

**COUNTY OF EL DORADO
PLANNING AND BUILDING DEPARTMENT
ZONING ADMINISTRATOR
STAFF REPORT**



Agenda of: December 16, 2020

Item No.: 8.a.

Staff: Matthew Aselage

SPECIAL USE PERMIT REVISION

FILE NUMBER: CUP-R19-0005/Diamond Springs Mobile Home Park

APPLICANT/AGENT: J&H Asset Property Management, Inc.

PROPERTY OWNER: Diamond Springs Associates, LLC and 6565 North Lakewood, LLC

REQUEST: Revision to a special use permit expanding an existing mobile home park by adding 14 rental spaces and converting a garage to an additional rental space for a total of 162 mobile homes.

LOCATION: East side of Missouri Flat Road, approximately 675 feet south of the intersection with China Garden Road, in the Diamond Springs area, Supervisorial District 3. (Exhibit A)

APNs: 054-321-046, 054-321-047, 054-321-048, 054-321-050, 054-321-051, 054-361-005 and 054-371-009 (Exhibit B)

ACREAGE: 23.93 acres total

GENERAL PLAN: Multi-Family Residential (MFR) (Exhibit C)

ZONING: Residential, Multi-unit (RM) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Previously Adopted Negative Declaration (Exhibit F)

RECOMMENDATION: Staff recommends the Zoning Administrator take the following actions:

1. Find the Diamond Springs Mobile Home Park Expansion CUP-R19-0005 consistent with the Negative Declaration adopted for the approved Special Use Permit S70-0070

pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines (Subsequent Environmental Impact Report (EIR)s and Negative Declarations; and

2. Approve Conditional Use Permit CUP-R19-0005 based on the Findings and subject to the Conditions of Approval as presented.

EXECUTIVE SUMMARY

The proposed project is a Conditional Use Permit (CUP) revising the original use permit for the expansion of the Diamond Springs Mobile Home Park. This expansion would allow for the addition of 14 rental spaces and the conversion of an existing garage space into an additional rental space added throughout the 23.93 acre property (Exhibit B). This expansion will be achieved by demolishing the existing park office structure to make space for three of the additional rental units. Development of a small stretch of roadway off of Holly Drive East will provide access to an area that will support three additional rental units. Minimal grading and tree removal throughout the site will allow for the placement of each other additional rental unit. Staff has determined that the proposed project is consistent with the El Dorado County General Plan policies and Zoning Ordinance requirements, as discussed in the findings.

BACKGROUND

The project parcel was originally permitted as a mobile home park with 200 maximum allowed units under Special Use Permit S70-0070. The original approved site plan included 143 rental spaces. The original approval was later revised under S82-0101 to add two additional rental spaces for a total of 145 spaces. Further, per the Community Design Standards: Mobile Home Park Design Standards adopted by El Dorado County on October 4, 2015, a maximum density of seven rental units per gross acre was instituted. This maximum density resulted in a reduction of the allowable number of rental units for the Diamond Springs Mobile Home Park to a total maximum of 167 spaces.

PROJECT DESCRIPTION

Site Description: The proposed project site is located in the town of Diamond Springs south of the intersection of Missouri Flat Road and China Garden Road on approximately 24.29 acres consisting of APNs 054-321-046, 054-321-047, 054-321-048, 054-321-050, 054-321-051, 054-361-005, and 054-371-009. Currently, there are a total of 147 mobile home units, 46 visitor parking spaces, a community clubhouse, mobile home park office, and a garage. The site is served by public utilities including El Dorado County Irrigation District (EID) water and sewer and PG&E electric. The site hosts 35 total oak trees and contains various bush and hardscape landscaping throughout (Exhibit E).

Project Description: The project proposes the addition of 14 new rental spaces and the conversion of an existing garage into an additional rental unit. This will involve the demolition of the existing mobile home park office to make room for three of the new rental spaces. Two units will be placed in a vacant area on the other side of Holly Drive West across from the

