

**Agenda of:** September 8, 2005

**Item No.:** 11.a.

**Staff:** Lillian MacLeod

**STAFF REPORT - PARCEL MAP/PLANNED DEVELOPMENT**

**FILE NUMBER:** P03-0015/PD03-0007

**APPLICANT:** Lakehills Community Covenant Church

**AGENT:** Don McCormick

**REQUEST:**

1. Tentative parcel map creating three parcels ranging in size from 1.92 to 12.34 acres on a 19.81-acre site and
2. Planned development consisting of three commercial parcels to be accessed by shared primary and secondary roads (Exhibit D).

**LOCATION:** On the north side of White Rock Road, approximately 2,800 feet east of the intersection with Latrobe Road, in the El Dorado Hills area. (Exhibit A)

**APN:** 107-130-54

**ACREAGE:** 19.81 acres

**1996 & 2004 GENERAL PLANS:** Adopted Plan - El Dorado Hills Specific Plan (AP) (Exhibit B)

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

**ENVIRONMENTAL DOCUMENT:** Negative Declaration prepared.

**SUMMARY RECOMMENDATION:** Conditional approval

**BACKGROUND:** The project parcel is located within Village T of the El Dorado Hills Specific Plan, approved by the Board of Supervisors on July 18, 1988. Under the Plan, Village T was designated for commercial development. Parcels within this village were zoned General Commercial, with a Planned Development overlay that would provide a level of review insuring consistency with the Specific Plan.

On September 10, 1998, the applicants filed PD98-09 requesting development of a three-phased church facility on the project parcel. The development plan included a worship center, multi-purpose center, wedding chapel, amphitheater, classrooms, soccer field, hardcourt area, and parking facilities at full build-out. The project was heard before the Planning Commission on January 11, 2001, where it received conditional approval. To date, the site remains undeveloped although two building permits for the church and Sunday school are in pending status.

Condition 23 of the approved development plan called for the dedication, in fee, of the right-of-way on White Rock Road that would be consistent with the future alignment and improvement plans approved by the Department of Transportation (DOT). On November 4, 2003, the Board of Supervisors adopted Resolution No. 316-2003 accepting the irrevocable offer of dedication of right-of-way, road, slope, drainage, and public utility easements made by the applicant. The dedication removed 0.701 acres from the White Rock Road frontage of the parcel, resulting in a reduction in parcel size from 20.51 to 19.81 acres.

### **STAFF ANALYSIS**

**Project Description:** The project request is for a commercial parcel map creating three parcels from the existing 19.81 acre parcel, as follows: Parcel 1 = 12.34 acres; Parcel 2 = 5.55 acres; and Parcel 3 = 1.92 acres.

Parcel 1 is to remain church property under the approved development plan, with the exception of the soccer field component. The soccer field will be reconfigured to completely fit on Parcel 1. Parcels 2 and 3 are to be developed as commercial property in conformance with the specific plan; however, Parcel 3 will remain a church parking area, as approved under PD98-09, until sold. Staff recommends a condition be added that subsequent to sale development of Parcel 3 will require a revised development plan addressing the parking relocation.

The entrance road to the church site will become the primary access road for all three parcels. A recorded, 60 foot wide, secondary access road easement runs between Parcel 1 and 2 and through the adjacent parcel to the east (Assessor's Parcel Number 108-030-01) before terminating at White Rock Road. The road will be required to be constructed prior to Phase 2 or 3 of the church facility on Parcel 1.

**Site Description:** The site has moderately sloping, rolling topography consisting primarily of grassland vegetation with some shrubs. Several rock outcroppings exist on the site. A rock stockpile is situated near the western property line, and a low, rock wall runs on the southern perimeter along White Rock Road. Large power poles run through the utility easement that is recorded on the eastern perimeter of the property.

