



EL DORADO COUNTY PLANNING SERVICES

John Knight..... District I
John MacCready District II
Dave Machado District III
Chris Chaloupka District IV
Alan Tolhurst District V
Jo Ann Brillisour..... Clerk of the Commission

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MINUTES

**Regular Meeting of the Planning Commission
November 9, 2006 – 8:30 A.M.
BUILDING C HEARING ROOM
2850 Fairlane Court, Placerville, CA**

1. CALL TO ORDER

Meeting called to order at 8:45 a.m. Present: Commissioners Mac Cready (after 8:45 a.m.), Machado, Chaloupka, Tolhurst (after 9:00 a.m.), and Knight; Paula F. Frantz, County Counsel; and Jo Ann Brillisour, Clerk to the Planning Commission.

2. ADOPTION OF AGENDA

MOTION: MOVED BY COMMISSIONER MACHADO, SECONDED BY COMMISSIONER CHALOUKPA AND UNANIMOUSLY CARRIED BY THOSE COMMISSIONERS PRESENT (Commissioners Mac Cready and Tolhurst were present), IT WAS MOVED TO ADOPT THE AGENDA, WITH ADDENDUM.

3. PLEDGE OF ALLEGIANCE

A Pledge of Allegiance was given by the Commission and those persons in the audience.

4. CONSENT CALENDAR (All items on the Consent Calendar were approved by one motion unless a Commission member requested separate action on a specific item.)

a. Minutes: October 26, 2006

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER CHALOUKPA AND UNANIMOUSLY CARRIED BY THOSE COMMISSIONERS PRESENT (Commissioners and Mac Cready and Tolhurst were absent), IT WAS MOVED TO APPROVE THE CONSENT CALENDAR.

5. **DEPARTMENTAL REPORTS AND COMMUNICATIONS**

These items were considered during the day as time permitted.

Paula Frantz, County Counsel, said the Board held its second workshop on the INRMP this past Monday. The next meeting will be on January 23. Roger Trout informed the Commission about an article in the newspaper stating the Lighting Ordinance would be on the agenda today. It is not; it will be on the December 14 meeting.

6. **COMMISSIONERS' REPORTS** - None

PUBLIC FORUM/PUBLIC COMMENT - None

ADDENDUM

NONCONFORMING USE (Public Hearing)

- a. Consideration of the nonconforming use status of the Olde Coloma theatre, located at 380 Monument Road, Coloma, CA. The property, identified by Assessor's Parcel Number 006-290-04, is located on the south side of Monument Road, approximately 300 feet west of the intersection with Cold Springs Road, in the **Coloma area**.

Staff: Peter Maurer said the item needs to be continued again. No new information has been submitted. The applicant does not believe they need a special use permit. If information is not received in a short period of time, the issue will be turned over to Code Enforcement. There was no input.

MOTION: MOVED BY COMMISSIONER MACHADO, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED TO CONTINUE THE NONCONFORMING USE FOR THE OLDE COLOMA THEATRE OFF CALENDAR.

7. **TENTATIVE SUBDIVISION MAP** (Public Hearing)

- a. **TM05-1397 - Promontory, Village, Phase 3** submitted by MJM PROPERTIES, LLC (Agents: David Burke/Larry Ito to create 35 parcels, ranging in size from 0.71 to 1.43 acres on 39.87 acres. Design waivers have been requested to reduce the right-of-way of Karavi Drive from 60 to 28 feet and reduce the right-of-way on Kymata Court from 60 to 38 feet. The properties, identified by Assessor's Parcel Numbers 124-170-11 and -12, and 124-070-56 and -57, are located west of Karavi Drive, approximately 50 feet north of its southernmost intersection with Capetanos Drive, in the **El Dorado Hills area**. (Categorically exempt pursuant to Section 15182 of the CEQA Guidelines)

Staff: Mel Pabalinas recommended approval and proposed modification to Condition 25. Mike McDougall was present and agreed to the modification. Fred Russell, Fire Marshall for the El Dorado Hills Fire District, asked that the Commission not approve the project due to the high density and proposed width of the roads, access, dead-end roads, etc. The Commission does not

have the ability to go against the adopted Fire Regulations. The health, safety, and welfare of the residents will be jeopardized. No further input was received. Mr. Mc Dougall agreed to a 28-foot section, 36-foot right-of-way, on Karavi Drive with a full cul-de-sac at the corner.

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FIND THE PROJECT CATEGORICALLY EXEMPT PURSUANT TO SECTION 15182 OF THE CEQA GUIDELINES AND APPROVE TM05-1397 BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1.0 CEQA

- 1.1. The project has been found to be Categorically Exempt from CEQA pursuant to Section 15182 stating that “where a public agency has prepared an EIR on a specific plan after January 1, 1980, no EIR or negative declaration need be prepared for a residential project undertaken pursuant to and in conformity to that specific plan if the project meets the requirements of this section.

The proposed subdivision is not likely to cause substantial environmental damage because there is no additional project impacts beyond the effects previously analyzed and mitigated in the Promontory Specific Plan EIR. No further environmental analysis is necessary. Pursuant to Resolution No. 240-93, a \$35.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption

- 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 Development Services Department/Planning Services at 2850 Fairlane Court Placerville, CA, 95667.
- 1.3. The applicant has provided updated information regarding the compliance with the Oak Tree Protection, Re-vegetation and Monitoring Plan as required under the Mitigation Monitoring Reporting Program for the Promontory Specific Plan.

2.0 General Plan

- 2.1 The project is located within the Promontory Specific Plan with a designation of Adopted Plan (AP) under the El Dorado County General Plan Land Use Map. The General Plan has recognized and adopted the plans, policies and maps associated with the Specific Plan.

3.0 Zoning Code

- 3.1 The subdivision conforms to the lot standards identified in the Promontory Specific Plan creating custom built lots with appropriate sizes, frontages and building envelopes. Therefore, the proposed subdivision map is consistent with the El Dorado County Zoning Code.

4.0 Administrative-Tentative Subdivision Map

- 4.1 The proposed residential tentative map conforms to the applicable land use, density, and design and improvement standards identified in the Promontory Specific Plan. The project site is physically suitable to accommodate the proposed 35 custom residential lots, public utilities, and associated improvements in accordance to the standards Promontory Specific Plan and Settlement Agreement.

5.0 Design Waivers

5.1. Karavi Drive to conform to upland one-way standards of a 28-foot right-of-way.

- 5.1.1 There are special conditions or circumstances peculiar to the property which would justify the adjustment or waiver. Karavi Drive has been identified in the Promontory Specific Plan to be one-way minor residential street serving a maximum of 22 custom home lots. The road section is a continuation of the approved section stubbed at either end Capetanos Drive.
- 5.1.2. Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property because it would conflict with previously adopted road sections identified in the Promontory Specific Plan and would be inconsistent with existing street stubs matching the reduced right-of-way for Karavi Drive.
- 5.1.3. The adjustment or waiver(s) would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public because Karavi Drive will be constructed within a reduced the right-of-way of 28 feet conforming to the specific plan and Department of Transportation standards as conditioned. The road will serve a maximum of 21 residential lots, all fronting on one side (down hill) of Karavi. On-street parking will be limited on the downhill side of the street.
- 5.1.4. This waiver(s) would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division. The requested reduced right of ways matches the standards under the specific plan and subject to recommended Department of Transportation conditions.

5.2 Kymata Court to conform to upland two-way standards of a 38 foot right-of-way.

- 5.2.1. There are special conditions or circumstances peculiar to the property which would justify the adjustment or waiver. Kymata Court has been identified in the Promontory Specific Plan to be private upland two-way cul-de-sac. This road would serve a maximum 13 residential lots. The map has been conditioned to meet county road construction standards.
- 5.2.2 Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property because it would conflict with previously adopted road sections identified in the Promontory Specific Plan.
- 5.2.3 The adjustment or waiver(s) would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public because Kymata court will be constructed within a reduced the right-of-way of 38 feet conforming to the specific plan and Department of Transportation standards as conditioned. The private road will serve a maximum of 13 residential lots, all fronting on one (lot) side of street. On-street parking will be limited on the downhill side of the street.
- 5.2.4. This waiver(s) would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division. The requested reduced right of ways matches the standards under the specific plan and subject to recommended Department of Transportation conditions.

The project consists of a tentative subdivision map creating 35 custom residential parcels and a design waiver of the 60-foot County right-of-way standard. The Class I subdivision comprises of parcels ranging in size from 27,000 to 80,000 square feet corresponding with each lot's slope gradient. Lots 4-9, 12, 13, and 16-35 are designated "Hillside Large-Lot, Single-Family Detached" (HLL SFD) while lots 1-3, 10-11 and 14-15 are assigned "Large-Lot Single-Family Detached" (LL SFD). The site is accessed via Karavi Drive and Kymata Court which connects to Beatty Drive. Sewer and water service will be provided by EID.

The request includes a design waiver for the reduction of the minimum 60-foot right-of-way for a minor residential street within the Class I subdivision. Karavi Drive would be constructed with a maximum right-of-way of 28 feet (20-foot road width, no sidewalks) while Kymata Court would be 38 feet (36 foot wide road width, no sidewalks). The proposed right-of-ways and road widths conform to the approved road standards identified in the Promontory Specific Plan and Settlement Agreement.

CONDITIONS

1. This project is subject to the Traffic Impact Mitigation measures identified in the Promontory Environmental Impact Report and the Traffic Impact Study prepared for the Promontory, Village 6, Phase 3, by Fehr and Peers, dated April 6, 2006, involving the El Dorado Hills Boulevard/Francisco Drive Intersection. This mitigation measure is funded

in the 5 Year CIP (CIP Project 72332), which requires payment of fees for the 2004 General Plan Transportation Impact Mitigation Fee Program at time of building permit.