existing mobile home park office. The addition of these two rental units will require a retaining wall between both units and will result in an estimated 47 cubic yards of cut and 129 cubic yards of fill for a total estimated fill of 82 cubic yards of soil. A new encroachment from Holly Drive East will be constructed to provide access to a vacant portion of the property which will be developed with three new rental units. The addition of these three rental units will require an estimated 350 cubic yards of cut and 345 cubic yards of fill for a net cut of 5 cubic yards of soil. Two new rental units will be placed near the southern terminus of Holly Drive East by remodeling a garage space into a living space and siting a new rental unit in a vacant space. An additional two rental units will be placed in the vacant area at the southern terminus of Holly Drive East. Three new rental units will be placed in a vacant area at the northerly terminus of Old Mill Road. Unless specifically stated, all cuts and fills will be at a maximum ratio of 2:1. This site must include a minimum of 33 visitor parking spaces and two parking spaces per mobile home unit. Actual parking on site currently provides two spaces per mobile home unit to equal 294 spaces as well as 46 visitor parking spaces, including two ADA spaces. The site as proposed will remain compliant with parking standards. No additional visitor parking will be needed. Each new mobile home unit will be developed with two parking spaces consistent with all other units on site for a total of 324 resident parking spaces. Utility connections will include PG&E electricity service and EID for both water and sanitation provision. Per an Oak Resources Technical Report dated on April 19, 2019 by Mark Frizzell, this project will result in the removal of 30 of the 35 oak trees on site. Four of these oak trees are heritage oak trees which have significant structural defects and/or disease. All other trees proposed for removal are non-heritage oak trees, ten of which have significant structural defects and/or disease (Exhibit E). Consistency with this project description will be verified upon issuance of work permits including demolition, encroachment, grading, and building permits as well as an oak tree removal certification.

STAFF ANALYSIS

Environmental Review: A prior Mitigated Negative Declaration was approved on December 17, 1982 under Special Use Permit 82-101. The site sits within a developed area of the unincorporated town site of Diamond Springs and has not been subject to changes not known at the time of the original California Environmental Quality Act (CEQA) determination. Although short-term impacts may include increased construction noise and traffic, these impacts will be reduced to expected residential levels upon project completion. The aesthetics of the site will not change as a result of this expansion as proposed. Utility purveyors have confirmed adequate provision of all utilities per the expected increase in demand. There will be removal of oak resources which will require mitigation fees for all healthy oak trees to be removed. These mitigation fees will result in a de minimis impact to oak resources. All associated project improvements will be subject to applicable California Department of Housing and Community Development regulations and approvals in addition to El Dorado County Building Department permit requirements. There are no tribal cultural resources or historic era cultural resources which are known to exist on site; however, according to Kara Perry, a representative of the Shingle Springs Band of Miwok Indians, this property is located near the area of a historic tribal village site. However unlikely, it is possible to discover archaeological resources on site. As such, a standard condition of approval regarding any find of archaeological resources has been incorporated into this project.

General Plan Consistency: The project is consistent with all applicable General Plan policies including policy 2.2.1.2 (Multi-Family Residential Land Use Designation), Policy 2.2.5.2 (General Plan Consistency), Policy 2.2.5.21 (Compatibility with Adjoining Land Uses), Policy 5.1.2.1 (Adequacy of Public Services and Utilities), Policy 5.2.1.2 (Adequate Quantity and Quality of Water for all Uses, Including Fire Protection), Policy 6.2.3.2 (Adequate Access for Emergencies), and Policies TC-Xa through TC-Xi (Transportation and Circulation Element).

Zoning Ordinance Consistency: The project site is zoned Multi-Unit Residential (RM). Section 130.24.010 states that the RM Zone identifies those lands which are most capable of supporting the highest density of development within the County. This zone is applied to regulate and promote the development of multi-unit dwellings, while ensuring compatibility with surrounding lower density residential neighborhoods. Mobile home development shall be allowed within this zone. Section 130.35.030 states, Mobile Home Parks must provide two parking spaces for each unit as well as one guest parking space per every five residences. This mobile home park will total 162 rental units with two spaces per unit and a total of 46 guest spaces, which exceeds the minimum parking requirements. Chapter 130.39 establishes standards for oak resources conservation. This project proposes the removal of 30 of the total 35 oak trees existing on site. 14 of the oak trees slated for removal have been verified as exempt from mitigation due to disease and poor health. The 16 healthy trees will require mitigation. Staff has determined that the proposed project is consistent with the applicable regulations and requirements in Title 130 of the El Dorado County Code, as discussed below in Section 3.0 of the Findings.

AGENCY COMMENTS

The project was distributed to all applicable local, County and state agencies for review and comment. Comments were received from the County Department of Transportation, the County Surveyor, and the County Environmental Management Department.