**Adjacent Land Uses:**

	Zoning	General Plan	Land Use/Improvements
Site	CG-PD	AP	Undeveloped
North	RIA	C	Cemetery, single-family residential, PG&E sub-station
South	VV-SP	AP	Valley View Specific Plan - undeveloped
East	AE	R&D	Undeveloped
West	CG-PD	AP	Rough grading for El Dorado Hills Specific Plan -Town Center East

**General Plan / Specific Plan:** The General Plan designates the subject site as Adopted Plan, which recognizes areas for which specific land use plans have been prepared and adopted. These plans (e.g., specific plan or community plan) are accepted and incorporated by this reference, and the respective land use map associated with each such plan is hereby adopted as the General Plan map for each such area. The proposed commercial parcel map is located in Village T within the El Dorado Hills Specific Plan. The Specific Plan designates Village T as the regional commercial center that will serve the needs of the area. Under Specific Plan Policies 1.4.1 and 1.4.3, commercial development shall be concentrated in locations from which the community may be served and shall be accessible from at least one major collector or arterial road with sufficient design capacity to accommodate traffic generated by businesses. Further, under these policies the plan encourages common access drives.

**Discussion:** The proposed commercial parcels are located directly east of Town Center East development and north of existing and proposed residential development. Commercial development as a result of this map will not only be consistent with that of Town Center East but will provide service to nearby residential development as well. The EIR recognized that the spatial relationship of Village T (commercial) and Village Q (residential) could result in land use conflicts. The mitigation measure for this impact required buffers between incompatible uses. Parcel 1 and 2 will be providing this buffer through the 120 foot PG&E easement on their eastern boundaries.

The parcels will have shared access from the easement off 2<sup>nd</sup> Street that was conditional under PD98-09 as follows:

- 22. *The applicant shall gain access to the site per item 3 in the Addendum to the Agreement of Purchase and Sale between El Dorado Hills Investors, Ltd. (“Seller”) and Lakehills Community Covenant Church (“Buyer”) which states:*
  - 3) *Buyer and Seller agree to enter into an Easement Agreement which establishes an easement over Seller’s property for access into Buyer’s property. . .*

2<sup>nd</sup> Street is part of the internal circulation plan for Town Center East that connects directly to White Rock Road, classified as a rural major collector road under Resolution No. 109-2000.

**Conclusion:** As discussed above, staff finds that the commercial parcel map and development plan is accessible from a major collector road and will serve the adjacent community consistent with the Town Center East development plan, in conformance with the policies of the El Dorado Hills Specific Plan.

**Zoning:** The subject site is zoned General Commercial – Planned Development which permits a minimum parcel size of 10,000 square feet. The proposed 1.92 acre and larger parcels conform to existing zoning.

Under the El Dorado Hills Specific Plan, *the use of the County's planned development overlay zoning designation will further ensure that development within the Specific Plan area occurs pursuant to the policies and standards of the Specific Plan. Should conflicts arise between the provisions of the planned development overlay zone standards and those standards and policies of the Specific Plan, the latter shall prevail. Similarly, the standards and policies of the planned development district shall prevail over conflicting provisions which may be applicable in the underlying zoning district.* The original development plan, PD98-09, approved on January 11, 2001, called for a three-phased church facility to be constructed as follows:

- Phase 1: Multi-purpose building, pre-school/kindergarten building, classroom building totaling 24,275 square feet. Parking to consist of 382 spaces, of which 201 will be paved and 181 will be gravel.
- Phase 2: Worship center, common lobby, and wedding chapel totaling 21,900 square feet. The 181 graveled parking spaces to be paved.
- Phase 3: Administration/Library building, classroom building totaling 8,717 square feet.

Elevations for the Phase 1 buildings were approved with the understanding that all subsequent development would maintain the same architectural theme. Building materials are to be concrete roof tiles in a slate gray color with cement plaster walls and columns painted in neutral tones to blend with the surrounding environment. Heavy timber headers will be placed at window and door openings (Exhibit G). A monument sign was approved for the access road entrance that will be relocated to Parcel 1 (Exhibit I). At the hearing on January 11, 2001, the applicant indicated reclaimed water would be used for all landscaping irrigation.

**Discussion:** The subject development plan is similar to the original plan regarding the church facility, except for the following. As part of PD98-09, a soccer field was to be developed in an area that now overlaps into Parcel 2. The soccer field will be reduced in length to fit entirely on Parcel 1 as a modification to the development plan.