2. This project is subject to the 2004 General Plan Transportation Impact Mitigation Fee Program. Applicant shall pay traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.
3. A vehicular access restriction shall be designated along Beatty Drive (specifically Lots 1, 24 through 34) and along the downhill side of all lots that have double frontage.
4. All roads shall be constructed in conformance with the Promontory Specific Plan and the Design and Improvements Standard Manual with the following widths:

Comment [L11]: Changed to 24 from 26

ROAD NAME	PROMONTORY REFERENCE	ROAD WIDTH	EXCEPTIONS/NOTES
Karavi Drive	Upland One Way	20 28 ft (28 36 ft R/W)* <u>per County Standard 101B with a turnaround adjacent to Lot 35 per Standard Plan 114</u> , plus parking, utility and slope easements	Hillside Development Area; Type 1 rolled curb & gutter – lot side; Type 2 vertical curb and gutter non-vehicular access side; parking bays not required ADT<350. <u>No Sidewalks; parking shall be allowed on the vehicular access side of the road; the uncompleted portion of Karavi Drive shall be widened to a minimum width of 28 feet for the entire on-site portion of the road.</u>
Kymata Court	Upland Two Way	<u>36</u> ft (38 ft R/W)*, plus parking, utility and slope easements	Hillside Development Area; Type 1 rolled curb & gutter – lot side; Type 2 vertical curb and gutter non-vehicular access side; parking bays not required ADT<350. <u>No Sidewalks</u>

Comment [L12]: Added no sidewalks

Comment [L13]: Changed from 28 to 36

Comment [L14]: Added no sidewalks

Comment [L15]: Typo changed from 6 to 4

Comment [L16]: Added for clarification.

Notes for Condition 4 table:

Road widths in the preceding table are measured from curb face to curb face. Curb face for rolled curb and gutter is 6" from the back of curb.

*With approved waiver but consistent with the Specific Plan and prior approvals.

Beatty Drive and Alexandra Way from the intersection of Beatty Drive to the intersection of Sophia Parkway shall be constructed in conformance with the requirements of the Promontory Specific Plan and the Design and Improvements Standard Manual.

5. A notice of restriction shall be recorded on all lots where off street parking is required in lieu of the additional on street parking spaces or bays. As an alternative, the Promontory (or Village) CC&Rs shall include a provision for off street parking to compensate for lack of parking normally required on street.
6. A final drainage plan shall be prepared in accordance with the County of El Dorado Drainage Manual, the Promontory Master Drainage Study (July 1997, CTA) and the Willow-Humbug Creek Watershed Memorandum of Understanding between the County of El Dorado and the City of Folsom, subject to review and approval by the Department

of Transportation. Drainage facilities shall be designed and shown on the project improvement plans consistent with above referenced documents.

7. An irrevocable offer of dedication for rights of way (R/W) shall be made, in fee, of the widths shown in the preceding table for the proposed roads, with slope, pedestrian, and parking easements where necessary. Said offer may be rejected at the time of the final map, in which case a County Service Area Zone of Benefit or Homeowner's Association shall be established in order to provide for the long term maintenance of the roads.
8. An irrevocable offer of dedication, in fee, shall be made of 50 feet in radius for the cul-de-sac, with slope, pedestrian and parking easements where necessary. Said offer may be rejected at the time of the final map, in which case a County Service Area Zone of Benefit or Homeowner's Association shall be established in order to provide for the long term maintenance of the roads.
9. Cross lot drainage shall be avoided. When cross lot drainage does occur, it shall be contained within dedicated drainage easements with gated access across fenced property lines. This drainage shall be by closed conduit wherever possible, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway.
10. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.
11. The subdivider shall be required to form a County Service Area Zone of Benefit or Homeowner's Association to fund drainage facilities maintenance and improvement services. The funding mechanism for these services must be established prior to approval of the final map and shall include a provision for future increased funding requirements. It is recommended that a special tax with an escalator clause be used as the funding mechanism.
12. The final map shall show all drainage easements consistent with the County of El Dorado Drainage Manual, the project final drainage plan, and the project improvement plans.
13. The County reserves the right to impose additional reasonable conditions relating to the filing of multiple final maps and phasing on the tentative map. Reasonable conditions, at a minimum, will include a letter of approval from the El Dorado Hills Fire Department and a finding of substantial compliance with the approved tentative map from the Development Services Director or designee.
14. As specified in the Conditions of Approval, the subdivider is required to perform off-site improvements. If it is determined that the subdivider does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the subdivider's expense and within 120 days of filing the final map, acquire by negotiation or commencement proceedings to acquire an interest in the land

which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map or parcel map, the subdivider shall submit the following to the Department of Transportation Right of Way Agent, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20 percent contingency:

- 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.
 - c. An appraisal prepared by the professional appraiser of the cost of land necessary to complete the off site improvements.
 - d. A completed CEQA analysis.
15. The developer shall obtain approval of project grading and improvement plans, including erosion control plans, and cost estimate consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to commencement of any improvements on the project facilities. All improvements shall be consistent with the approved tentative map.
 16. 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 Major Land Division Ordinance.
 17. The final map shall show all utility, road and drainage easements pursuant to the recommendation of the utility purveyors and the County Engineer. Final determination of the location of said easements shall be made by the county Engineer. Said easements shall be irrevocably offered to the County.
 18. Grading plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. No building permits shall be issued by the County until final grading plans and erosion control plans are approved by the Department of Transportation and the grading is completed.
 19. The timing of construction and method of re-vegetation shall be coordinated with the El Dorado Resource Conservation District (RCD). An erosion and sediment control plan shall be part of the project grading and improvement plans, incorporating the El Dorado County Minimum Construction Site Storm Water Management Practices (March 31, 2004) and submitted to the RCD for review and recommendation to the Department of

Transportation. The Department of Transportation shall approve such plans and the developer shall implement said plan on or before October 15.

20. The contractor shall deploy measures sufficient to achieve compliance with the County's Grading Ordinance and, for projects which involve one acre or more of disturbed soil or are part of a larger common plan of development that encompasses one acre or more of disturbed soil, shall comply with the State Water Resources Control Board's NPDES General Permit for Storm Water Discharges Associated with Construction Activity.
21. Erosion control and drainage design from residential areas into the open space areas shall employ natural appearing methods. The use of native plant materials is required where revegetation is proposed.
22. Subdivision improvements shall include driveways for all lots with street cuts or fills, along their frontages, of six feet or more difference in elevation, or as found necessary for reasonable access b the County Transportation Director.

Driveways shall be installed in a manner and location acceptable to the County Department of Transportation and shall meet standard County driveway requirements.

As an alternative, downhill lots with fill in excess of six feet may have a Notice of Restriction filed on the lot which allows structural driveway access only. The CC&Rs shall include provisions for the following: construction of driveways shall be at the time of building permit for each individual lot. The Promontory Architectural Design Review Committee (PARC) shall review the placement of individual homes and driveways within the project. Site improvement plans for each lot shall be prepared by a Civil Engineer registered to practice in the State of California, based on the PARC approved site plans and shall include slope stabilization and erosion control methods acceptable to the El Dorado County resource Conservation District. Provisions for the disposal of excess fill material shall be incorporated into the individual lot grading and/or building permit(s), filed with the Building Department.

Lots were the street at the access point is in excess of a six foot cut or fill height shall be indicated on the final map. The developer shall demonstrate, in conjunction with the improvement plans, that each lot is accessible by County Standards, including the provision of this condition.

For driveways in cut slopes, the County Engineer may require test pits to be excavated at the point of deepest excavation for the proposed driveway, utilizing a 19 to 21 foot class loader/backhoe or equivalent, to demonstrate the constructability of the proposed driveway. Driveways shall be constructed with the street improvements where said equipment is unable to perform excavation of the test pit.

23. The location of fire hydrants and systems for fire flows are to meet the requirements of the El Dorado Hills Fire Protection District. The spacing of the hydrants shall not exceed

- 500 feet and shall be shown on the improvement plans, subject to the approval of the fire protection district.
24. All driveways serving this project shall be designed to a maximum grade of 20 percent. Any driveway exceeding this requirement shall be submitted to the Fire Department and may require that the dwelling install a fire sprinkler system on accordance with NFPA 13D requirement.
25. Pursuant to General Plan Policy 7.4.5.1, a tree survey, preservation, and replacement plan shall be prepared and filed with the County prior to issuance of a grading permit. The plan shall include but not be limited to the following:
- a. ~~Building envelopes shall be identified for all parcels within the area where trees occur.~~
 - b. ~~The building envelopes shall be positioned to minimize disturbance to oak trees.~~
 - c. ~~Protection measures shall be specified for construction activities and for long-term use of the parcels.~~
 - d. ~~CC&Rs shall be prepared that include recommendations for oak tree preservation prepared by a qualified arborist.~~
 - e. ~~The CC&Rs shall include a provision that removal of any oaks 24 inches and above at breast height is prohibited before, during, and after construction, unless recommended by a qualified arborist that the tree is not healthy.~~
 - f. ~~The plan shall demonstrate conformance with Policy 7.4.4.4, regarding the preservation or retention of 85 percent of the existing tree canopy.~~
25. A fire safe management plan, acceptable to the El Dorado Hills Fire Protection District and the California Department of Forestry, shall be prepared and implemented. A letter of compliance with this condition shall be submitted by the fire district to Planning Services prior to filing the map.
26. A meter award letter or similar document shall be provided by the water purveyor prior to filing the final map.
27. The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. The fees shall be paid at the time of filing the final map.
28. The subdivider shall be subject to a \$150.00 appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.

29. As specified in conditions of approval, the subdivider is required to perform off-site improvements. If it is determined that the subdivider does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the subdivider's expense and within 120 days of filing the final map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possessing of the property.