Department of Transportation

The Department of Transportation reviewed this project and determined that a transportation impact study is not required; however, the adequacy of vehicle parking relative to both the anticipated demand and zoning code requirements was required. A Site Observation for Parking memo was submitted by the applicant on June 19, 2020 which states that the site is consistent with minimum parking requirements. Currently the site contains 294 resident parking stalls and 46 visitor stalls, including two ADA stalls. The project as proposed will require an additional 30 resident stalls- two per mobile home unit- and no additional visitor stalls. These 30 stalls will be developed alongside mobile home installation.

Surveyor

The County Surveyor reviewed the project and determined that a condition regarding the addressing of the new rental units. This condition requires the applicant coordinate with the County Surveyor's Office to ensure new residences are addressed in compliance with county code.

Environmental Management Department

The Environmental Management Department reviewed the project and determined that the project is required to recycle or reuse a minimum of 65% of the waste generated from construction activities. The project applicant must coordinate with the California Department of Housing and Community Development to ensure this project meets their requirements.

PUBLIC NOTICE

No formal public outreach was conducted by the County, and a public outreach plan was not required for this project pursuant to the County Zoning Ordinance. However, the project was duly noticed for a Zoning Administrator public hearing with a public notification range of 1,000 feet and a legal advertisement was published in applicable local newspapers. In addition, project notification was posted on the Planning Services Zoning Administrator webpage. No physical sign posting is required for Conditional Use Permits.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings
Conditions of Approval

Exhibit A.....Location/Vicinity Map
Exhibit BAssessor’s Parcel Map
Exhibit CGeneral Plan Land Use Designation Map
Exhibit D.....Zoning Map
Exhibit ESite Plan
Exhibit F.....Previously Adoped Negative Declaration (S82-101)

FINDINGS

Conditional Use Permit CUP-R19-0005/Diamond Springs Mobile Home Park Zoning Administrator/December 16, 2020

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:

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the previously approved Mitigated Negative Declaration together with the comments received and considered during the public review process. The project site has not been subject to changes not known at the time of the original CEQA determination on December 17, 1982. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is applicable for this proposal.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Building Department - at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

2.1 The project is consistent with General Plan Policy 2.2.1.2.

General Plan Policy 2.2.1.2 establishes an appropriate range of land use types and densities within the County. The Multifamily Residential (MFR) land use designation establishes areas suitable for a range of high density, single family and multifamily design concepts.

Rationale: The project has a MFR (Exhibit C) General Plan Land Use Designation. The project is directly adjacent to Commercial land use designations to the north, south, and west. China Garden Road creates the eastern border of the site, creating a separation from the industrial, commercial, and multifamily zones. The Carson Creek Specific Plan is located to the northwest of the project site. The site is within the Diamond Springs Community Region. The proposed project is compatible with the land use designation.

2.2 The project is consistent with General Plan Policy 2.2.5.2.

General Plan Policy 2.2.5.2 requires that all applications for discretionary projects or permits shall be reviewed to determine consistency with the policies of the General Plan.

Rationale: Staff has prepared this section on General Plan findings to document the project's consistency with the policies of the General Plan.

2.3 The project is consistent with General Plan Policy TC-Xa.

Except as otherwise provided, the following TC-Xa policies shall remain in effect indefinitely, unless amended by voters:

1. Traffic from residential development projects of five or more units or parcels of land shall not result in, or worsen, Level of Service (LOS) F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.

Rationale: The project will not worsen traffic, as defined by General Plan Policy TC-Xa It will generate fewer than 10 trips in the AM and PM Peak Hours, and fewer than 100 trips daily.

2. The County shall not add any additional segments of U.S. Highway 50, or any other highways and roads, to the County's list of roads from the original Table TC-2 of the 2004 General Plan that are allowed to operate at LOS F without first getting the voter's approval.

Rationale: This is not applicable as the Project is not requesting any modifications to Table TC-2.

3. Intentionally blank (Resolution 125-2019, August 6, 2019)

4. Intentionally blank (Resolution 159-2017, October 24, 2017)

5. The County shall not create an Infrastructure Financing District unless allowed by a 2/3rds majority vote of the people within the district.

Rationale: This is not applicable as the Project is not requesting the County create an Infrastructure Financing District.