Also, parking was originally approved for a total of 382 spaces, though under §17.18.060 of the Ordinance only 375 parking spaces were required. The project now demonstrates a total of 380 spaces, still over the amount required by the Ordinance. Of these, 108 graveled, parking spaces will be constructed during Phases 1 and 2 that will be located in what is proposed to be Parcel 3. Parking

will remain in Parcel 3 until such time as the property is developed into a different use. At that time it will have to be relocated to Parcel 1 under a subsequent revision to the subject development plan.

The subject conditions of approval will reflect revisions to those approved under PD98-09 that address the above modifications.

**Planned Development:** Section 17.04-030(B) of the County Code establishes that *the planning commission shall not approve or conditionally approve a development plan nor recommend the establishment of a PD zone unless it makes the following findings:*

1. *That the PD zone request is consistent with the general plan;*

Discussion: The project parcel is already zoned CG-PD, so a zone change request is not being made with this application.

2. *That the proposed development is so designed to provide a desirable environment within its own boundaries;*

Discussion: The development plan, to include modifications discussed above, is consistent with the previously approved phased church development, except that, prior to development of Phases 2 or 3 of the church facility, a secondary access road connecting the parcels to White Rock Road must be constructed. This requirement is in response to comments received from the El Dorado Hills Fire Department concerning public safety as well as to the Design and Improvement Standards Manual requirement when the primary access road is a cul-de-sac greater than 500 feet in length.

3. *That any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography;*

Discussion: No variances to the Zoning Ordinance have been requested.

4. *That the site is physically suited for the proposed uses;*

Discussion: The topography of proposed Parcel 2 and 3 consists of gentle to moderate slopes of approximately 8 to 10 percent. The vegetation is mainly grassland with sparse shrubbery, and no trees are subject to removal under the proposed project.

5. *That adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities;*

Discussion: The project parcel is within the El Dorado Hills Specific Plan, and as such, all improvements and services exist to the site.

6. *That the proposed uses do not significantly detract from the natural land and scenic values of the site.*

Discussion: The church facility on Parcel 1 will be sited at the top of the hill adjacent to an existing cemetery. The church buildings will provide an agreeable appearance to the site from what could potentially be developed under General Commercial zoning. Future development of Parcel 2 and 3 will be subject to discretionary review under the –PD overlay requirements.

Circulation: Each of the proposed parcels will have frontage access off the primary access road. Sidewalks will be required to accommodate pedestrian access to and from the surrounding commercial development. The sidewalk will measure six feet in width in accordance with adjacent development and will be required along the primary and secondary access road frontages of Parcel 2. A sidewalk may be required along the primary access road frontage of Parcel 3 when a development plan is proposed in the future.

The secondary access road will be required to insure public safety. A condition has been proposed requiring this road to be constructed prior to issuance of the first building permit for either Phase 2 or 3 of church development. An easement has been recorded for the secondary access road that will accommodate a 60 foot right-of-way.

**General Plan Lawsuit/Writ:**

The project can be approved under paragraph 5 Sub-Paragraph 3 of the Final Writ, which permits the County to approve a project requesting discretionary approval of non-residential development if (i) *the property is currently zoned for the proposed use*, and (2) providing the project is evaluated for consistency with the 1996 Draft General Plan. Besides specific findings applicable to the parcel map which are enumerated under "Findings", the Writ requires that the County make additional findings set forth under sub-paragraph 8 as follows:

1. *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:

There will be no increase in density due to the project over what was approved under the El Dorado Hills Specific Plan (EDHSP), and the project, as conditioned, will neither impact nor impair the County's ability to adopt and implement a new General Plan.

2. *The approval or project complies with all other requirements of law;*

Discussion:

The proposed parcel map and development plan conforms to the criteria and policies set forth in the EDHSP, the General Plan, and the Zoning Ordinance regarding these applications.

3. *The approval or project is consistent with the text and maps of the 1996 General Plan as amended through February 4, 1999.*

Discussion:

The 1996 Draft General Plan, as amended through February 4, 1999, as well as the 2004 General Plan, both designate the property as Adopted Plan (AP) and incorporate the text and maps of the EDHSP. The project is consistent with the text and maps of the EDHSP.