OTHER DEPARTMENT OR AGENCY STANDARD CONDITIONS

30. If blasting activities are to occur in conjunction with subdivision improvements, the subdivider shall ensure that such blasting activities are conducted in compliance with state and local regulations.
31. If burning activities are to occur during the construction of the subdivision improvements, the subdivider shall obtain the necessary burning permits from the California Department of Forestry and air pollution permits from the County prior to said burning activities.
32. The applicant shall provide a letter from SBC shall verify that easements for SBC utilities are accurately shown on the final map.
33. Applicant shall provide verification that a joint trenching agreement has been established with the cable television provider.
34. The applicant shall sign and stripe the eastern side of Karavi Drive for "No Parking" per the requirements of the Manual of Uniform Traffic Control Devices (MUTCD) prior to the issuance of any building permit. This requirement shall be noted on the improvement plans, as verified by Planning Services and the Department of Transportation.

MITIGATION MEASURES

The following are the applicable adopted mitigation measures from the Promontory Final EIR certified on November 4, 1997. The reference numbers are from the EIR.

Within or following the mitigation measure in italics are notes or abbreviations added to clarify implementation of the mitigation measure. The following legend defines the abbreviations used:

Stage in Process in Which Condition Must be Satisfied	Abbreviation
Tentative Map	<i>T.M.</i>
Shown on Improvement Plans	<i>I.P.</i>
Final Map	<i>F.M.</i>
Building Permit(fees paid with building permit issuance or design criteria in CC&Rs or Design Notebook)	<i>B.P.</i>

- 4.2.1a. Prior to approval of any project site improvement plans and the commencement of construction activities, the project applicant shall locate construction staging areas as far as reasonably possible from existing residential areas. Construction staging areas shall be identified on project site improvement plans and approved by the El Dorado County Department of Transportation (*I.P.*)
- 4.2.1b. During construction activities, the project applicant shall limit the amount of daily construction equipment traffic by staging construction equipment and vehicles on the project site at the end of each work day rather than removing them. (*I.P.*)
- 4.2.1c. Prior to any construction activities requiring complete or partial closure of existing roadways surrounding the project site, the project applicant shall perform the following tasks to the satisfaction of the El Dorado county Department of Transportation:
Provide written notice to property owners along affected roadways one week prior to roadway closures.

To ensure public safety, clearly mark and secure roadway construction areas.
Steel plates shall be placed over open trenches at the end of each work day to restore vehicle access to all residents.

Roadway closure shall not occur during the a.m. or p.m. peak hour traffic periods.
(*I.P.*)

- 4.3.1a. Prior to County approval of project site grading plans, the following item shall be included in the grading plans: Project site grading shall avoid disturbing and or removing rock outcroppings and oak trees to the maximum extent feasible. (*I.P.*)
- 4.5.2a. Widen Green Valley Road from two lanes to four lanes from El Dorado Hills Boulevard to the El Dorado County line. *This mitigation measure is accomplished by inclusion in the CIP, paid for by the collection of fees for the 2004 General Plan Transportation Impact Mitigation Fee Program at time of building permit. (B.P.)*
- 4.5.3. The project applicant shall be responsible for their fair share cost of the following improvements:
- Widen the northbound Francisco Drive approach to include dual left turn lanes, one exclusive through lane, and one exclusive right turn lane;
- Widen the westbound Green Valley Road approach to include one exclusive left turn lane, two exclusive through lanes, and one exclusive right turn lane;
- Widen the eastbound Green Valley Road approach to include dual left turn lanes, two exclusive through lanes, and one exclusive right turn lane; and
- Modify the existing traffic signal equipment as necessary to accommodate the intersection widening. *This mitigation measure is accomplished by inclusion in the*

CIP, paid for by the collection of fees for the 2004 General Plan Transportation Impact Mitigation Fee Program at time of building permit. (B.P.)

- 4.5.6. Install a traffic signal at the Latrobe Road/U.S. Highway 50 Eastbound Ramps intersection. *This mitigation measure is accomplished by inclusion in the CIP, paid for by the collection of fees for the 2004 General Plan Transportation Impact Mitigation Fee Program at time of building permit. (B.P.)*
- 4.5.8. The project applicant shall be responsible for contributing their fair share of the cost to reconstruct the El Dorado Hills Boulevard/Latrobe Road interchange with U.S. Highway 50. *This mitigation measure is accomplished by inclusion in the CIP, paid for by the collection of fees for the 2004 General Plan Transportation Impact Mitigation Fee Program at time of building permit. (B.P.)*
- 4.6.1. Prior to approval of improvement plans for subsequent development, the project applicant shall demonstrate to the County and District their compliance with Rule 223 of the El Dorado Air Pollution Control Districts Rules and Regulations handbook in written report form. This fugitive dust prevention and control plan shall briefly list all Best Management Practices (BMP) to be implemented for the control of fugitive dust emissions throughout the construction phase. *(I.P)*
- 4.6.2.a. The County shall encourage subsequent site development to incorporate the use of Best Available Control Technologies (BACT) for the control of construction exhaust emissions. The EDCAPCD shall be consulted to determine the appropriate BACT measures available (regular tune-ups, cleaner burning conventional fuels, alternative fueled vehicles and equipment). *(I.P)*
- 4.6.2.b. Prior to future final map approvals, the project applicant shall demonstrate to the County and the EDCAPCD concerning feasible transportation alternatives in order to reduce construction worker vehicle trips and associated vehicle exhaust emissions. *(F.M.)*
- 4.6.3. Prior to future final map approvals, the project applicant shall demonstrate to the County and the EDCAPCD their compliance with Rules 215 and 225 of the EDCAPCD's Rules and Regulations handbook for the control of ROG emissions from architectural and asphalt coatings. *(F.M.)*
- 4.6.4. Prior to future final map approvals, the project applicant shall demonstrate compliance with the El Dorado Air Pollution Control District's open burning rules contained in Regulation III. *(F.M.)*
- 4.6.5. Implementation of the following measures would reduce, but not eliminate, the significant air quality impacts:
 - Prior to future final map approvals, the project applicant shall demonstrate that only EPA certified stoves and fireplaces inserts are installed in homes. Standard masonry fireplaces, uncertifiable by the EPA, shall not be constructed. EPA

certified stoves and fireplace inserts have a 70 to 90 percent lower particulate emission rate than conventional stoves and fireplaces. (*F.M.*)

4.7.1a. Construction activities shall be limited to the hours of 7:00 a.m. to 6 p.m. on weekdays and the hours of 8:00 a.m. to 5 p.m. on Saturday and Sunday. (*I.P.*)

4.8.1. Mitigation for project impacts to trees shall include measures for tree protection, revegetation and compensation and monitoring. All aspects of the following measures must be implemented to ensure mitigation/compensation for the impact.

- The project applicant shall develop and implement a Tree Protection Plan to minimize direct and indirect impacts to oak woodland on the project site during construction and operation phases of the proposed project. The Plan shall require the use of buffers to prevent or reduce the effects of disruption in the hydrologic or edaphic (growing) environment of heritage trees. Canopy cover retention within oak woodlands shall meet the requirements of General Plan Policy 7.4.4.4. The elements of the Tree Protection Plan shall appear as standards in the tentative subdivision maps, improvement plans and subdivision CC&Rs. The Plan shall be implemented prior to ground clearing, grading, or other construction activities that may impact oak trees. Unless stated otherwise, all measures shall be the sole responsibility of the project applicant.
- The County or project applicant (with County approval) shall engage a qualified project biologist or equivalent professional to oversee all aspects of construction monitoring that pertain to oak tree protection. The County would be responsible for reviewing the monitoring program. The project applicant shall be responsible for reimbursing the County for all costs related to the compliance monitoring of the project.
- The project biologist shall be responsible for contractor education and shall monitor all construction activities in areas supporting sensitive biological resources. The project biologist shall be responsible for scheduling and/or implementing pre-construction tree surveys and shall inform the County, the project engineer and the project general contractor if there are construction activities that threaten protected oak trees for which no mitigation measures have been identified in this EIR.
- The project biologist shall clearly mark on project maps all oak trees and oak woodlands to be avoided and provide these maps to the contractor. These areas shall be designated as “no construction” or “limited construction” zones. These areas shall be flagged by the project biologist prior to construction activities. IN some cases, trees may need to be fenced or otherwise protected from direct or indirect impacts, as determined by the project biologist.
- The Tree Revegetation Plan shall consist of an implementation and a monitoring component. Because the exact extent of tree loss can only be determined after

the final grading plans and building envelopes are defined, a detailed analysis of: 1) the precise number and species of trees to be removed, and 2) the specific mitigation areas to be planted, shall be developed and identified as part of the tentative and final map processes, in compliance with General Plan Policy 7.4.5.1. Lost tree canopy cover must be replaced at the percentage required under Policy 7.4.4.4 of the County General Plan.

- The Monitoring and Management Plan shall identify monitoring and management techniques for a recommended time period (as determined during the development of the Plan) following implementation. The plan shall establish success criteria (performance standards) and shall describe steps to be taken to replace vegetation not meeting the success criteria (contingency plans). Performance standards could relate to the number of trees, species and sizes of trees, area of canopy, or a combination. Appropriate data sampling and statistical treatment of data shall be developed and utilized.
- The preliminary mitigation plan (based on the elements presented in this EIR) shall be submitted for review prior to approval of subsequent tentative subdivision maps. A draft mitigation plan (including draft versions of the Tree Protection Plan, Revegetation Plan and Monitoring and Management Plan) shall be submitted with the applications for tentative subdivision maps and other subsequent approval. The final mitigation plan shall be submitted as part of the final subdivision map process or prior to approval of a grading permit for improvement plans, whichever occur first. Prior to implementation, the final plan shall be approved by the County. The project applicant shall identify and secure sources of funding and personnel to carry out all identified measures outlined above before any tree removal or grading permits issued by the County. (T.M.)

