.1.1 requires the applicant demonstrate that adequate emergency water supply, storage and conveyance facilities, and access for fire protection either are or would be provided concurrent with development. The applicants currently use the two existing wells for water service.

The El Dorado Hills Fire Department is recommending conditions of approval that would require that the potable water system with the purpose of fire protection for this commercial development. The system must provide a minimum fire flow of 1,500 gallons per minute with a minimum residual pressure of 20 psi for a two-hour duration. Additionally, they would require that the applicants install Mueller Dry Barrel fire hydrants conforming to El Dorado Irrigation District specifications for the purpose of providing water for fire protection if the project connects to their water supply. They would allow a water tank connected to one or both wells to be utilized to supply a fire hydrant until another building is constructed other than the proposed modular office building.

Policy 6.2.3.2 directs the applicant to demonstrate that adequate access exists, or can be provided for emergency vehicles and private vehicles to access and evacuate the area. The Fire Department is recommending a condition of approval that requires that all approved fire apparatus access roads extend to within 150 feet of all portions of the exterior walls of the building as measured by an approved route around the exterior of the building or facility. Additionally, those roadways would be required to be an asphalt, concrete, or other approved



driving surface capable of supporting the imposed load of fire apparatus weighing at least 40,000 pounds.

The applicants are requesting that the requirements to pave the parking area and interior driveways, as well as to connect to EID water for the water supply be waived. The Fire Department has provided an alternative for water tank storage if the requirement to connect to EID water is waived by the Planning Commission. If the pavement requirement is also waived, the applicants would need to prove to the Fire Department that the graveled areas can support 40,000 lbs. As conditioned, the project would comply with applicable General Plan Policies.

**Grading and Drainage:** As stated in the background, the applicants have graded the entire northern section of the parcel, and within the stream bed and banks of the intermittent stream without a grading permit, and with no Best Management Practices implemented. This resulted in Code Compliance Case 210248 for the illegal grading. In order to rectify this violation, a grading permit is required which demonstrates that Best Management Practices are implemented, and that the drainage is being handled per County Code. A condition of approval has been included requiring a grading permit.

**Landscaping:** County Code requires the use of landscaping to buffer commercial parking areas from adjoining streets and as screening from residential land uses. As shown on the landscaping plan in Exhibit J, the project would include landscaping buffers along the perimeters of parking areas and property boundaries. The majority of the proposed plants are listed in the El Dorado County Drought Resistant Plant List.

The following additional information would need to be submitted prior to final inspection of installed landscaping:

- a. Completed, signed Model Water Efficient Landscape documents consistent with the new County Model Water Efficient Landscape Ordinance.

**Land Use Compatibility:** Policy 2.2.5.21 directs that development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the project is proposed. The building's architecture, materials, and colors would be consistent with those of other commercial businesses in the area. This Development Plan is allowing for an office use to support the nursery and landscape business. As conditioned, there are no conflicts anticipated with any existing or proposed commercial uses.

**Lighting:** Policy 2.8.1.1 directs that excess nighttime light and glare be limited from the parking area lighting, signage and buildings. Zoning Ordinance Section 17.14.170 states that "it is the policy of the County that the creation of artificial light and glare be controlled to the extent that unnecessary and unwarranted illumination of an adjacent property be prohibited. The creation of light or glare by any person in violation of this Section shall constitute a public nuisance and shall be subject to abatement proceedings in accordance with Chapter 17.12."

The applicants have determined that their business will not need any outdoor lighting. In order to assure that the project will remain consistent with the requirements above, a condition has

been recommended that states “no outdoor lighting is approved with this permit.” Should the applicants decide to add outdoor lighting in the future, a lighting plan would be required, consistent with Section 17.14.170, and would be submitted to the Development Services Director to determine if it could be approved administratively or would require a revision to the special use permit to be heard by the Planning Commission.

**Parking:** Zoning Ordinance Section 17.18.060.13 requires that nurseries include one space per 300 square feet of enclosed gross retail sales floor area. The majority of the sales area is outside and therefore was calculated using the landscaping, lighting and sign plan and determining the primary sales area measures 110 feet by 80 feet requiring 29 spaces. The applicants are proposing 30 standard spaces and two accessible spaces which Planning has determined would be adequate for the project.

Section 17.18.070.A requires that parking areas for commercial projects be surfaced with a minimum of two inches of asphaltic concrete over four inches of aggregate base or equivalent in concrete. The applicants are requesting that this requirement be waived for the parking lot and interior roadways for a minimum of five years and are proposing to utilize ¾ inch A.B. (aggregate base-gravel) and propose to apply a polymer compound for dust control.

Because of the interim nature and type of the business, parcel size, and location of that area away from residential parcels, an A.B. surfaced lot may be appropriate provided it can support a fire engine. A recommended condition of approval has been added requiring the applicants get approval from the Fire Department for the graveled surfaces.