6. Intentionally blank (Resolution 159-2017, October 24, 2017)

7. Before giving approval of any kind to a residential development project of five or more units or parcels of land, the County shall make a finding that the project complies with the policies above. If this finding cannot be made, then the County shall not approve the project in order to protect the public's health and safety as provided by state law to assure that safe and adequate roads and highways are in place as such development occurs.

Rationale: The project complies with all of the policies above.

2.4 General Plan Policy TC-Xb does not apply to the project.

To ensure that potential development in the County does not exceed available roadway capacity, the County shall:

- A. Every year prepare an annual Capital Improvement Program (CIP) specifying expenditures for roadway improvements within the next 10 years. At least every five years prepare a CIP specifying expenditures for roadway improvements within the next 20 years. Each plan shall contain identification of funding sources sufficient to develop the improvements identified;
- B. At least every five years, prepare a Traffic Impact Mitigation (TIM) Fee Program specifying roadway improvements to be completed within the next 20 years to ensure compliance with all applicable level of service and other standards in this plan; and
- C. Annually monitor traffic volumes on the county's major roadway system depicted in Figure TC-1.

Rationale: This policy is not applicable as this policy refers to the county preparing a CIP, preparing a TIM Fee Program, and monitoring traffic volumes.

2.5 General Plan Policy TC-Xc does not apply to the project.

Developer paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development during peak hours upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county (Resolution 201-2018, September 25, 2018).

Rationale: This policy is not applicable as this policy directs how the County will pay for building the necessary road capacity.

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

LOS for County-maintained roads and state highways within the unincorporated areas of the county shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions except as specified in Table TC-2. The volume to capacity ratio of the roadway segments listed in Table TC-2 shall not exceed the ratio specified in that table. LOS will be as defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council) and calculated using the methodologies contained in that manual. Analysis periods shall be based on the professional judgement of the Department of Transportation which shall consider periods including, but not limited to, Weekday Average Daily Traffic (ADT), AM Peak Hour, and PM Peak hour traffic volumes.

Rationale: This project is located in a Community Region. The LOS threshold is E per the General Plan. This facility will not worsen traffic, as defined by General Plan Policy TC-Xe.

2.7 The project is consistent with General Plan Policy TC-Xe.

For the purposes of this Transportation and Circulation Element, “worsen” is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

- A. A 2 percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily, or
- B. The addition of 100 or more daily trips, or
- C. The addition of 10 or more trips during the a.m. peak hour or the p.m. peak hour.

Rationale: This facility will not worsen traffic, as defined by General Plan Policy TC-Xe. ITE Trip Generation Manual, 10th Edition, offers data for the code 251, Senior Housing. Per this code, the proposed expansion will generate four trips in the AM peak hour and five trips in the PM peak hour, and 78 new trips daily.

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

At the time of approval of a tentative map for a single family residential subdivision of five or more parcels that worsens (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element based on existing traffic plus traffic generated from the development plus forecasted traffic growth at 10-years from project submittal; or (2) ensure the commencement of construction of the necessary road improvements are included in the County’s 10-year CIP.

For all other discretionary projects that worsen (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element; or (2) ensure the construction of the necessary road improvements are included in the County’s 20-year CIP.

Rationale: The project will not worsen traffic on the County road system.

2.9 General Plan Policy TC-Xg does not apply to the project.

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. This policy shall remain in effect indefinitely unless amended by voters.

Rationale: This policy is not applicable as this project does not worsen traffic conditions.

2.10 This project is consistent with General Plan Policy TC-Xh.

All subdivisions shall be conditioned to pay the traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.

Rationale: This project will pay applicable TIM fees. Resolution 095-2020 of the Board of Supervisors of El Dorado County states, "Applicants shall pay the TIM Fee rate in effect at the time of building permit issuance or at the time of approval of an application for a change in the use of a building or property as provided in County Code Chapter 12.28 and the TIM Fee Administration Manual."

2.11 General Plan Policy TC-Xi does not apply to the project.

The planning for the widening of U.S. Highway 50, consistent with the policies of this General Plan, shall be a priority of the County. The County shall coordinate with other affected agencies, such as the City of Folsom, the County of Sacramento, and Sacramento Area Council of Governments (SACOG) to ensure that U.S. Highway 50 capacity enhancing projects are coordinated with these agencies with the goal of delivering these projects on a schedule agreed to by related regional agencies.

Rationale: This policy is not applicable to the project as it is the direction to the County to coordinate with other agencies.