- 4.8.3. The project applicant shall hire a biologist(s) approved by the County to conduct protocol surveys for the species listed in Table 4.8-2 as having a high potential to occur on the property or as being a “potential resident” of the property, which includes bald eagle (*haliaeetus leucocephalus*), long eared bat (*myotis evotis*), long eared myotis (*myotis volans*), yuma myotis (*myotis yumanensis*), cooper’s hawk (*accipiter cooperi*), sharp shinned hawk *accipiter (striatus)*, long-eared owl (*asio otus*), short-eared owl (*asio flammeus*), ferruginous hawk (*buteo regalis*) northern harrier (*circus cyaneus*), white tailed kite (*elanus leucurus*) and burrowing owl (*speotyto cunicularia*). In addition, the biologist shall also conduct protocol surveys for any new special status species that may occur on the project site, which are listed by CDFG and/or USFWS subsequent to the certification of this EIR. Results of the protocol surveys shall be submitted to the CDFG and/or USFWS, as required, and to the County prior to approval of subsequent tentative subdivision maps. If no sensitive species are located on-site, no further mitigation is necessary. If listed species are located on the property, the applicant and the County shall enter into formal consultation with the appropriate resource agency and begin preparation of a Biological Assessment or Habitat Conservation Plan, as applicable. The precise mitigation/compensation for direct and indirect impacts to

sensitive species will depend on agency consultation and agreements. The project applicant shall implement all measures identified by the CDFG and USFWS to protect and mitigate impacts to listed and other special status species. *(T.M.)*

- 4.9.1a. Prior to approval of the improvement plans for site development, the project applicants shall hire an engineering geologist or equivalent professional to prepare a site specific geotechnical report that will include the following:

Identification of areas of potential slope hazards and measures to minimize the project's impact to slope stability.

Identification of areas susceptible to soil erosion and measures to minimize the project's impact on soil erosion.

Determination of the suitability of excavated material as engineering fill, topsoil, or other type of reuse on site. *(I.P.)*

- 4.9.1b. To the maximum extent practicable, project development shall avoid areas determined by the site specific geotechnical report to have unstable ground conditions. *(I.P.)*

- 4.9.1c. Prior to approval of the improvement plans for site development, the project applicant will submit an erosion control plan to the County. Erosion control measures will include techniques such as physical and vegetative stabilization measures and runoff diversion measures. Additionally, the plan will specify measures for reuse or disposal of excavated material. If excavated material is suitable for use at the project site, the plan should minimize elapsed time between excavation and reuse and provide adequate stockpile coverage and protection from wind and water erosion during the entire storage period. If excavated material is unsuitable for reuse at the project site, the plan will include specific information regarding the eventual reuse or disposal site, transportation methods, disposal reuse management, and schedule. The plan will be consistent with the El Dorado County Grading, Erosion and Sediment Control Ordinance and the El Dorado County Resource Conservation District's Erosion sediment Control Guidelines. *(I.P.)*

- 4.9.1.d. Stabilize grading areas left unprotected during the rainy season, as specified by the El Dorado County Grading, Erosion and Sediment Control Ordinance. Stabilization measures may include National Pollutant Discharge Elimination System (NPDES) Construction Activity best management practices such as hydroseeding, geotextiles and mats, and straw bale or sandbag barriers. *(I.P.)*

- 4.9.1e. Implement water quality mitigation measures, including retention of vegetation and avoidance of grading activities near water channels to the maximum extent feasible. Water quality mitigation measures are described in detail in Section 4.10, Hydrology and Water Quality. *(I.P.)*

- 4.9.2a. Prior to approval of the improvement plans for site development, a seismicity report will be completed by an engineering geologist or equivalent professional regarding

possible damage from seismic shaking and secondary hazards such as landsliding, liquefaction and lateral spreading. This report will include:

-An analysis of seismic hazards anticipated at the project site from regional faults.

-A discussion and recommendations for seismic mitigation at the project site.

Recommendations may include use of reinforced concrete foundations and avoidance of potentially unstable foundation materials. (I.P.)

4.9.2b. The project applicant will incorporate the recommendations of the seismicity report into the design for all structures proposed at the project site. All Structures will be designed for Seismic Zone 3 and will be designed to withstand the anticipated seismic hazards determined in the seismicity report. Plans for structures shall be reviewed by the County prior to approval of the improvement plans and building permits. (I.P., B.P.)

4.10.1 Prior to approval of improvement plans for site development, the project applicant shall submit erosion control plans and hazardous materials control program to the County consistent with El Dorado County's Grading, Erosion, and Sediment Control ordinance and El Dorado Resource Conservation District's Erosion sediment Control Guidelines. The plan should include Best Management Practices to minimize and control pollutants in storm water runoff. Suggested water quality control practices should include the following:

Construction Measures

Native vegetation will be retained where possible. Grading and excavation activities will be limited to the immediate area required for construction.

Stockpiled topsoil shall be placed in disturbed areas outside of natural drainage ways. Stockpile areas shall be designated on project grading plans.

No construction equipment or vehicles will disturb natural drainage ways without temporary or permanent culverts in place. Construction equipment and vehicle staging areas will be placed on disturbed areas and will be identified on project grading plans.

If construction activities are conducted during the winter or spring months, storm runoff will be regulated by temporary onsite detention basins.

Temporary erosion control measures (such as silt fences, staked straw bales, and temporary revegetation) will be employed for disturbed slopes until permanent revegetation is established.

No disturbed surfaces will be left without erosion control measures during the winter and spring months.

Sediment will be retained onsite by a system of sediment basins, traps or other appropriate measures.

Immediately after the completion of grading activities, erosion protection will be provided for finished slopes. This may include revegetation with native plants (deep rooted species for steep slopes), mulching, hydroseeding, or other appropriate methods.

Energy dissipaters will be employed where drainage outlets discharge into areas of erodible soils or natural drainage ways. Temporary dissipaters may be used for temporary storm runoff outlets during the construction phase.

A spill prevention and countermeasure plan will be developed identifying proper storage, collection and disposal measures for pollutants used onsite. No-fueling zones shall be indicated on grading plans and shall be situated at least 100 feet from natural drainage ways.

Operation Measures

All storm drain inlets will be equipped with silt and grease traps to remove oil, debris, and other pollutants, which will be routinely cleaned and maintained. Storm drain inlets will also be labeled "No Dumping – Drains to Streams and Lakes".

Parking lots will be designed to allow as much runoff as feasible to be directed toward vegetative filter strips to help control sediment and improve water quality.

Storm runoff from service stations or other similar uses will be treated with an oil/water separator.

Permanent energy dissipaters will be included for permanent outlets.

The detention/retention basin system of the site will be designed to provide effective water quality control measures design and operation features of detention/retention basins will include:

1. Construct basins with a total storage volume that permits adequate detention time for settling of fine particles even during high flow conditions.
2. Maximize the distance between basin inlets and outlets to reduce velocities, perhaps by using an elongate basin shape.
3. Incorporate some below grade area within the main detention basin for sediment settling.
4. Allow vegetation to reduce velocities and naturally filter water by encouraging vegetation establishment and ensuring adequate water supply to maintain vegetation cover.

5. Establish basin maintenance responsibility and schedules to periodically remove basin sedimentation, excessive vegetation growth and debris that may clog basin inlets and outlets. *(I.P.)*

- 4.10.5b. Prior to approval of improvement plans for site development, the project applicant shall prepare a hydrologic study in conformance with the El Dorado County Drainage Manual which would support the project drainage plans. The project applicant shall submit both the hydrologic study and drainage plans to the County for review and approval. The drainage plans shall clearly demonstrate that buildout peak storm runoff flows from the project site will remain at or below existing peak storm runoff flows. The drainage plan will provide details on ultimate location and design of retention/detention basins and other drainage facilities, as well as a maintenance program for all drainage facilities. The drainage plan shall also identify the 100 year floodplain on the project site, or verify that no 100 year flood zones will exist on the site. The drainage plan shall be in conformance with the El Dorado County Drainage Manual, as well as any additional requirements set forth in the City of Folsom/El Dorado County drainage agreement described in Mitigation Measure 4.10.5a. *(I.P.)*

- 4.11.2. The project applicant shall implement the following measures to minimize potential impacts to undiscovered cultural resources:
 - a. Prior to approval of subsequent tentative subdivision maps for project development, the project shall retain a qualified archeologist to perform an archeological survey for the tentative subdivision map area. The archeological survey shall employ current field survey and record search methods and standards. Significant archeological resources discovered shall be recorded and avoided and/or mitigated, pursuant to state and federal standards. The findings of the archeological survey shall be summarized in a report and submitted to the County prior to tentative subdivision map approval. *(T.M.)*

 - b. In the event that any prehistoric or historic subsurface cultural resources are discovered during construction related earthmoving activities, all work within 20 meters of the resources shall be halted and the project applicant shall consult with a qualified archaeologist to assess the significance of the find. If any find were determined to be significant by the qualified archaeologist, then representatives of the project applicant, El Dorado County, and the qualified archaeologist would meet to determine the appropriate course of action. If the discovery includes human remains, Section VIII of CEQA Guidelines Appendix K would be followed, requiring coordination with the Native American Heritage Commission if human remains are of Native American origin. All significant cultural materials recovered would be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist in accord with current professional standards. *(I.P.)(B.P.)*

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

8. **PLANNED DEVELOPMENT/TENTATIVE MAP** (Public Hearing)
- a. **PD05-0019/TM05-1405/Gold Ridge Estates** submitted by JAMES and PATRICIA FARR (Agent: Gene E. Thorne & Associates, Inc.) to create 15 residential lots ranging in size from 0.49 to 1.40 acres and one 7.15 open space lot. A design waiver request has been submitted to allow the following: 1. Cul-de-sac in excess of 500 feet in length; and 2. Construction of a 22-foot wide road with curb and gutter on the cut side only. The property, identified by Assessor's Parcel Number 042-410-09, consisting of 21.2 acres, is located on the west side of Gold Ridge Trail, 1,200 feet west of the intersection with Sly Park Road, in the **Pollock Pines area**. (Mitigated negative declaration prepared)

Staff: Jason Hade recommended conditional approval. Jim Ware, Department of Transportation recommended modification to Condition 18. Paula Frantz, County Counsel, suggested wording for the condition. Peter Maurer suggested a Notice of Restriction for Lot A, prohibiting any further development of that lot. Fred Sanford, Environmental Management, spoke regarding the size of lots and the ability for septic systems. Gene Thorne was present and concurred with the modification of Condition 18. On Conditions 19 through 21 they would like to improve the cul-de-sac to the subject property line only. Conditions 26 and 27 are inconsistent. They would like to go with wording as in Condition 26. Jim Ware, Department of transportation, spoke about a hammerhead cul-de-sac for Conditions 19 through 21. There was no further input.