**Right to Farm:** The applicants are requesting they obtain a formal “Right to Farm” protection under Zoning Ordinance Section 17.13.030. Section 17.13.010 defines the purpose of right to farm protection to conserve and protect agricultural land and to encourage agricultural operations within the county. Section 17.13.020.A defines agricultural land as meaning those lands of the county which are zoned as A (agriculture), AE (exclusive agriculture), AP (agricultural preserve), PA (planned agriculture), SA (select agriculture), RA-20, RA-40, RA-60, RA-80, RA-160 (residential agriculture), and TPZ (timberland preserve zone). The project parcel has a Commercial-Planned Development (C-PD) zoning designation and a Commercial (C) land use designation. There are no agricultural lands located within the vicinity of the parcel. The right-to-farm provisions are meant to protect agriculture from encroaching urban uses. However, this is an agricultural use in an area intended for commercial and other urban uses. It would be inappropriate to impose restrictions on surrounding uses to protect this use, which is primarily commercial in nature.

**Signage:** The applicants have proposed one monument sign and to utilize wall signs on their modular office building. The monument sign is comprised of two, four-foot by eight foot pieces of plywood joined like a triangle. The total square footage is 64 square feet. The proposed monument sign and location are shown in Exhibit J. DOT would analyze the final location during the Building Permit process for any potential conflict with the required line-of-sight for those encroachments.

The C Zone District allows one 80 square-foot free-standing sign or two 50 square-foot signs.

Wall signs are permitted by Section 17.16.030 as long as the maximum allowable 20 percent of wall coverage is not exceeded.

The wall signs proposed by the applicants to be located on the modular office/sales building and strawberry shack are shown in the colored elevation and site picture exhibits. The wall sign currently located on the east side of the modular building exceeds the 20 percent requirement and would need to be replaced. The wall signs on the strawberry shack building would be permitted to remain as is.

The applicants were informed that if they wanted additional signs and larger sign sizes, they could include that in their special use permit request. They currently have placed numerous signs in excess of what is allowed, both onsite and offsite. They determined they would not add the additional signs to their request and were informed that all signs not permitted need to be removed. Additionally, the existing roof sign is not permitted without an approved special use permit and therefore required to be removed.

Because this is one parcel and the PD and SUP applications apply to the parcel as a whole, the one 64 square-foot free-standing sign proposed would be the only one allowed for both the nursery/landscaping and the strawberry patch businesses. A condition of approval has been added requiring that all illegal signs, both offsite and onsite be removed.

**Agency and Public Comments:** The El Dorado Hills Area Planning Advisory Committee reviewed the project November 14, 2012 to review this project. APAC voted 5-0 in support the project with the stipulation that County review this Special Use Permit on a regular basis to determine when public water and sewer are required on the project as the business grows and improvements to the affected surrounding areas are made. They listed concerns with all the applicant's requested waivers of requirements, and added concerns about the site's traffic safety. Their letter dated November 20, 2012 is included as Exhibit M.

## **ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study (Exhibit P) to determine if the project has a significant effect on the environment. Potentially significant effects of the project on the environment have been mitigated by recommended conditions that avoid or lessen the impacts to a point of insignificance; therefore a Mitigated Negative Declaration has been prepared and a Notice of Determination (NOD) will be filed. A \$50.00 filing fee for the NOD is required and the NOD must be filed within five working days from the project approval.

The filing of the NOD begins the statute of limitations time period for when litigation may be filed against the County's action on the project. If the NOD is filed the statute of limitations ends 30 days from its filing. If no NOD is filed, it ends 180 days from the date of final action by the County.

In accordance with California Fish and Game Code Section 711.4, the project is subject to a fee of \$2,181.25 after approval, but prior to the County filing the Notice of Determination on the project. This fee plus the \$50.00 filing fee, is to be submitted to Planning Services and must be

made payable to El Dorado County. The \$2,181.25 is forwarded to the State Department of Fish and Wildlife and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

## SUPPORT INFORMATION

### Attachments to Staff Report:

Conditions of Approval  
Findings

Exhibit A.....	Location Map
Exhibit B.....	Assessor's Parcel Map
Exhibit C.....	General Plan Land Use Designations Map
Exhibit D.....	El Dorado Hills Community Region Map
Exhibit E.....	Zoning Designations Map
Exhibit F.....	Plot Plan, dated July 22, 2011
Exhibit G.....	Site Plan, dated September 16, 2012
Exhibit H.....	Building Elevations
Exhibit I.....	Colored Building Elevation Photos (two pages)
Exhibit J.....	Landscaping, Parking, and Sign Plan, Sheet I, dated September 30, 2011
Exhibit K.....	Proposed Wetland Setback map dated December 5, 2013
Exhibit L.....	Applicant-submitted Project Details (four pages)
Exhibit M.....	El Dorado Hills Area Planning Advisory Committee; received November 20, 2012
Exhibit N.....	Site Visit Photos (five pages)
Exhibit O.....	Aerial Photos (two pages)
Exhibit P.....	Proposed Mitigated Negative Declaration and Initial Study