

**Agenda of:** August 25, 2005  
**Item No.:** 8.a.  
**Staff:** C. Gary Hyden

**STAFF REPORT - SPECIAL USE PERMIT**

**FILE NUMBER:** S 03-0005R

**APPLICANT:** El Dorado Hills Community Services District

**AGENT:** Dianna Hillyer

**REQUEST:** Revision to Special Use Permit S03-0005R for the development of a teen center for the El Dorado Hills Community Park.

**LOCATION:** On the east side of El Dorado Hills Boulevard between Harvard Way and St. Andrews Drive, approximately 2.14 miles north of the intersection with U.S. Highway 50, in the El Dorado Hills area. (Exhibit A)

**APN:** 112-120-23 and -24

**ACREAGE:** Both parcels have a combined acreage of 39.5 acres

**1996 GENERAL PLAN:** Public Facilities (Exhibit B)

**2004 GENERAL PLAN:** Public Facilities (Exhibit B)

**ZONING:** Recreational Facilities (Exhibit C)

**ENVIRONMENTAL DOCUMENT:** Mitigated Negative Declaration pursuant to Section Article 6 Section 15070(b) (1) of the California Environmental Quality Act Guidelines

**SUMMARY RECOMMENDATION:** Conditional Approval

## **BACKGROUND:**

The El Dorado Hills Community Park was established through Special Use Permit S87-54. A significant park facility expansion was begun in 2003 when Special Use Permit S03-0005 was approved which added several new facilities throughout the park. Construction of the facilities proposed in S03-0005 is scheduled to occur in a three phase implementation process. Each phase is subject to independent environmental review through the special use permit and special use permit revision process. The facilities specifically addressed in S03-0005 are considered Phase One of the facilities expansion. Phase One included a skatepark with public restroom, a class one bike path, a maintenance facility building, a temporary administration building, construction of new parking lot areas, and expansion of existing parking areas.

This revision is for Phase Two construction, which consists of a Teen Center to be located adjacent to a new skate park. The Teen Center is somewhat larger than originally proposed because the separate restroom identified in Phase One is now being incorporated into the Teen Center building.

The El Dorado Hills Community Services District is pursuing the construction of these new facilities at the El Dorado Hills Community Park to fulfill the objectives of the District's Recreation Facilities Master Plan.

## **STAFF ANALYSIS**

**Project Description:** This project consists of a revision to Special Use Permit S03-0005 to include a new Teen Center in the El Dorado Hills Community Park. The Teen Center structure consists of a one story wood-frame structure with 4,039 square feet of floor area. The structure wall height is twelve feet. The roof structure is a hip-roof system with an 8 in 12 pitch. The overall maximum building height is 26 feet 8-1/2 inches.

The exterior walls will be sheathed in T1-11 plywood, and the roof will be concrete tile with a painted wood fascia. Entry doors and windows will have anodized aluminum frames with painted wood trim. Service and utility doors will be painted metal frames and panels with painted wood trim. These materials are similar in nature texture and color to other structures on the park site and therefore fit into the overall architectural character of the park.

The El Dorado Hills Community Service District will use this facility to provide after school programs for youth in the 6, 7, and 8 grade age bracket. Daily attendance will be from 20 to 180 youths. The hours of operation will be from 2:00 p.m. until 8:00 p.m. daily. The El Dorado Hills Community Service District will initially provide three staff members; one will supervise while the two other will rotate staffing between the skate park and the Teen Center.

**Site Description:** The Community Park consists of two parcels zoned Recreational Facilities. Existing recreational facilities are predominantly located within the west and northern half of the park. The southeastern area of the park is primarily undeveloped oak woodlands, open grassland, and riparian habitats adjacent to New York Creek. Approximately 65 percent of the park area is developed with parking, buildings, a swimming pool and recreational fields. The park is surrounded by existing residential, commercial and institutional (Oak Ridge High School) land uses.