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER KNIGHT, IT WAS MOVED AND UNANIMOUSLY CARRIED TO ADOPT THE MITIGATED NEGATIVE DECLARATION, AS PREPARED, AND APPROVE PD05-0019/TM05-1405, BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1.0 CEQA FINDING

- 1.1 The Planning Commission has considered the Mitigated Negative Declaration together with the comments received during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the Planning Commission and has been completed in compliance with CEQA and is adequate for this proposal. 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 Planning Commission finds that through feasible conditions and mitigation measures placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

- 1.4 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 ADMINISTRATIVE FINDINGS

- 2.1 Planned Development PD05-0019 and Tentative Map TM05-1405 consist of a development plan and tentative subdivision map to create 15 lots ranging in size from 0.49 to 1.40 acres and one 7.15 acre open space lot. A design waiver request was submitted to allow the following: (1) Allow a cul-de-sac in excess of 500-feet in length; and (2) Construct a 22-foot wide road with curb and gutter on the cut side only pursuant to El Dorado County Department of Transportation Hillside Road Standards.

The development plan and tentative subdivision map shall only be approved or conditionally approved if all of the following findings are made:

2.2 Planned Development

2.2.1 The planned development request is consistent with the General Plan.

As discussed in the General Plan section of this staff report, the proposed planned development and tentative subdivision map is consistent with the applicable General Plan policies and land use designation.

2.2.2 The proposed development is so designed to provide a desirable environment within its own boundaries.

The proposed planned development is designed to provide a desirable environment within its own boundaries through the preservation of 7.15 acres of open space (Lot A), tree canopy retention, and design waiver request to utilize the Hillside Road Standards to minimize project grading and disturbances to natural resources.

2.2.3 The exceptions to the standard requirements of the zone regulations are justified by the design and existing topography.

Although the One-acre Residential (R1A) Zone District requires a minimum parcel size of one acre, the proposed development preserves 7.15 acres of open space by clustering the proposed 15 residential lots at the subject site. As such, the proposed 0.49 to 1.40 acre parcels conform to the One-acre Residential-Planned Development (R1A-PD) development standards. No exceptions were requested from the One-acre Residential (R1A) development standards contained in Section 17.28.080(E) of the Zoning

Ordinance. Therefore, the requested exceptions to the standard requirements of the zone regulations are justified by the project design and density.

2.2.4 The site is physically suited for the proposed uses.

As mentioned above, the proposed project will preserve 7.15 acres of open space and cluster the 15 proposed residential lots. Therefore, the subdivision will not significantly degrade the natural resources at the project site.

2.2.5 Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities.

As outlined in the prepared environmental document, the project will utilize public water provided by EID, individual on-site septic systems subject to review and approval by the Environmental Management Department, and construction of road improvements as conditioned by the Department of Transportation. Thus, adequate services are available for the proposed subdivision.

2.2.6 The proposed uses do not significantly detract from the natural land and scenic values of the site.

With the incorporation of the proposed mitigation measures developed in the environmental document, the proposed residential use will not significantly detract from the natural land and scenic values of the site.

2.3 Tentative Subdivision Map

2.3.1 The proposed tentative map, including design and improvements, is consistent with the General Plan policies and land use map.

As proposed, the tentative map conforms to the Medium-Density Residential General Plan land use designation and applicable General Plan policies including access, tree canopy retention, water service, open space, grading, transportation, fire protection and wastewater disposal.

2.3.2 The proposed tentative map conforms to the applicable standards and requirements of the County's zoning regulations and the Major Land Division Ordinance.

As proposed and with the approval of the requested design waivers and development plan, the tentative map conforms with the development standards within the One-acre Residential (R1A) Zone District and the Major Land Division Ordinance.

2.3.3 The site is physically suitable for the proposed type and density of development.

The project will preserve 7.15 acres of open space and cluster the 15 proposed residential lots in order to avoid significant disturbances of slopes in excess of 30 percent, grading

and tree canopy removal. As such, the site is physically suitable for the proposed type and density of development.

2.3.4 The proposed subdivision is not likely to cause substantial environmental damage.

The proposed subdivision is not likely to cause substantial environmental damage with the implementation of the mitigation measures identified in Attachment 1.

3.0 DESIGN WAIVERS

(1) Allow a cul-de-sac in excess of 500-feet in length; and (2) Construct a 22-foot wide road with curb and gutter on the cut side only.

3.1 There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.

The proposed cul-de-sac and reduced road width will reduce potential project grading impacts and still provide adequate circulation and fire protection to the subdivision.

3.2 Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.

Strict application of the design and improvement requirements would require a wider roadway resulting in an increased amount of project grading and potential tree removal. The Department of Transportation and El Dorado County Fire Protection District have reviewed the design waiver request and have no objections.

3.3 The adjustment or waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.

The waiver will not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public as the requested waivers will reduce project impacts to visual resources, such as tree canopy, and earth disturbances. As proposed, the reduced roadway width will allow the subdivision to better fit within the context of the surrounding rural residential uses.

3.4 The waivers would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.

CONDITIONS/MITIGATION MEASURES

Mitigation Measures

The following mitigation measures are required as a means to reduce potential significant environmental effects to a level of insignificance:

1. Mitigation Measures 1 through 3 as outlined in the *Air Quality Impact Analysis for Gold Ridge Estates Subdivision, El Dorado County, CA*, Ambient Air Quality and Noise Consulting, January 13, 2005, (Pages 13 – 15), attached as Attachment 1 of the mitigated negative declaration.
2. Prior to the issuance of a grading or building permit, an asbestos dust mitigation plan (ADMP) shall be submitted with appropriate fees to and approved by the Air Quality Management District (AQMD).
3. The applicant shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
4. The applicant shall contact the AQMD prior to commencement of any burning. Burning of vegetative wastes that result from “Land Development Clearing” must be permitted through the AQMD. Only vegetative waste materials are permitted to be disposed of using an open outdoor fire.
5. The applicant shall submit a list of equipment to the AQMD stating which of the following mitigation measures will be used to reduce impacts on air quality from equipment exhaust emissions during all construction involved in this project for approval prior to the issuance of a grading or building permit:
 - Use low-emission on-site mobile construction equipment;
 - Maintain equipment in tune per manufacturer specifications;
 - Retard diesel engine injection timing by two to four degrees;
 - Use electricity from power poles rather than temporary gasoline or diesel generators;
 - 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;
 - Do not leave inactive construction equipment idling for prolonged periods (i.e., more than two minutes);
 - Schedule construction activities and material hauls that affect traffic flow to off-peak hours;
 - Configure construction parking to minimize traffic interference; and
 - 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.

6. At least 90 percent of the existing oak tree canopy on each lot at the project site shall be retained in accordance with Option A of General Plan Policy 7.4.4.4. Under Option A, the applicant shall not remove any healthy trees six inch DBH or greater from the 7.15 acre open space lot designated as Lot A on the tentative map. As such, a note shall be recorded on the final map stating that the owners of the individual lots shall be responsible for demonstrating compliance with the General Plan oak tree canopy retention requirements prior to building permit issuance, or comply with Option B, when available.
7. At time of final map filing, an open space maintenance agreement shall be submitted to Planning Services outlining the maintenance program, including tree protection and responsible parties, and funding mechanism, for said open space, subject to approval by County Counsel and Planning Services.
8. Prior to improvement plan approval, the tree protection specifications outlined within the submitted Arborist Report Gold Ridge Estates (pages 4 – 5), attached as Attachment 2 in the mitigated negative declaration, shall be noted on the improvement plans to the satisfaction of Planning Services.
9. 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 an 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 the appropriate measures are taken or the site is determined not to be of significance.
10. 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.
11. Prior to final map approval, the applicant shall construct a water line extension from the existing eight-inch water line in Gold Ridge Trail to serve the subject site.
12. A special fuel modification plan/fire safe plan shall be submitted to and approved by the El Dorado County Fire Protection District and California Department of Forestry and Fire Protection prior to final map approval.
13. Construction activities shall be limited to between the hours of 7:00 AM and 7:00 PM, Monday through Friday, and 8:00 AM and 5:00 PM on weekends and federally-recognized holidays.

14. Motorized construction equipment shall be equipped with intake/exhaust mufflers and engine shrouds, in accordance with manufacturers' specifications.
15. Noise-generating equipment, including portable power generators and air compressors, should be located at the furthest distance possible from the nearest occupied residence.
16. A Notice of Restriction shall be recorded concurrently with the recording of the final map indicating that Lot A is reserved as open space for the benefit of Lots 1 through 15, and no development is allowed. The language of the Notice shall be reviewed and approved by Planning Services and County Counsel prior to recording the Notice.