**Agency and Public Comments:**

The following agencies provided comments on this application. Copies of their written comments are available at the Planning Services office:

**General Services Department  
Department of Transportation  
Environmental Management Department  
Air Quality Management District  
El Dorado Hills Fire Department  
Agricultural Commission  
Pacific Gas & Electric Company (PG&E)  
El Dorado County Surveyor:**

The **Agricultural Commission** was notified of the proposed project due to the secondary access road requirement that involved the adjacent parcel zoned Exclusive Agriculture. At their hearing on May 11, 2005, the Commission indicated they had no concerns or comments regarding the impact of the project on this adjoining parcel.

**PG & E** expressed concern regarding possible access problems to the existing power poles when development of Parcel 2 occurs. A condition has been proposed that will require the applicant to provide an all-weather access road across Parcel 1 should this happen.

The **Surveyor's** office has added comments pertaining to the filing of the parcel map, which have been incorporated into the conditions of approval.

Based on the NOA Review Area Map (Naturally Occurring Asbestos), the project parcel is located in a quarter mile buffer area that is designated most likely to contain asbestos. As such, the project will be conditioned to comply with the **Air Quality Management District's** rules regarding new construction/grading projects in the NOA areas.

At the time of the preparation of this report, staff had received comments from the following entities:

El Dorado County Historical Society  
Pioneer Cemeteries Commission  
El Dorado Hills Area Planning Advisory Committee (APAC)

Both the Historical Society and Cemeteries Commission expressed concern regarding the proximity of the Clarksville cemetery (Mormon Tavern cemetery) to the project site. The Cemeteries Commission has requested to safeguard any unmarked graves that may lay outside the existing fence line, as well the cemetery itself. Conditions recommended by General Services in order to limit or prevent potential impacts to the cemetery will insure these safeguards.

The APAC voted unanimously to support the proposed project.

**Conclusion:** The conditions approved by the Planning Commission on January 11, 2001, under PD98-09 (Exhibit F), applied to the development of the phased church facility as it was proposed on the original 20.51 acre parcel. In order to provide clarity, staff will prepare a new set of conditions under the subject application, PD03-0007, that will incorporate all applicable conditions from PD98-09 either in their original state, if still applicable, or modified to meet the needs of the proposed project based on comments received from the above agencies. Conditions will be removed if no longer applicable, and new conditions will be added where required. The subsequent conditions of approval will, when approved, supersede those approved under PD98-09, which will then become null and void.

### **ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project may have a significant effect on the environment. Based on the Initial Study, conditions have been added to the project to avoid or mitigate to a point of insignificance the potentially significant effects of the project. Staff has determined that there is no substantial evidence that the proposed project as conditioned will have a significant effect on the environment, and a Negative Declaration has been prepared.

This project is found to be de minimis (having no effect on fish and game resources). Pursuant to Resolution No. 240-93, a \$35.<sup>00</sup> processing fee is required by the County Recorder to file the Notice of Determination and Certificate of Fee Exemption with the State in accordance with State Legislation (California Fish and Game Code Section 711.4).

### **RECOMMENDATION**

1. Adopt the Negative Declaration based on the Initial Study prepared by staff; and
2. Approve the Development Plan PD03-0007 and Parcel Map, P03-0015 as the required findings can be made as noted in Attachments 2 and 3, respectively, based on the analysis in the staff report and the modification of the project to include conditions itemized in Attachment 1.

**SUPPORT INFORMATION**

**Attachments to Staff Report :**

Attachment 1 .....Conditions of Approval  
Attachment 2.....Findings  
Exhibit A.....Vicinity Map  
Exhibit B .....1996 General Plan Land Use Map  
Exhibit C .....2004 General Plan Land Use Map  
Exhibit D.....Zoning Map  
Exhibit E .....Tentative Parcel Map  
Exhibit F .....PD98-09 Conditions of Approval, January 11, 2001  
Exhibit G.....Phase 1 Building Elevations  
Exhibit H.....Preliminary Landscape Plan  
Exhibit I .....Sign Plan  
Exhibit J .....Assessor’s Parcel Map  
Exhibit K.....Environmental Checklist and Discussion of Impacts