**Adjacent Land Uses:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>North</b>	R1, OS, C	HDR,C, OS	Single family residences, commercial, open space
<b>South</b>	R1	PF, HDR	Single family residences, Oak Ridge High School
<b>East</b>	R1	HDR	Single family residences
<b>West</b>	R1	HDR	Single family residences

**Discussion:** The Stonegate Village subdivision is located directly north and east of the park and consists of single-family residences. Village Plaza, a parcel with commercial land uses, is adjacent to the northwestern park entrance. Existing development adjacent to the southern park boundary includes Oak Ridge High School and single-family residences. The Governor Village subdivision, which consists of single-family residences, is located along the west side of El Dorado Hills Boulevard adjacent to the park.

**General Plan:** Both the 1996 and 2004 General Plan designate the subject site as Public Facilities. This designation is only for publicly owned lands used for public facilities such as sanitary landfills, storage and maintenance yards, regional parks and recreation facilities, schools, etc. Policy 2.2.5.32 requires that any new land use be compatible with surrounding, adjacent uses. A teen center is an appropriate aspect of a community park typically found in a residential area. Therefore, staff finds the use is compatible with the surrounding single family residential uses.

**Discussion:** Given that the General Plan designation description specifically lists regional parks and recreation facilities and that community and teen centers are an integral part of community/regional parks, staff finds that the proposed expanded use, as proposed/conditioned, conforms to the General Plan.

**General Plan Lawsuit:** On February 5, 1999, Judge Cecily Bond of the Sacramento Superior Court acted to invalidate the Environmental Impact Report adopted for the 1996 General Plan. This invalidation restricted the County from acting on any discretionary project pending issuance of a Writ from the Court except under certain circumstances.

Paragraph 5, sub-paragraph 3 within the Final Writ establishes that the *Court permits the County to issue any approvals, permits, or entitlements whether or not discretionary for non-residential development; provided that such approvals, permits, or entitlements comply with subparagraph (8)*

*below, where applicable in accordance with the terms of that subparagraph, and the property on which such development is proposed meets any one of the following criteria: (i) the property is currently zoned for the proposed use...*

Sub-paragraph 8 within the Writ establishes that the *County cannot approve or undertake any such project unless it finds, on substantial evidence, that:*

- a. *The approval or project will not significantly impair the County's ability to adopt and implement a new General Plan after complying with CEQA.*

Discussion: None of the issues identified in the February 5, 1999, Court ruling will be affected by this project. Furthermore, the General Plan designation, zoning, and actual land use have been consistent since 1987. Therefore, this project will not significantly impair the County's ability to adopt and implement a new General Plan.

- b. *The approval or project complies with all other requirements of law.*

Discussion: The project will comply in all instances with the provisions of County Code.

- c. *The project is consistent with the text and maps of the General Plan as of February 5, 1999, and there is no evidence that the development of the site would affect issues identified in the General Plan lawsuit that could impact the County's ability to adopt a new General Plan.*

Discussion: The project site is identified as being Public Facilities (PF) on both the Public Review Draft and 1996 General Plan Land Use Maps, as well as the 2004 General Plan Land Use Maps. There is no evidence that the development of the site would affect issues identified in the General Plan lawsuit that could impact the County's ability to adopt a new General Plan.

Conclusion: As discussed above, staff finds that the project, as proposed/conditioned, complies with the terms of the Writ.

**Zoning:** The proposed use is subject to a special use permit in the Recreation Facilities zone district, pursuant to Section 17.48.060(E). *Section 17.48.060(E):* Any recreational use such as those enumerated in Section 17.48.050, which by their nature or design will operate after daylight hours, or are designed for overnight use, or will create a nuisance beyond the confines of the property, or are designed for the use of more than fifty people at any one time, or will produce or create visual or other modification that are inconsistent with the surrounding environment. (Prior code Sec.9433(f)). This special use permit is needed since some uses will operate after daylight hours and are designed for more than 50 people at one time.

In order to approve the use, the approving authority must find that the use is consistent with the General Plan and would not be detrimental to the public health, safety and welfare nor injurious to the neighborhood. Based on the conditions and mitigation measures and comments received from public agencies, citizens' groups and impacted neighbors as discussed below, staff finds that the

project would not be detrimental to the public health, safety, and welfare and would not be injurious to the neighborhood.