Conditions

Department of Transportation

17. 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 Major Land Division Ordinance, prior to filing the final map.
18. The applicant shall pay the traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.
19. Prior to recordation of the final map, the developer shall either construct or ensure adequate funding is identified ~~and the improvement is programmed for, a right turn lane~~ for additional signage on the Sly Park Road and U.S. Highway 50 east bound off-ramp, to the satisfaction of the Department of Transportation and Caltrans.
20. Prior to recordation of the final map, the developer shall construct Mercury Trail and the unnamed cul-de-sac street with a 50 foot right of way, 22 foot paved roadway, with Type 1 rolled curb and gutter on cut side only, per Standard Plan 101B as modified by the Hillside Road Standards and design waiver request. No sidewalks are required.
21. Prior to recordation of the final map, the developer shall construct the cul-de-sacs per Standard Plan 114 as modified by the Hillside Road Standards.
22. The developer shall make an irrevocable offer of dedication, on the final map, for the required rights-of-way easement with a public utilities easement shall be made for Mercury Trail, and the ~~unnamed cul-de-sac~~ fire safe hammerhead between Lots 13 and 14, with slope easements where necessary. Said offer shall be rejected at the time of the final map, and a homeowner's association, or other entity acceptable to the County, shall be established in order to provide for the long-term maintenance of the roads.
23. The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation and pay all applicable fees prior to commencement

of any improvements on the project facilities. All improvements shall be consistent with the approved tentative map.

24. The final map shall show all utility, road, and drainage easements per the recommendation of the utility purveyors and the County Engineer. Final determination of the location of said easements shall be made by the County Engineer. Said easements shall be irrevocably offered to the County.
25. Subdivision improvements shall include driveways for all lots with street cuts or fills along the frontage of six feet or more difference in elevation or as found necessary for reasonable use by the Director of the Department of Transportation.
26. A final drainage study shall be prepared by the subdivider and submitted with the subdivision grading and improvement plans for review and approval by the Department of Transportation. All drainage facilities identified in the drainage study shall be included in the subdivision grading and improvement plans.
27. Open channel drainage: The applicant shall minimize the use of culverts and concrete V-ditches and maximize the use of open, unlined, and vegetated channels to facilitate removal of pollutants and sediment and to preserve a more natural, rural feel to the development. The applicant shall employ best management practices to protect water quality and to minimize erosion in the drainage system.
28. Cross lot drainage shall be avoided wherever possible. When cross lot drainage does occur, it shall be contained within dedicated drainage easements. ~~This drainage shall be conveyed via closed conduit or v ditch to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway.~~
29. The final map shall show all drainage easements consistent with the County of El Dorado Drainage Manual, the project final drainage plan, and the project improvement plans as irrevocable offers of dedication to the County.
30. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.
31. Prior to approval of the final map by the Board of Supervisors, the subdivider shall be required to form a County Service Area Zone of Benefit to fund drainage facilities maintenance.
32. Grading and improvement plans shall incorporate protective measures toward existing oak trees pursuant to Volume IV, Design and Improvement Standards Manual, Oak Tree and Wetlands Preservation Requirements and Specifications (County Resolution No. 199-91).

33. The responsibility and access rights for maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).
34. Erosion control and drainage design from residential areas into open space areas shall employ natural appearing methods. The use of native plant materials is required where revegetation is proposed.
35. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to the Department of Transportation with the drainage and geotechnical reports in PDF format and the record drawings in TIF format.
36. Plans for landscaping within the right of way, shall be incorporated into the subdivision improvement plans. This may be done as a change order after the improvement plans are approved.
37. The location of fire hydrants, systems for fire flows, and fire protection access are to meet the requirements of the responsible fire protection district. The location of hydrants shall be shown on the improvement plans which shall be subject to the approval of the fire protection district.
38. If blasting activities are to occur in conjunction with subdivision improvements, the subdivider shall ensure that such blasting activities are conducted in compliance with state and local regulations.
39. If burning activities are to occur during the construction of the subdivision improvements, the subdivider shall obtain the necessary burning permits from the California Department of Forestry and air pollution permits from the County prior to said burning activities.
40. A letter of agreement from the cable television franchisee, pursuant to Section 16.16.010(I) of the County Code, shall be submitted to the Planning Services prior to approval of the final map.

El Dorado County Fire Protection District

41. Prior to improvement plan approval, the applicant shall submit a review fee of \$300.00 to the El Dorado County Fire Protection District.
42. Two Muller model 200 Centurion fire hydrants shall be shown on the improvement plans and installed throughout the subdivision subject to approval by the El Dorado County Fire Protection District.
43. Parking shall be permitted on one side of Mercury Trail only with no parking signs or painted red curb to be installed to the satisfaction of the El Dorado County Fire Protection District prior to subdivision occupancy.

44. Gating of the subdivision is prohibited without an approved special use permit.

Planning Services

45. A meter award letter or similar document shall be provided by the water purveyor prior to filing the final map.
46. The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. The fees shall be paid at the time of filing the final map.
47. The subdivider shall be subject to a \$150.⁰⁰ appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.
48. At time of map recording, Lot A (7.15 acres) shall be dedicated to a Homeowner's Association or similar entity as open space with appropriate maintenance program as required under Mitigation Measure 7.

Development Plan

49. As no setback variations were requested as part of the development plan, setbacks for lots smaller than the minimum allowed by the existing zoning shall be determined by the zone district which prescribes a minimum parcel size closest to the size of the subject lot pursuant to Section 17.20.105 of the Zoning Ordinance.

Surveyor's Office

50. All survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval or the developer shall have the surety of work to be done by bond or cash deposit. Verification of set survey monuments or amount of bond or deposit shall be coordinated with the County Surveyor's Office.
51. The roads serving the development shall be named by filing a completed road name petition with the County Surveyor's Office prior to filing the final map.

The action can be appealed to the Board of Supervisors within ten working days.

9. SPECIAL USE PERMITS (Public Hearing)

- a. **S04-0045/Camp Fleming Girl Scout Camp** submitted by the TIERRA DEL ORO GIRL SCOUT COUNCIL (Agent: Aspen Street Architects, Inc./Rob Westerhoff) to allow the construction of a 2,000 square foot lodge with kitchen facilities and restrooms to be served by a separate well and on-site septic disposal system. The properties, identified by Assessor's Parcel Numbers 093-021-09 and -10, consisting of 443.2 acres, are located

north of Happy Valley Road, approximately four miles east of the intersection with Mt. Aukum Road, in the **Somerset area**. (Mitigated negative declaration prepared)*

Staff: Jason Hade recommended conditional approval. The applicant was not present. There was no one wishing to give input.

MOTION: COMMISSIONER MAC CREADY MOVED, SECOND BY COMMISSIONER TOLHURST AND UNANIMOUSLY CARRIED TO ADOPT THE MITIGATED NEGATIVE DECLARATION, AS PREPARED, AND APPROVE S04-0045 BASED ON THE FINDINGS AND SUBJECT TO THE CONDITIONS PROPOSED BY STAFF.

Findings

1.0 CEQA FINDINGS

- 1.1 The Planning Commission has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the Planning Commission and has been completed in compliance with CEQA and is adequate for this proposal. A de minimis finding on the project's effect on fish and wildlife resources cannot be found and the project is 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 Planning Commission finds that through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.
- 1.4 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 GENERAL PLAN FINDINGS

- 2.1 As proposed, the project is consistent with the Natural Resource (NR) land use designation of the subject site as defined within General Plan Policy 2.2.1.2 because the NR land use designation specifically includes recreation as a compatible use.

- 2.2 The proposal is consistent with General Plan Policies 2.2.5.11, 2.2.5.21, 6.2.3.2, 7.1.2.1, and 7.4.4.4 concerning land use compatibility, fire safe access, grading on slopes in excess of 30 percent and tree canopy retention standards. Because of the project's provision of adequate access, site design, and efforts to fit within the context of the surroundings land uses, it is consistent with the General Plan policies identified above.

3.0 ZONING FINDINGS

- 3.1 The subject site is zoned Residential Agricultural–Eighty-acre (RA-80) which permits the proposed use with an approved special use permit under Section 17.30.190 (A).
- 3.2 As proposed, the project meets all applicable development standards contained within Section 17.30.200 of the *El Dorado County Zoning Ordinance*.

4.0 ADMINISTRATIVE FINDINGS

- 4.1 The issuance of a Special Use Permit for the proposed project is consistent with the General Plan as detailed in the General Plan findings above.
- 4.2 The proposed use is not considered detrimental to the public health, safety and welfare, or injurious to the neighborhood based on the analysis within the staff report. The proposed project is found to have less than significant public health, safety, and welfare impacts regarding emergency access, traffic, parking and aesthetic issues. No agency objections were expressed during the project review process.
- 4.3 The proposed use is specifically permitted by special use permit pursuant to Section 17.30.190 (A).

CONDITIONS

1. This special use permit approval is based upon and limited to compliance with the project description 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 description is as follows: A special use permit to construct a 2,000 square foot lodge to accommodate up to 30 campers with kitchen facilities and restrooms to be served by a separate well and on-site septic disposal system. Several new parking areas are also to be constructed throughout the Girl Scout Camp.

MITIGATION MEASURE FROM PROPOSED MITIGATED NEGATIVE DECLARATION

2. In order to avoid further disturbance of historical resources at the subject site during project construction, orange mesh fencing or a similar suitable alternative shall be

installed to enclose the historical resources identified as sites "I" and "J" in "Archaeological Recording of Historical Resources on the Camp Fleming THP 4-99-09/ELD-4," prior to the issuance of a grading and/or building permit.