**ATTACHMENT 1**  
**CONDITIONS OF APPROVAL**

**FILE NUMBER P03-0015 and PD03-0007**

**Planned Development**

1. The subject parcel map and planned development approval is based upon and limited to compliance with the project description, dated September 8, 2005, and Conditions of Approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

The project, as approved, shall consist of the following:

- a. A parcel map creating three parcels ranging in size as follows:

Parcel 1 = 12.34 acres

Parcel 2 = 5.55 acres

Parcel 3 = 1.92 acres

- b. A development plan for a phased church facility to be constructed on Parcel 1 and 3, as follows:

**Phase 1:**

- Multi-purpose building - 16,415 square feet.
- Pre-school/kindergarten classrooms - 3,200 square feet.
- Classroom wing - 4,660 square feet.
- 201 paved parking spaces. Eight shall be ADA compliant with one designated van accessible.
- 179 gravel parking spaces.

**Phase 2:**

- Common lobby - 1,800 square feet.
- Worship Center - 17,023 square feet.
- Wedding Chapel - 3,077 square feet.
- Paving 71 of the gravel parking spaces on Parcel 1.

**Phase 3**

- Administration/Library building - 4,057 square feet.
- Classroom wing - 4,660 square feet.

- c. Road improvements consisting of shared primary and secondary access ways to serve the three parcels. The secondary access road will be required prior to issuance of building permits for either Phase 2 or Phase 3 development of Parcel 1.
2. The soccer field will be reduced in length to fit entirely on Parcel 1 as a modification to the development plan approved under PD98-09.
3. Parcel 3 shall remain dedicated to parking unless a revised development plan is approved relocating the parking for the church use and authorizing a different use on Parcel 3.
4. All site improvements shall conform to Exhibits E, G, and I. Final landscape plans shall be in substantial compliance with Exhibit H, the preliminary landscape plans. Recycled water shall be used for all landscape irrigation.
5. Lighting for the site shall be fully shielded to prevent any spillage onto adjacent properties in conformance with Section 17.14.170 of the County Code and the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Should final, installed lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of the Planning Department. The sport field lights shall be turned off by 10:00 p.m.
6. The applicant shall gain access to the site per item 3 in the Addendum to the Agreement of Purchase and Sale between El Dorado Hills Investors, Ltd. ("Seller") and Lakehills Community Covenant Church ("Buyer") which states:
  - "3) Buyer and Seller agree to enter into an Easement Agreement which establishes an easement over Seller's property for access into Buyer's property. The easement agreement will also provide Buyer with permanent and reasonable signage at the entrance to the shared entry which signage shall conform to the Directional Signage standards set forth in the Appendix 5 (Master Signage Program) of the Design Guidelines and Development Standards for Town Center East, dated "Revised July 10, 1995."
7. The applicant shall provide a drainage report and project drainage plan at time of grading permit application identifying appropriate storm water quality management practices to the satisfaction of the Department of Transportation. The project drainage shall be in accordance with the County Of El Dorado Drainage Manual. Drainage facilities shall be designed and constructed consistent with the project drainage plan and the Carson Creek Regional Drainage Study. Drainage facilities shall be installed with the respective phasing of the on-site development or as specified in the drainage plan.
8. Prior to approval for development of Parcel 2 and 3, traffic impact review must verify that the parcel development is consistent with the County's General Plan regarding level of service standards for the County's road system.

9. In order for the Fire Department to provide services from the single access point, all buildings within Phase 1 of Parcel 1 and future buildings proposed for Parcel 2 and 3 shall be fire sprinkled in accordance with Fire Department regulations.
10. To assist the El Dorado Hills Fire Department with the rapid identification involving emergency response agencies, all buildings shall be identified with street numbers on the building that can be seen from access roadways. The minimum height of these numerals shall be 16 inches.
11. If the phasing of Parcel 1 development creates a dead-end roadway that exceeds 150 feet in length, a circular turnaround shall be constructed in accordance with Fire Department requirements.
12. The proposed developer shall allow for adequate ground clearance from the wires as set forth in California Public Utilities Commission General Order No. 95. Should an infraction occur the developer will be responsible for the costs in raising the lines.
13. Should PG&E be prevented from accessing utilities within their 120 foot easement due to development on Parcel 2, the applicant shall provide an all-weather access road across Parcel 1 to the affected poles.
14. If the project includes the disturbance of 20 cubic yards or more of earth the applicant shall comply with Air Quality Management District (AQMD) Rule 223-2 Fugitive Dust-Asbestos Hazard Mitigation, which includes an asbestos dust mitigation plan submittal, fugitive dust prevention, speed limits, warning signs, track out prevention, excavated soil management and post-construction mitigation. This information must be submitted to the Air Quality Management District for review and approval prior to issuance of a grading permit.