**Agency and Public Comments:** The following agencies provided comments on this application:

El Dorado Hills Fire Department: The Fire Department provided comments regarding requirements for fire hydrants, emergency access roadway standards, and fire code standards.

El Dorado Hills Area Planning Advisory Committee (APAC): The APAC expressed concern regarding the types and quality of building materials proposed for the Teen Center. These concerns centered around the aesthetic character of the proposed building.

El Dorado Irrigation District (EID): EID commented that a Facility Improvement Letter will be required prior to final project approval.

El Dorado Union High School District: The School District expressed full support of the project.

El Dorado County Building Services: Building Services noted that a building permit will be required for the project.

El Dorado County Environmental Management Department: The Environmental Management Department submitted comments noting the Departments requirements regarding air quality, fugitive dust prevention and control, and contingent asbestos hazard dust mitigation, as well as requirements for the use of cutback and emulsified asphalt paving materials and heavy equipment and mobile source mitigation.

El Dorado County Environmental Management Department, Environmental Health Division: The Health Division submitted comments regarding department permits for construction and operation of the snack bar. In addition, the Division commented on the need to provide solid waste enclosures.

At the time of the preparation of this report, staff had not received any comments from the public. New issues may arise as a result of the public notice of the hearing, which will be discussed at that time.

### **Previous Agency Comments**

The Initial Study prepared for S03-0005R and agency comments on the original Special Use Permit S03-0005 identified the presence of soils containing asbestiform and potential noise impacts from the proposed skatepark as the primary issues for the development of the phase one park expansion.

The geotechnical reports prepared for the bicycle path and new parking lots identified trace amounts of tremolite asbestos in one test pit and 1.3 percent chrysotile asbestos in another. At the skatepark one soil sample identified asbestos at a concentration of 0.25 percent.

The potential asbestos impacts were reduced to less than significant by the following mitigation measures:

- Preparation of a Fugitive Dust Prevention and Control Plan.
- Preparation of a Contingent Asbestos Hazard Dust Mitigation Plan.
- Development of a Health Risk Assessment.
- Periodic observation of the excavation work by a geologist to check for visible asbestos.
- Mitigation Measure 1 has been amended to the most current requirements for asbestos airborne toxic control measures.

Potential skate park noise impacts to the surrounding residential neighborhood were mitigated to a less than significant level by the following mitigation measures:

- Provide insulation of fiberglass ramps to reduce the resonance of sound inside the cavities of the ramps.
- Prohibit the use of portable music systems, amplified musical instruments or other noise making devices within the skate park.
- Close facility operations by 10:00 pm.
- Construct a noise barrier around the western, northern, and eastern boundaries of the park to attenuate skate park noise.
- Monitor the site for compliance with County Noise Performance Standards.

Potential geologic and soils impacts were mitigated to less than significant by the following measures:

- Review and approval of an erosion control and revegetation plan by County staff prior to construction.
- Compliance with County Grading Ordinance.
- Compliance with recommendations contained in geotechnical reports

All other potential impacts were considered less than significant or were mitigated to less than significant by the imposition of standard project conditions.

Please refer to Attachment 1 Conditions, of Approval, for detailed descriptions of the proposed mitigation measures. In addition, please note that given the extent of the original permit conditions, no new conditions for the teen center were required.

### **ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project has a significant effect on the environment. Based on the Initial Study, staff finds that the project could have a significant effect on air quality, noise, soil erosion, water quality, and hazardous materials. However, the project has been modified to incorporate the mitigation measures identified in the Initial Study, which will reduce the impacts to a level considered to be less than significant. Therefore, a Mitigated Negative Declaration has been prepared

**NOTE:** This project is located within or adjacent to an area, which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,285.<sup>00</sup> after approval, but prior to the County filing the Notice of Determination on the project. This fee, less \$35.<sup>00</sup> processing fee, is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

**RECOMMENDATION**

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff; and
2. Approve Special Use Permit S03-0005R based on the findings in Attachment 2, subject to the conditions in Attachment 1.