Monitoring: When submitting plans for a grading permit, the applicant shall note the sensitive areas to be enclosed at the subject site. Prior to the issuance of a grading permit, the applicant shall provide documentation to Planning Services staff to verify satisfactory implementation of this mitigation measure.

3. 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. Planning Services shall review the grading plans prior to the issuance of a grading permit.

Monitoring: Prior to the issuance of a grading permit, Planning Services staff shall review the submitted plans to ensure that notes have been included regarding the mitigation measure discussed above.

PROJECT SPECIFIC CONDITIONS

Planning Services

4. All site improvements shall conform to Exhibits E, F, and G which are in the project file in Planning Services.
5. The applicant is responsible for constructing new parking areas throughout the Girl Scout Camp, as shown on the submitted site plan. All campground parking facilities shall be graded and surfaced with two inches of aggregate base prior to final occupancy.
6. Any proposed outdoor lighting shall conform to Section 17.14.170 of the County Code and be fully shielded pursuant to the Illumination Engineering Society of North America (IESNA) full cut-off designation as determined by Planning Services prior to final occupancy of the facility.
7. Prior to occupancy or commencement of any use authorized by this permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services prior to occupancy for verification of compliance with applicable conditions of approval.

Pioneer Fire Protection District

8. Prior to issuance of a building permit, all plans shall be reviewed by the Pioneer Fire Protection District to verify compliance with the uniform fire code and other fire safe related issues, as determined by the Pioneer Fire Protection District.

California Department of Health Services/El Dorado County Environmental Management Department

9. Prior to final occupancy, an application to amend the water system permit must be reviewed and approved by the California Department of Health Services and El Dorado County Environmental Management Department.

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

- b. **S06-0009/Smith Flat 2** submitted by VERIZON WIRELESS/Complete Wireless (Agent: Erin Merrill) to allow the construction of a wireless telecommunications facility to include a 120-foot monopine tower with 12 antennas and 2 microwave dishes and ground-mounted equipment within a 2,000 square foot lease area. The property, identified by Assessor's Parcel Number 048-520-22, consisting of 1.72 acres, is located on the north side of U.S. Highway 50, 200 feet northeast of the intersection with Still Meadows Road, in the **Placerville area**. (Negative declaration prepared)

Staff: Jonathan Fong recommended conditional approval. Erin Merrill was present and agreed to the proposed condition pertaining to the replacement of the three oak trees that will be removed. No further input was received.

MOTION: COMMISSIONER CHALOUPKA, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO ADOPT THE NEGATIVE DECLARATION, AS PREPARED, AND APPROV E S06-0009 BASED ON THE FINDINGS AND SUBJECT TO THE CONDITIONS PROPOSED BY STAFF.

Findings

Special Use Permit S06-0009 has been requested by Verizon Wireless for the purpose of installing a 120-foot steel mono-pine with 12 panel antennas mounted at a centerline of 106 feet and two microwave dishes at 98 feet respectively at 2605 U.S. Highway 50 in Placerville. This special use permit authorizes Verizon Wireless to place the monopine and ground equipment within a 50-foot by 40-foot lease area to be enclosed by a six-foot-high chain link fence. The special use permit may be approved or conditionally approved based on the following findings:

CEQA Findings

- 1.1 Staff has prepared an initial study to determine if the project will have a significant environmental impact and a Negative Declaration has been filed. The proposed wireless facility has been designed to blend in with the surrounding area to minimize visual

impacts. Radio frequency emissions generated from the project are below the Federal Communications Commission established thresholds.

- 1.2 The proposed project will not have a significant effect on the environment, based on the analysis contained in the staff report, Environmental Questionnaire, and site visit. Further, the project will not affect wetlands, water courses, 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.
- 1.3 The documents which constitute a record of proceedings upon which this decision is based are in the custody of Planning Services at 2850 Fairlane Court, Placerville CA, 95667.

Special Use Permit Findings

- 2.1 The issuance of the permit is consistent with the general plan because the proposed wireless facility has been designed the cellular facility addressing aesthetics, environmental issues and health and safety concerns, as required by the General Plan.
- 2.2 The use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood because the wireless facility has been designed to minimize potential negative effects in the area. The wireless facility will not generate radio frequency levels that exceed the thresholds established by the Federal Communications Commission.
- 2.3 Section 17.14.200 (5) (b) of the zoning ordinance permits wireless facilities in residential areas subject to approval of a special use permit.

Administrative Findings:

- 3.1 The use is found to comply with the zoning ordinance because the wireless facility has been designed to minimize potential negative impacts in the project vicinity. The monopine has been designed to blend in with the existing vegetation in the area and will screen the wireless antenna panels and microwave dishes from view. The ground mounted equipment and fence will be painted brown to screen the materials from view. The project location meets all required setbacks and development standards for the Single Family Three-acre Residential (R3A) Zone District.

Conditions

This special use permit approval is based upon and limited to compliance with the approved project description 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 description is as follows: A special use permit to construct a 120-foot tall monopine wireless communications facility. The monopine will include 12 antennas mounted at 106 feet and two microwave dishes mounted at 98 feet. The antennas shall be painted green and the tower will be painted flat brown and faux bark covering it up to 47 feet. The branches start at 42 feet above ground level. The ground mounted equipment and fence slats will be painted a brown to match the tower.

Additional ground mounted equipment including an equipment shelter and backup generator are to be located with the mono-pine within a 2,000 square foot fenced lease area.

Development Services Department- Planning Services

1. All site improvements shall conform to the site plan and elevations attached as Exhibit D.
2. All equipment shelters, cabinets or other auxiliary structures shall be painted in a matching color. Planning Services shall verify the painting of the structures prior to final inspection and approval of the facility.
3. For collocation purposes, no further review by the Planning Commission shall be required, provided that all ground-mounted equipment is located within the proposed leased area, and provided that any one of the proposed carriers installs no more than 12 panel antennas per carrier are placed on the mono-pine, and that there shall not be any increase overall height of the tower and branches.
4. All improvements associated with the communication facility, including equipment shelters, antennae, and fencing shall be properly maintained at all times. Planning Services requires that that all colors of the equipment enclosure and other improvements visible to the public shall be maintained to ensure the appearance remains consistent.
5. The applicant shall assume full responsibility for resolving television reception interference, if any, caused by operation of this facility. The applicant shall take corrective action within 30 days of receipt by Planning Services of any written television interference complaint.
6. Construction activities shall occur between the hours of 7 a.m. and 7 p.m., Monday through Friday, and 8 a.m. and 5 p.m. on weekends, and on federally-recognized holidays.
7. All obsolete or unused communication facilities shall be removed by the applicant within six months after the use of that facility has ceased or the facility has been abandoned. The applicant shall notify Planning Services at the time of abandonment and all disturbance related to the communication facility shall be restored to pre-project condition.

8. Due to the ever-changing technology of wireless communication systems, this special use permit shall be reviewed by the Planning Commission every five years. At each five-year review, the permit holder shall provide the Planning Commission with a status report on the then current use of the subject site and related equipment. The Planning Commission shall review the status report and, based on an assessment of the information provided, current wireless communications technology, and possible local or cumulative impacts, determine whether to: (1) Modify the conditions of approval in order to reduce identified adverse impacts; and (2) Initiate proceedings to revoke the special use permit, requiring the facility's removal, if it is no longer an integral part of the wireless communication system. By operation of this condition, it is the intent of the Planning Commission to reserve the right to modify existing or add new conditions, consistent with the language specified above. The failure of the Planning Commission to conduct or complete a five-year review in a timely fashion shall not invalidate this special use permit. The applicant shall pay a fee as determined by the Director of Development Services or designee to cover the cost of processing a five-year review.
9. 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 an 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 the appropriate measures are taken or the site is determined not to be of significance.
10. 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.
11. Pursuant to Resolution No. 240-93, a \$35.00 processing fee is required by the County Recorder to file the Notice of Determination. Processing fee is payable upon approval of Special Use Permit.
12. The applicant shall replace the three (3) removed oak trees with a 1:1 oak woodland (Replacement Land Area/Replacement Tree/Replacement Acorn-Density Ratio) replacement ratio as defined in the November 9, 2006, Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.4.4.4. Replacement trees shall be planted on site to the satisfaction of the Development Services Director or designee. An agreement to the satisfaction of County Counsel and the Development Services Director or designee shall be required to ensure the long term maintenance and preservation of the replacement trees. Replacement shall be subject to intensive to moderate management and 10 to 15 years of monitoring, respectively. Any trees that do not survive during this period shall be replaced. The replacement trees shall be planted prior to final inspection

and the maintenance agreement shall be provided to Planning Services prior to issuance of a building permit.

Air Quality Management District

13. The applicant is required to comply with District Rules during project construction. The applicant shall submit a fugitive dust plan application with appropriate fees paid to the District. The District shall review and approve the plan prior to commencement of construction.

El Dorado County Environmental Management Department/Hazardous Materials Division

14. Under the Certified Unified Program Agency (CUPA) programs, if the operation will involve the storage of reportable quantities of hazardous materials for backup power generation, a hazardous materials business plan for the site must be submitted to the Department and applicable fees paid prior to issuance of a building permit.

El Dorado County Department of Transportation:

15. A commercial grading plan is required. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department for review and approval prior to issuance of a building permit. The commercial grading 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.

El Dorado County Fire Protection District

16. The applicant shall comply with the following requirements of the El Dorado County Fire Protection District:
 - a. The applicant shall pay the site plan review fee of \$150.00 to the fire district prior to commencement of any work performed.
 - b. The applicant shall install an access road which shall provide a minimum 12 foot road width. Access roads shall maintain a 13 foot 6 inch vertical clearance and be capable of supporting a 40,000 pound load. Road grades shall not exceed 16 percent. The access road shall be located within 50 feet of the project site. The Fire District shall review and approve the location and design of the access road prior to issuance of a grading permit.
 - c. The applicant shall install a Fire District approved turn-a-round. The applicant may install a Fire District approved fire suppression system in place of a turn-around. The turn-a-round or fire suppression system will be reviewed by the Fire District prior to final inspection of the facility.