2.12 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 site is nearly fully developed per the original approval's 167 allowed number of rental units. Currently the site contains 147 rental units. The proposal for 14 additional rental units and the conversion of a garage space into an additional unit will be within the total units allowed and will

not expand the area of the mobile home park. Therefore, this project is compatible with the original approval's analysis of compatibility with the adjoining land uses.

2.13 The project is consistent with General Plan Policy 5.1.2.1.

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

Rationale: The project documentation was distributed to pertinent agencies and departments including Pacific Gas and Electric, the County Department of Transportation, and the Diamond Springs-El Dorado Fire Protection District. Comments from Pacific Gas and Electric as well as the Diamond Springs-El Dorado Fire Protection District confirmed that neither agency found any issues with this project as proposed. The Department of Transportation reviewed this project and provided comments stating that the project has adequate public access and parking availability. Therefore, this project as proposed will be provided with adequate public services and utilities.

2.14 The project is consistent with General Plan Policy 5.1.2.2.

General Plan Policy 5.1.2.2 requires that adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development.

Rationale: The property contains existing EID water and sewer lines which each new unit will connect to. Fire hydrants on site will remain on site. No new fire hydrants are required. Therefore, there is adequate quantity and quality of water for all uses.

2.15 The project is consistent with General Plan Policy 6.2.3.2.

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

Rationale: The El Dorado County Department of Transportation reviewed the application materials and does not require additional site access or improvement to the existing roads. The site plans were reviewed for emergency ingress and egress capabilities and building plans will be additionally reviewed by El Dorado County and the Diamond Springs-El Dorado Fire Department for compliance with County and fire codes during the plan check process.

2.16 The project is consistent with General Plan Policy 7.4.4.4.

General Plan Policy 7.4.4.4 requires all new non-exempt development projects that would result in impacts to oak resources must adhere to the standards of the Oak Resources Management Plan (ORMP).

Rationale: An Oak Resources Technical Report was completed on April 19, 2019 by Mark Frizzell, a certified arborist. Per the report findings, there are a total of 35 oak trees on site. 30 of the 35 oak trees on site are proposed for removal. Five of the oak trees on site are heritage oaks, of which four are proposed for removal. However, each of these four heritage trees has significant structural defects and/or disease and are therefore not to be mitigated. An additional ten non-heritage oak trees to be removed require no mitigation due to structural defects and/or disease. Therefore 16 of the 30 trees proposed for removal require mitigation. Verification of paid fees will occur prior to issuance of building and/or grading permits.

3.0 ZONING FINDINGS

3.1 The project is consistent with Title 130.

The parcel is zoned Multi-unit Residential (RM). The project has been analyzed in accordance with Zoning Ordinance Section 130.24.020 (Residential Zone Use Matrix) for allowable uses and 130.24.030 (Residential Zone Development Standards) for minimum lot size, widths and building setbacks.

Rationale: The proposed project is consistent with the Multi-unit Residential (RM) (Exhibit D) zoning designation as mobile home parks are allowed within the RM zone with the approval of a conditional use permit. The project has been analyzed in accordance with Zoning Ordinance Section 130.24.030 (Development Standards) for height and building setbacks. Setbacks within the RM zoning designation are 20 feet for the front setback, five feet for the sides and ten feet of the rear.

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

Chapter 130.35 of the Zoning Ordinance establishes off-street parking and loading requirements for developments with additional standards found in the Community Design Standards.

Rationale: Off-street parking required for mobile home parks is two spaces per mobile home unit and one guest space for every five mobile home units. The proposed expansion would bring the total number of mobile home units up to 162 which would require a minimum of 33 visitor parking space and 334 resident spaces. Site observation completed on June 19,

2020 confirmed 334 residential parking spaces and 46 visitor spaces, two of which are ADA compliant. Therefore, the project as proposed is consistent with off-street parking and loading development standards.

3.3 The project is consistent with Chapter 130.33: Landscaping Standards.

Chapter 130.33 of the Zoning Ordinance requires all ministerial and discretionary development shall provide landscaping for the areas of a lot that do not include footprints of buildings or structures or other pervious or impervious hardscapes.

Rationale: This revision will result in the removal of landscaping to provide space for new mobile home rental spaces. All landscaping not scheduled for removal will remain as is. Therefore, the project as proposed is consistent with landscaping standards.