**SUPPORT INFORMATION**

**Attachments to Staff Report:**

Attachment 1 .....	Conditions of Approval
Attachment 2 .....	Findings
Exhibit A .....	Vicinity Map
Exhibit B .....	General Plan Land Use Map
Exhibit C .....	Zoning Map
Exhibit D .....	Park Site Plan
Exhibit E .....	Teen Center Architectural Plans
Exhibit F .....	Initial Study Checklist

**ATTACHMENT 1**  
**CONDITIONS OF APPROVAL**  
**FILE NUMBER S03-05**  
**August 25, 2005**

**MITIGATION MEASURES**

Air Quality and Hazardous Materials Mitigation Measures

1. A Fugitive Dust Prevention and Control Plan and Contingent Asbestos Hazard Dust Mitigation Plan shall be submitted to and approved by the El Dorado County Air Quality Management District prior to beginning project construction. The plan shall comply with the requirements of the California Code of Regulation “Title 17 Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations” Mitigation measures for the control of fugitive dust shall comply with the requirements of ~~Rule 403 of the South Coast Air Quality Management District.~~ 223 of the El Dorado County Air Quality Management District.
2. A Health Risk Assessment shall be prepared for the project, which must identify airborne toxic pollutants expected to be generated by the project, and must determine if the project site is located in an area that may impact existing or planned schools, or facilities with the potential to emit toxic or hazardous pollutants. The applicant shall assist the District in preparing a public notice, in which the proposed project for which an application for a permit is made is fully described, and complies to Health and Safety Code 42301.6.
3. The project shall comply with Title 17 section 93105 et seq., for Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surfacing Mining Operations. Additionally, the El Dorado County Air Quality Management District’s Air Pollution Control Officer may require air monitoring.
4. A geologist should periodically observe excavation work to check for visible asbestos. Where asbestos containing rock and/or soil is disturbed and mitigated, or if air monitoring for asbestos is performed, an asbestos management and mitigation report should be prepared. This report should document where asbestos was found, where it was placed, any mitigation measures that were used, and provide the results of air monitoring (if applicable) (Youngdahl Consulting Group Inc., 2003).

Soils Mitigation Measures

5. Review and approval of the erosion control and revegetation plan required by the El Dorado County Resource Conservation District prior to construction activities. The plan requires complete revegetation and stabilization of all disturbed areas from construction activities.

6. Project compliance with the County Grading, Erosion, and Sediment Control Ordinance, including review and approval of a final drainage plan by the El Dorado County Department of Transportation, prior to issuance of a commercial grading permit.
7. Project compliance with the mitigation measures identified in the geotechnical report prepared by Anderson Geotechnical Consultants, Inc. Wherever the dark grey clay exists within 2 feet of the finished grade of a building pad, or within 2 feet of the finished subgrade in a pavement area, it be completely removed and replaced with granular soil or weathered rock (Anderson Geotechnical Consultants, Inc., 1985).
8. Any tan or light brown clay uncovered during the native soil scarification process should be thoroughly mixed with the surrounding granular soil. After scarification and mixing (if necessary), the soil should be moisture conditioned and recompact to a minimum of 90 percent relative compaction at or near optimum moisture content. Compaction requirements are based on ASTM D1557-78 specification for the determination of maximum dry density.
9. Clay soils encountered during earthwork should be thoroughly mixed with on-site granular soils during fill placement, and not used as fill within the upper foot of building pads or those subgrades supporting exterior flatwork (Wallace-Kuhl & Associates Inc., 2003).

#### Water Quality Mitigation Measures

10. Project compliance with El Dorado County Department of Transportation (DOT) conditions of approval, regarding stormwater treatment requirements and grading activities, including compliance with the County Grading, Erosion, and Sediment Control Ordinance. DOT approval of a final drainage plan prior to issuance of any County permits for the project, to ensure no net increase of runoff off-site through the use of stormwater detention basins or other appropriate facilities indicated in the DOT conditions of approval for the project.
11. Project compliance with erosion control and revegetation requirements with the El Dorado County Resource Conservation District, including approval of an Erosion Control and Revegetation Plan prior to construction activities.
12. Project coordination with the California Regional Water Quality Control Board regarding stormwater discharge regulatory/permitting requirements and associated mitigation.
13. Project coordination with California Department of Fish and Game regarding the potential for a Streambed Alteration Agreement and associated mitigation.