Alternately, the applicant may have a California Professional Geologist inspect the project site and provide the AQMD with a report demonstrating there is no Naturally Occurring Asbestos on the project site. This evaluation must be submitted to the AQMD with the current review fee.

If there is no naturally occurring asbestos or less than 20 cubic yards of earth is disturbed, the applicant must still comply with AQMD Rule 223-1 Fugitive Dust-Construction Activities. If a County grading permit is required, the applicant will be required to submit a Fugitive Dust Plan to the AQMD prior to issuance of a grading permit.

Project construction involving road development and parking lot paving shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.

15. Prior to grading on Parcel 1, the applicant shall conduct a Ground Penetrating Radar (GPR) survey along the northwest property lines that surround the Clarksville cemetery to determine the potential existence of unmarked graves. The GPR survey zone should extend

for a distance of 50 feet from under the existing fence lines. If an anomaly representative of a grave is noted during the survey, the surveyed zone should be extended an additional 50 feet beyond the last anomaly identified until no further anomalies are located within 50 feet of the last found grave. In the event that graves are discovered outside the existing fenced boundary, the applicant shall retain an archaeologist in order to perform further exploration to verify an actual grave exists. If further work confirms that actual graves are within the applicant's property, the applicant shall relocate the grave(s) for re-internment in the enclosed portion of the Clarksville cemetery. The developer shall agree to allow an observer from the El Dorado County Pioneer Cemeteries Commission on-site whenever grading occurs near the fenceline, and at no time will grading occur any nearer than the distance shown on the plans. Orange mesh fencing shall be placed along the line shown on the plans to prevent any possible error in operator judgment. Retaining walls shall be constructed where needed along any cutbacks/cut banks within the allowed setbacks from the existing fenced boundary in order to prevent erosion.

16. The applicant shall replace the existing gate and fencing surrounding Clarksville cemetery, with six foot high wrought iron material, using the pillars flanking the existing gate for placement and size, in order to safeguard the cemetery from public trespass.
17. Noise attenuation measures shall be incorporated into the final building plans and grading plans to ensure compliance with the noise standards set forth in Tables 6.1 and 6.3 of the El Dorado County General Plan.

### **Tentative Parcel Map**

18. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Minor Land Division Ordinance.
19. The developer shall obtain approval of onsite project improvement plans, cost estimate, and pay all applicable fees prior to commencement of any improvements on the project facilities.
20. The final map shall show all utility, road, and drainage easements per the recommendation of the utility purveyors and the County Engineer. Said easements shall be irrevocably offered to the County.
21. The onsite primary and secondary roadways shall first be offered to the County of El Dorado with rejection, and simultaneously offered to the parcel owners association, concurrently with the filing of the parcel map. The parcel owners shall be responsible for maintenance of the on-site roadways through the project's CC&Rs.
22. The onsite and offsite primary access serving the project shall be improved to Standard Plan 101A, including a 40-foot curb face to curb face width roadway with standard vertical curb and gutter and 6-foot sidewalk on the south and east side within a 60-foot wide right-of-way; subsequent development of Parcel 3 may require frontage sidewalk on the west side. Prior to

issuance of building permits or grading permits for any project development, and prior to recordation of the parcel map, improvement plans for the onsite roadway and offsite primary access shall be reviewed and approved by the Department of Transportation. Prior to occupancy of any project development, the onsite roadway and offsite primary access shall be substantially complete as determined by the Department of Transportation.