3.4 The project is consistent with Chapter 130.34: Outdoor Lighting.

Chapter 130.34 of the Zoning Ordinance requires that all outdoor lighting shall be located, adequately shielded, and directed such that no direct light falls outside the property line, or into the public right of way.

Rationale: No additional outdoor lighting is proposed as part of this project. However, any proposed exterior lighting for each future mobile home unit will be required to comply with this standard upon building permit issuance.

3.5 The project is consistent with Section 130.27.090: Mobile/Manufactured Home Parks (-MP) Combining Zone.

The Mobile/Manufactured Home Park (-MP) Combining Zone is established to provide consistent standards for mobile/manufactured home parks. The following standards shall apply to new mobile home parks or proposed revisions to an existing mobile home park, where allowed in the use matrices for the zones.

1. All mobile home parks shall comply with the minimum standards of the Mobile Home Parks Act (Health and Safety Code 18200 et seq.) and the applicable Mobile Home Parks Regulations adopted by the Department of Housing and Community Development (Code of Regulations, Title 25) to include, but not be limited to lot size and setback standards, infrastructure requirements, operations, maintenance, and inspections within a mobile home park.

Rationale: The California Department of Housing and Community Development will review and approve the building plans prior to issuance of building and/or grading permits.

2. New mobile home parks shall comply with the standards found in the adopted Mobile Home Park Design Standards (Resolution 200-2015).

Rationale: This project is for a revision to an existing mobile home park. Therefore, this standard does not apply.

4.0 CONDITIONAL USE PERMIT FINDINGS

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

The proposed mobile home park expansion is consistent with the policies and requirements in the General Plan as discussed in the General Plan section of the Staff Report. The proposed use is consistent with all applicable policies as set forth in Finding 2.0 above.

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

The proposed expansion will not significantly conflict with the adjacent uses as the project site currently supports the existing 147 rental spaces and is not proposed to exceed the allowed number of rental units. The proposed expansion is anticipated to result in insignificant environmental impacts to neighboring parcels. Therefore, the proposed use is not anticipated to create hazards that would be considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood based on the data and conclusions contained in the staff report.

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

As discussed in Section 3.1 above, the mobile home park use is specifically permitted in accordance with Zoning Ordinance Table 130.24.020 subject to approval of a conditional use permit.

CONDITIONS OF APPROVAL

Conditional Use Permit CUP-R19-0005/Diamond Springs Mobile Home Park Zoning Administrator/December 16, 2020

Planning Department

1. This Conditional Use Permit is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below:

Exhibit ESite 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 proposes the expansion of an approximately 24 acre mobile home park containing 147 rental spaces. The expansion will add 14 new rental units and convert an existing garage space into a rental unit. This will result in a total of 162 rental spaces, which is within the maximum allowed 167 number of rental units. This will involve the demolition of the existing mobile home park office to make room for three of the new rental spaces. Two units will be placed in a vacant area on the other side of Holly Drive West across from the existing mobile home park office. A new encroachment from Holly Drive East will be constructed to provide access to a vacant portion of the property which will be developed with three new rental units. Two new rental units will be placed near the southern terminus of Holly Drive East by remodeling a garage space into a living space and siting a new rental unit in a vacant space. An additional two rental units will be placed in the vacant area at the southern terminus of Holly Drive East. Three new rental units will be placed in a vacant area at the northerly terminus of Old Mill Road. This site must include a minimum of 33 visitor parking spaces and two parking spaces per mobile home unit. Actual parking on site currently provides two spaces per mobile home unit as well as 46 visitor parking spaces, including two ADA spaces. The site as proposed will remain compliant with parking standards. Utility connections will include PG&E electricity service and EID for both water and sewer provisions. Per an Oak Resources Technical Report dated on April 19, 2019 by Mark Frizzell, this project will result in the removal of 30 of the 35 oak trees on site. Four of these oak trees are heritage oak trees which have significant structural defects and/or disease. All other trees proposed for removal are non-heritage oak trees, ten of which have significant structural defects and/or disease (Exhibit E).

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 must be submitted for review and approval and shall be implemented as approved by the County.

2. **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 archaeological 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 archaeological 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.

3. **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 within 100 feet of the discovery 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.

4. **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 developer and land owner 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 conditional use permit.

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

Transportation Department

5. The applicant must submit a site transportation review memo regarding the adequacy of vehicle parking on site relative to both the anticipated demand and zoning code requirements. This memo must be stamped by an engineer prior to submittal to the Department of Transportation.