## Noise Mitigation Measures

### Skate Park Mitigation Measures

14. Provide insulation of fiberglass ramps to reduce the resonance of sound inside the cavities of the ramps. The County Planning Department shall review the ramp design prior to installation. This measure is expected to reduce overall park noise emissions by 3-5 dB.
15. Community Services District Policy 1140.180 requires that radios, tape players, musical instruments or other noise making devices shall not be played at excessive noise levels. Signs shall be posted informing park users of this restriction. The County Planning Department shall approve the sign locations prior to operation of the skate park.
16. Facility operations shall be closed by 10:00pm. The facility shall be fenced and the gates locked to prevent after hours skating. Consideration shall be given to contacting the Auburn Recreation District for guidance on how this important issue has been handled at the Auburn Overlook Skate Park.
17. A noise barrier shall be constructed around the western, northern, and eastern boundaries of the park to attenuate Skate Park noise emissions in the direction of the nearest residences. Specifically, the barrier shall consist of solid barrier constructed of a combination of earth and solid wall of not less than 6' in height.

### Community Park Mitigation Measures

18. Monitor the site for compliance with the County's Noise Performance Standards and nuisance noise. Upon commencement of activities at the skate park, conduct reviews of the facilities to ensure that they do not become a source of nuisance noise for the nearby residential areas. Reviews shall be conducted seasonally for the first two years of operation. All activity areas within Community Park shall comply with the County's Noise Standards (Tables 6.1 and 6.2 of the El Dorado County General Plan).

The periodic reviews may include discussions with neighbors, observations of skate park usage and, if necessary, unannounced follow-up noise monitoring of the facility. If it is determined by the collection of ambient noise data that the users of the skate park or the teen center are creating nuisance noise, the following measures shall be considered by the District to mitigate excessive noise:

1. The hours and days of park usage could be restricted.
  2. The maximum number of occupants could be limited (requires supervision — this is currently done at the Roseville skate park).
  3. Persons causing noise complaints could be restricted from future use of the facility (requires supervision).
19. Minimize noise disturbance during construction. Hours of operation for construction activities shall be limited to the hours of 7 a.m. to 9 p.m. during weekdays, and 8 a.m. to 6

p.m. on Saturdays; no work shall be permitted on Sundays. Additional noise mitigation could be accomplished through the installation of noise reduction equipment (mufflers) and regular maintenance of construction vehicles. Equipment staging areas shall be located as far away as possible from residences and Oak Ridge High School. The location for the staging areas shall be approved by the County Planning Department prior to construction activity.

20. Public notification of blasting activity. Should blasting be required as part of the construction related earthmoving activities, adjacent residences should be notified in advance of the proposed blasting schedule, and all such blasting activities should take place during daytime hours. In addition, the company responsible for conducting the blasting operations should design and set the charges in such a manner as to minimize the potential for adverse public reaction from the neighbors.
21. Prior to issuance of a County building permit, a noise study shall be required to demonstrate compliance with the interior noise standards of Table 6-1 for office buildings. This mitigation measure is intended to apply primarily for the new maintenance building, due to its close proximity to El Dorado Hills Boulevard.

### **CONDITIONS**

1. The project, as approved, consists of the following: This special use permit amends Special Use Permit S03-0005 and the approved site plans. This revision request consists of the addition of a Teen Center to the El Dorado Hills Community Park facilities.
2. The following uses and all associated site improvements shall conform to the submitted site plans attached on Exhibit D through Exhibit J of Special Use Permit S03-0005 as amended by the attached exhibit D of this Special Use Permit Revision S03-0005R.
  - a. Skate Park
  - b. Class I Bike Path
  - c. Expanded Parking
  - d. New Parking
  - e. Public Restroom
  - f. Teen Center
  - g. Maintenance Building
  - h. Temporary Administration Building

Minor modifications may be approved by the Deputy Director of Planning. Major modifications are subject to approval by the Planning Commission.