23. The onsite and offsite secondary access serving the project shall be improved to a modified Standard Plan 101A, including a minimum 36-foot curb face to curb face width roadway with standard vertical curb and gutter and a 6-foot sidewalk on the south side within a 60-foot wide right-of-way. Prior to recordation of the parcel map, improvement plans for the onsite and offsite portions of the secondary access shall be reviewed and approved by the Department of Transportation.

Prior to occupancy of any development on Parcel 1 subsequent to occupancy of Phase 1, the onsite and offsite portions of the secondary access road to White Rock Road shall be substantially complete as determined by the Department of Transportation; this required timing for improvement of the secondary access road may be modified by the El Dorado Hills Fire Department.

The exact location of the intersection of the secondary access road with White Rock Road shall be determined by the Department of Transportation in conjunction with the review and approval of the improvement plans. The secondary access road shall be privately owned and maintained.

24. Drainage and road maintenance shall be the responsibility of either a parcel owners' association or annexation into another entity such as a zone of benefit. All easements for drainage facilities shall first be offered to the County of El Dorado with rejection, and simultaneously offered to the parcel owners with the filing of the final map.
25. A vehicular access restriction for Parcel 2 along White Rock Road shall be shown on the parcel map.
26. Upon demand by the County or prior to or concurrent with the recordation of the project parcel map the applicant shall make an irrevocable offer of dedication (IOD) for any required additional right of way, together with easements for slope purposes (5 feet from either top of cut to toe of fill), along White Rock Road to accommodate realignment of the White Rock Road centerline, changes in the White Rock Road width, or changes in the White Rock Road right of way width as required for the "ultimate" design and construction. The limits of the dedication shall be approved by the Department of Transportation.
27. Domestic water shall be supplied by a public entity with a minimum six-inch water line to the property being divided, and a water meter award letter or similar assurance from the water purveyor, guaranteeing water service upon demand to each of the parcels created, shall be submitted to the County Surveyor at the time of filing the parcel map.

28. A User Reclamation Plan (URP), prepared in accordance with the *Recycled Water On-site Design and Construction Standards*, and on-site recycled water plans shall be submitted with improvement plans and approved by the water purveyor prior to delivery of recycled water.
29. Mueller Dry Barrel fire hydrant(s) shall be installed, in compliance with the provisions of the U.F.C. Section 10.301(c), in a location acceptable to the El Dorado Hills Fire Department. 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 the Fire Safe Regulations.
30. A Wildfire Safety Plan shall be developed and implemented for Parcel 2 and 3.
31. The potable water system for fire protection of the commercial parcels shall meet or exceed the minimum fire flow as determined by the El Dorado Hills 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.
32. In order to provide this development 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. The fire access roadway system shall be prohibited from installing any type of traffic calming device that utilizes a speed bump concept. A letter of compliance with all applicable conditions shall be submitted by the Fire Department to the Surveyor's Office at the time of filing the parcel map.
33. A note shall be added to the improvement plans and final map stating, "Land use is restricted within PG&E utility easements. Contact the Land Department at (530) 889-3131 prior to development within."
34. If human remains are discovered at any time during the improvement phase, the County Coroner and Native American Heritage Commission shall be contacted per Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed.  
  
If archaeological sites or artifacts are discovered, the applicant shall retain an archaeologist to evaluate the resource. If the resource is determined to be important, as defined in Appendix K of the CEQA Guidelines, mitigation measures, as agreed to be the applicant, archaeologist, and Planning Department shall be implemented. Treatment of Native American remains and/or archaeological artifacts shall be the responsibility of the applicant and shall be subject to review and approval by the County Planning Director.
35. Any bonded improvements shall be completed within one year of filing the parcel map.

36. Where the subdivider is required to make improvements on lands which neither the subdivider nor the County has sufficient title or interest to make such improvements, prior to filing of any parcel map, the subdivider shall submit the following to the Department of Transportation Director for approval:
- a. A legal description prepared by a civil engineer or land surveyor of the land necessary to be acquired to complete the off-site improvements;
  - b. Improvement plans prepared by a civil engineer of the required off-site improvements; and
  - c. An appraisal prepared by a professional appraiser of the cost of land necessary to complete the off-site improvements.