El Dorado County Department of Transportation

3. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department 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. A commercial permit is required.
4. The applicant shall be subject to a grading permit fee commensurate with the scope of the proposed project prior to commencement of any work performed.
5. The applicant shall provide a soils report at time of grading permit application addressing, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential and pavement section based on TI and R values. Any export to be deposited within El Dorado County shall require an additional grading permit.
6. The applicant shall provide a drainage report at time of grading permit application addressing storm water runoff increases, impacts to downstream facilities and properties to the satisfaction of the Department of Transportation. Mitigation of any significant impacts shall be included in the report and in the project design. The report shall include water quality facilities (BMP’s), oil/grease separators, etc. The report shall discuss the necessity of storm water detention as mitigation to identified significant impacts. The project shall include any recommended detention facilities in the construction design. Parking lot storm drainage shall include facilities to separate oils and grits from storm water in accordance with the recommendations of the Storm Water Quality Task Force’s *California Storm Water Best Management Practices Handbook (1993)*. Flows through landscaped areas or grassy swales are the preferred approach to storm water quality enhancement.
7. The applicant shall be subject to the County’s traffic impact mitigation fee programs. Said fees shall be due upon the issuance of a building permit.
8. All parking lot drainage shall flow through landscape areas or grassy swales prior to flow off-site for water quality purposes. Design of these drainage courses shall be reviewed by the Department of Transportation.
9. Access roads and aisles shall be a minimum of 24 feet in width for two way travel and 12 feet wide for one-way travel and shall be paved. Parking maneuvering space shall be 24 feet. Access lane near the entrance shall be set back a sufficient distance to prevent storage of vehicles from blocking vehicular or pedestrian access along Harvard Avenue.
10. The applicant shall be subject to encroachment permits, standard plan 103G for the easterly driveway access, and modified standard plan 103G to accommodate right turn in and right turn out for the westerly driveway access on Harvard Way along the south-central portion of APN 112-120-23.

11. The existing project access driveway onto Harvard Way shall be relocated easterly approximately 60-feet to improve sight distance to the satisfaction of the Department of Transportation. In addition, this driveway shall be for right turn in and right turn out only, and the project improvement plans shall include traffic delineation to accomplish same.
12. The most easterly project access driveway onto Harvard Way shall be aligned with the existing most westerly access driveway to Oakridge High School. Project improvement plans shall include installation of an all-way stop at this location in Harvard Way including appropriate striping, crosswalk, and signage to the satisfaction of the Department of Transportation. In addition, improvement plans shall also reflect re-curb no parking, with signage for “NO STOPPING ANY TIME” and “NO PARKING”, along the north side of Harvard Way from Clermont westerly to 50-feet westerly of the relocated westerly project access.
13. Applicant shall align the proposed pedestrian walkway within the on-site parking lot to direct pedestrians to the project’s most easterly driveway location. In addition, on-site improvement plans shall incorporate landscaping, mounding, and possibly decorative fencing to channelize pedestrians to appropriate crosswalk on Harvard Way.

El Dorado County Department of Environmental Management

14. Project construction may involve road development and should adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
15. Burning of wastes that result from “Land Development Clearing” must be permitted through the District. Only vegetative waste materials may be disposed of using an open outdoor fire.
16. The project construction will involve the application of architectural coating, which shall adhere to District Rule 215 Architectural Coatings.
17. Heavy equipment and mobile source mitigation measures:
  - Use low emission on-site mobile construction equipment.
  - Retard diesel engine injection timing by two to four degrees.
  - Use reformulated low-emission diesel fuel.
  - Use catalytic converters on gasoline powered equipment.
  - Substitute electric and gasoline powered equipment for diesel powered equipment where feasible.
  - Schedule construction activities and material hauls that affect traffic flow to off-peak hours.
  - Configure construction parking to minimize traffic interference.
  - Develop a construction traffic management plan that includes, but is not limited to: providing temporary traffic control during all phases of construction activities to

improve traffic flow; rerouting construction trucks off congested streets; and provide dedicated turn lanes for movement of construction trucks and equipment on and off-site.

18. Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, boilers, internal combustion engines, etc.), authority to construction applications shall be submitted to the District. Submittal of application shall include facility diagram(s), equipment specifications and emission factors.
19. If and when the District establishes an air pollution mitigation measure trust fund to provide assistance in mitigating measurements to reduce air pollution, the project applicant would contribute a pro-rata share to the air pollution mitigating measurement trust fund to help improve the air quality of the District.
20. Under the CUPA programs, the existing hazardous materials business plan for the site must be amended to include the maintenance facility and all reportable quantities of hazardous materials stored and generated therein.
21. The applicant shall comply with the standard storm water runoff Best Management Practices to minimize the impact to the creek bordering the site.
22. Solid waste enclosures in adequate number, as determined by the Environmental Health Division, to meet the needs of the project shall be provided. Adequate space shall be provided within each solid waste enclosure to accommodate both mixed solid waste and recyclable bins.

#### El Dorado Hills Fire Department

23. The potable water system for the purpose of fire protection for these commercial buildings within this project shall provide a minimum fire flow that is determined by the Fire Department. A set of engineering calculations reflecting the fire flow capabilities of the system shall be supplied to the Fire Department for review and approval.
24. This project shall install Mueller Dry Barrel fire hydrants conforming to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this project shall not exceed 300 feet. The exact location of each hydrant shall be determined by the Fire Department.
25. To enhance the nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and Fire Safe Regulations.
26. In order to provide this project with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service

prior to framing of any combustible members as specified by El Dorado Hills Fire Department Standard 103.

27. The access roadways and fire lanes shall be designed to a turning radius requirement of 40 feet inside and 56 feet outside.
28. All buildings within this project shall be fire sprinklered in accordance with El Dorado Hills Fire Department requirements.
29. Every building within the project shall be provided with a fire lane access roadway within 150 feet of every portion of a building's extension wall as required by the Uniform Fire Code.
30. A Wildland Fire Safe Plan shall be developed for the non-irrigated open space areas within this project.
31. The proposed sports field, tennis courts, and pedestrian walkways and bicycle paths are remotely located within this project and have no access roadways provided that would allow emergency response equipment to access these areas during any type of emergency.

#### El Dorado County Resource Conservation District

32. Prior to grading operations, the applicant shall contact the RCD for approval of an erosion control plan.
33. Complete revegetation and stabilization of all disturbed areas, both within and outside of County rights-of-way, will be required. All road cuts and fills will have a maximum slope of 2:1. If cuts expose subsurface rock, the project engineer should identify stabilization measures that will be required.
34. Revegetation of all disturbed soils will be accomplished with approved amounts and types of vegetative species, mulch, and fertilizer material as stated in the "El Dorado County Erosion Control Requirements and Specifications".
35. Mitigation of sediment runoff beyond project boundaries will be addressed in the erosion control plan.
36. Areas involving extensive grading and shaping will require stockpiling/re-use of topsoil to provide for adequate revegetation.
37. Erosive velocities in water conveyance structures will be identified by the project engineer. Where necessary, riprap or similar practices will be required.

#### El Dorado County Planning Services

38. An approved permit is valid for a period of twenty-four (24) months, except as other provided for in conditions of approval or other provisions of Title 17.22.250 of County Code, unless one of the following has occurred:
  1. The permit has been implemented by satisfaction of conditions prerequisite to construction and a building permit has been issued and at least one inspection has been conducted and approved by the Building Official; or
  2. The permit has been implemented by satisfaction of conditions prerequisite to establishment of a use not requiring a building permit and the use has been established on the site and is in operation; or
  3. An extension of time has been granted pursuant to subsection C of this section.
39. All outdoor lighting is subject to all applicable requirements of Section 17.14.170 of County Code.
40. During all grading and construction activities in the project area, an archaeologist or Historian approved by the Planning Director shall be on-call. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent shall ensure that all such activities cease within 50 feet of the discovery until the on-call archaeologist can examine the find in place and determine its significance. If the find is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after appropriate measures are taken or the site is determined not to be of significance. The project grading plans shall include this mitigation/condition on the plans. The Planning Department shall review the grading plans prior to issuance of a grading permit.
41. In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission. The project grading plans shall include this mitigation/condition on the plans. The Planning Department shall review the grading plans prior to issuance of a grading permit.