Prior to filing of a parcel map, the subdivider shall enter into an agreement, pursuant to Government Code Section 66462.5, to complete the required off-site improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the subdivider shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

37. The primary and secondary access roads shall be named by filing the proper Road Name Application with the County Surveyors Office.
38. The applicant or agent shall obtain letters from every agency with final conditions, stating that all their conditions have been satisfied. The letters will be submitted to the County Surveyor prior to filing the final parcel map.

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

### **FILE NUMBER PD03-0007**

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:

#### **FINDINGS FOR APPROVAL**

1. The proposed project, as conditioned, will not have a significant effect on the environment and a Negative Declaration has been filed. Further, the project will not affect wetlands, watercourses, riparian lands, unique plant or animal life and habitats, or other terrestrial matters under the jurisdiction of the State Department of Fish and Game. Therefore, the project has a de minimis impact on the environment and a Certificate of Fee Exemption (DFG 753.5-5/91 is applicable.
2. The proposed use and design conforms to the General Plan as discussed in the staff report.
3. The proposed use and development plan conforms to the Zoning Ordinance as follows:
  - a. *That the PD zone request is consistent with the general plan;*

The project parcel is already zoned CG-PD, so a zone change request is not being made with this application.

- b. *That the proposed development is so designed to provide a desirable environment within its own boundaries;*

The development plan, to include modifications of the soccer field, is consistent with the previously approved phased church development, except that, prior to development of Phase 2 of the church facility, a secondary access road connecting the project to White Rock Road must be constructed. This requirement is in response to comments received from the El Dorado Hills Fire Department concerning public safety, as well as to the Design and Improvement Standards Manual requirements on cul-de-sacs greater than 500 feet in length.

- c. *That any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography;*

No variances to the Zoning Ordinance have been requested.

- d. *That the site is physically suited for the proposed uses;*

The topography of the proposed Parcel 2 and 3 consists of gentle to moderate slopes of approximately 8 to 10 percent. The vegetation is mainly grassland with sparse shrubbery, and no trees are subject to removal under the proposed project.

- e. *That adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities;*

The project parcel is within the *El Dorado Hills Specific Plan*, and as such, all improvements and services exist to the site.

- f. *That the proposed uses do not significantly detract from the natural land and scenic values of the site.*

The church facility on Parcel 1 will be sited at the top of the hill adjacent to an existing cemetery. The church buildings will provide an agreeable appearance to the site from what could potentially be developed under General Commercial zoning. Additional development of Parcel 2 and 3 will be subject to discretionary review under the –PD overlay requirements.

4. The proposed use and design will not be detrimental to the public health, safety, and welfare, nor injurious to the neighborhood.
5. This project may be approved subject to the following findings established in Paragraph 5, Sub-Paragraph 1, which permits the County to approve *a project requesting discretionary approval of residential development if (1) the project is based on a development agreement with the County approved before February 5, 1999, and Sub-paragraph 8 in the Final Writ issued by the Court on July 19, 1999, as follows:*
- 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.
- b. The approval or project complies with all other requirements of law.
- c. The approval or project is consistent with the text and maps of the 1996 General Plan as amended through February 4, 1999.

## **ATTACHMENT 3** **FINDINGS**

### **FILE NUMBER P03-0015**

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:

#### **FINDINGS FOR APPROVAL**

1. The proposed tentative map, including design and improvements, is consistent with the General Plan policies and land use map.
2. The proposed tentative map does conform with the applicable standards and requirements of the County's zoning regulations and the Minor Land Division Ordinance.
3. The site is physically suitable for the proposed type and density of development.
4. The proposed tentative map is not likely to cause substantial environmental damage.
5. The proposed project, as conditioned, will not have a significant effect on the environment and a Negative Declaration has been filed. Further, the project will not affect wetlands, watercourses, riparian lands, unique plant or animal life and habitats, or other terrestrial matters under the jurisdiction of the State Department of Fish and Game. Therefore, the project has a de minimis impact on the environment and a Certificate of Fee Exemption (DFG 753.5-5/91 is applicable).