#### El Dorado County Building Services

42. Project facilities shall be subject to a building permit from the El Dorado County Building Department.

#### California Regional Water Quality Control Board

43. A NPDES General Permit for Storm Water Discharges Associated with Construction Activities, Order No. 99-28-DWQ is required when a project involves clearing, grading,

disturbances to the ground, such as stockpiling, or excavation. Construction activity that involves soil disturbances on construction sites one acre or greater, or which are part of a larger common plan of development or sale require a construction storm water permit. A Storm Water General Permit must be obtained prior to construction.

44. If a U.S. Army Corp of Engineers (ACOE) permit is required due to the disturbance of wetlands, then Water Quality Certification must be obtained from the Regional Board prior to initiation of project activities.

## **ATTACHMENT 2** **FINDINGS**

### **FILE NUMBER S03-0005R**

#### **1.0 CEQA FINDINGS**

- 1.1 The proposed project will not have a significant effect on the environment, based on the analysis contained in the Initial Study and the mitigation measures identified therein, and a Mitigated Negative Declaration has been filed. A de minimis finding on the project's effect on fish and wildlife resources cannot be found and the project is therefore subject to the payment of State Fish and Game fees pursuant to State Legislation (California Fish and Game Code Section 711.4).
- 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 Division of the Development services at 1850 Fairlane Court, Placerville, CA

#### **2.0 ADMINISTRATIVE FINDINGS**

- 2.1 Special Use Permit Revision S03-05R has been requested by the El Dorado Hills Community Services District for the purpose of incorporating a Teen Center into the park's public facilities. The special use permit revision shall only be approved or conditionally approved if all of the following findings are made:

- 2.2.1 The proposed use is not considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood.

The project is found to comply with the requirements of Chapter 17.22, Special Use Permits, and the proposed use as conditioned and mitigated is not considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood, based on the conclusions contained in the staff report and the analysis of potential impacts in the Initial Study.

- 2.2.2 The proposed use is consistent with the policies in the El Dorado County 1996 General Plan, as amended through February 4, 1999, and the policies of the El Dorado County 2004 General Plan

As discussed in the General Plan section of this staff report, the project is consistent with both the policies in the El Dorado County General Plan, as amended through February 4, 1999, and the policies of the El Dorado County 2004 General Plan. The project is therefore consistent with the requirements of the Recreational Facilities zone district and the Public Facilities general plan designation.

### **3.0 SUPERIOR COURT WRIT OF MANDATE FINDINGS**

- 3.1 On February 5, 1999, Judge Cecily Bond of the Sacramento Superior Court acted to invalidate the Environmental Impact Report adopted for the 1996 General Plan. This invalidation restricted the County from acting on any discretionary project pending issuance of a Writ from the Court. On July 19, 1999, Judge Bond issued the Final Writ of Mandate.

Paragraph 5, sub-paragraph 3 within the Final Writ establishes that the

*“Court permits the County to issue any approvals, permits, or entitlements whether or not discretionary for non-residential development; provided that such approvals, permits, or entitlements comply with subparagraph (8) below, where applicable in accordance with the terms of that subparagraph, and the property on which such development is proposed meets any one of the following criteria: (i) the property is currently zoned for the proposed use...”*

Sub-paragraph 8 within the Writ establishes that the

*“County cannot approve or undertake any such project unless it finds, on substantial evidence, that:*

*“(a) The approval or project will not significantly impair the County’s ability to adopt and implement a new General Plan after complying with CEQA*