- d. The applicant shall install the address of the facility at the intersection of County Road 1022 and US Hwy 50. The Fire District shall verify the installation of the signage prior to final inspection of the facility.
- e. The applicant shall install a 'knox' box padlock at the equipment shelter and at the access gate. The Fire District shall verify installation of the security system prior to final inspection of the facility.
- f. The applicant shall provide vegetation clearance to meet 'Fire Safe' standards, which shall be 16 feet from the centerline of the access road and within the fenced equipment area. The Fire District shall verify vegetation clearance prior to final inspection of the facility.
- g. The applicant shall install an exterior mounted fire extinguisher within 75 feet of the generator. The fire extinguisher shall be mounted in a weatherproof cabinet. The fire extinguisher shall have a minimum 20BC rating. The Fire District shall verify installation of the fire extinguisher prior to final inspection of the facility.

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

10. REZONE/TENTATIVE PACEL MAP (Public Hearing)

- a. **Z05-0010/P05-0015** submitted by GALE ROSSI (Agent: Carlton Engineering/Jim Willson) to rezone property from Single-family Two-acre Residential (R2A) to One-acre Residential (R1A), and tentative parcel map proposing to create four one-acre parcels with design waivers for the following: 1. Allow adjustment to the 3:1 lot ratio standard; and 2. Reduce Standard Plan 101-B road width from 28 feet wide to 24 feet wide with a minimum of two-foot wide shoulders with no curb, gutter, and sidewalk. The property, identified by Assessor's Parcel Number 069-200-37, consisting of 4.02 acres, is located on the east side of Running Deer Road/Dunnings Road, approximately 1,000 feet south of the intersection with Green Valley Road, in the **Shingle Springs area**. (Mitigated negative declaration prepared)

Staff: Peter Maurer recommended approval. Gale Rossi was present and agreed with the staff report and proposed conditions. Rich MaCauley, adjacent property owner, voiced concern regarding there being no road maintenance, would like to see a 24-foot road in order to save trees, and construction access. Could there be a fire access gate to separate Dunning and Running Deer. Gay Middleton would like to see the property remain at R2A. Gale Rossi referred to one of the conditions pertaining to a road maintenance agreement for his property. The road will also be widened. There was no further input.

MOTION: COMMISSIONER MACHADO, SECOND BY COMMISSIONER KNIGHT AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENATION THAT THE BOARD OF SUPERVISORS ADOPT THE MITIGATED NEGATIVE DECLARATION, AS PREPARED; APPROVE Z05-0010 REZONING ASSESSOR'S

PARCEL NUMBER 069-200-37 FROM SINGLE-FAMILY TWO-ACRE RESIDENTIAL TO ONE-ACRE RESIDENTIAL, BASED ON THE FINDINGS PROPOSED BY STAFF; AND APPROVE P05-0015 BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1.0 CEQA FINDING

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal. 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 County finds that through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.
- 1.4 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 GENERAL PLAN FINDINGS

- 2.1 The site of the requested zone change from Single-family Two-acre Residential (R2A) to One-acre Residential (R1A) is located in the Rescue Rural Center Boundary and conforms to the land use designation of Medium Density Residential (MDR). MDR allows for a minimum parcel size of one-acre and the rezone is found to be a transition between R20,000 and R2A.
- 2.2 The request is found to be consistent with the 2004 General Plan Policies, as described in the staff report, specifically as related to land use compatibility, traffic and circulation, infrastructure requirements and utilities, and biological resources (including oak tree canopy and endangered species protection.)

3.0 ZONING FINDINGS

- 3.1 Upon approval of the requested zone change, the proposed parcel map is consistent with the minimum lot size of one acre and all applicable development standards for the R1A Zone District.

4.0 PARCEL MAP FINDINGS

- 4.1. **The proposed parcel map, including design and improvements, is consistent with the General Plan policies and land use map.**

The parcel map is consistent with the Medium Density Residential land use designation and is consistent with the applicable policies as discussed in the staff report, relating to biological resources, traffic, infrastructure, and land use compatibility.

- 4.2. **The proposed parcel map conforms to the applicable standards and requirements of the County's zoning regulations and the Minor Land Division Ordinance.**

The proposed 4.02-acre parcel map complies with the One-acre Residential (R1A) development regulations, the Minor Land Division Ordinance and the Design Improvement Standards Manual, based on a minimum parcel size of one acre and conformance with minimum lot width and other design standards. Upon approval of the requested design waivers, the map will be in conformance with applicable subdivision ordinance requirements.

- 4.3. **The site is physically suitable for the proposed type and density of development.**

The proposed project provides suitable development areas for four single family residential dwelling units with septic systems. The project site will be serviced by El Dorado Irrigation water for each parcel. The 4.02-acre property does not contain wetlands or water courses that would prohibit residential development. Habitat for the valley longhorn beetle will not be disturbed by development and tree canopy retention standards are consistent with General Plan Policies. The project, as conditioned, will be compatible with the adjacent and surrounding properties.

- 4.4. **The proposed parcel map is not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.**

An Initial Study and a Mitigated Negative Declaration has been prepared in accordance with the CEQA Guidelines. Habitat and suitable buffer area for the valley longhorn beetle will be maintained and preserved until perpetuity. Tree removal for residential development is consistent with the tree retention standards identified in policy 7.4.4.4 of the General Plan. Water for residential development will be provided for by El Dorado Irrigation District and not rely on ground water. Waste water will be treated by individual septic systems. Individual development sites are located on slopes less than 30 percent and site access to the individual parcels will be provided by a private paved road.

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 after mitigation that there would be no significant impact on fish or wildlife or their habitat from the project.

4.5 The design of the parcel map is not likely to cause serious public health hazards.

The design of the proposed parcel map meets the minimum lot size of one-acre and be required to meet the minimum fires safe regulations for road width. As a condition of approval, the project will require the installation of a new fire hydrant. The project site is not located in an asbestos review area or flood zone. The proposed parcel is not located in an area that would be subject to landslides, mudslides or avalanches. Access to the proposed parcels will be from an existing paved private road.

4.6 The proposed map is consistent with the provisions of Section 4291 of the California Public Resources Code.

The map has been reviewed by the Rescue Fire Protection District, and conditions relating to road improvements and adequate water supply for fire protection have been recommended that would make the project consistent with the California Fire Safe Regulations.

5.0 DESIGN WAIVER REQUEST FINDINGS

5.1 Request to exceed lot depth to width ratio by 30 feet.

5.1.1 There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.

The 4.02-acre parcel is trapezoidal in shape, double frontage, making four parcels of equal length and width difficult to accomplish. Parcel number s3 and 4 exceed the required length by 30 feet on average. Development on the eastern end of the parcels is constrained by the location of habitat for an endangered species.

5.1.2 Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.

Creating parcels that all meet the 3:1 ratio requirement would necessitate construction of a new road that is unnecessary to provide adequate access and building sites on the proposed parcels.

5.1.3 The adjustment or waiver(s) would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.

Future residential development will be required to meet the One-acre Residential (R1A) zoning development standards for setbacks, building height, and be required to meet all

Fire Safe Regulations and Building Codes. The project as designed meets these requirements.

5.1.4 This waiver(s) would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.

Approval of the requested waiver would not be contrary to the provisions of the Zoning Ordinance, SRA State Fire Safe Regulations, and will not nullify the additional requirements contained in Title 16 of the County Code.

5.2 Reduction of (Running Deer Road) road width of 28 feet to 24 feet with no curb and gutter.

5.2.1 There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.

The existing Running Deer Road is approximately 19 feet wide, and improving Running Deer Road to 24-foot wide will be a considerable improvement. Widening the road to 28 feet wide along the proposed project site would create discontinuity between lower sections of Running Deer Road and Dunning's road to the north including additional tree removal and grading.

5.2.2 Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.

Standard Plan 101B requires 28 feet of paved roadway width with Type I rolled curb and gutter. The additional four feet of width would necessitate additional grading and tree removal along 485 feet of frontage, conflicting with tree canopy protection policies. The additional width would provide no additional benefit toward improved circulation or emergency access.

5.2.3 The adjustment or waiver(s) would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.

The Rescue Fire District recommended that the applicant extend and maintain a 24-foot road from Dunning's Road to the end of the southwest property corner on parcel 4. The reduced road width of 24 feet meets the Fire Safe regulations.

5.2.4 This waiver(s) would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.

Approval of the requested waiver would not be contrary to the provisions of the SRA State Fire Safe Regulations and will not nullify the additional requirements contained in Chapter 16 of the County Code.

MITIGATION MEASURES/CONDITIONS

MITIGATION MEASURES FROM PROPOSED MITIGATED NEGATIVE DECLARATION

1. A 100 foot setback buffer from the Valley Elderberry Longhorn Beetle host plant shall be shown on the parcel map and a notice of restriction shall be recorded against Parcels 3 and 4 concurrently with the map indicating the development restriction. Future residential development shall avoid disturbance of the insect, as provided in the *Conservation Guidelines for the Valley Elderberry Longhorn Beetle*, as outlined in the initial study for this project.

MONITORING: Planning Services shall review the parcel map prior to recordation to ensure the placement of a 100-foot non-building setback buffer from the Valley Elderberry Longhorn Beetle host plants is indicated and a notice of restriction has been recorded.

CONDITIONS

Department of Transportation

1. The applicant shall widen that portion of Running Deer Road fronting the property to a 24-foot width Standard Plan 101B with Type 1 rolled curb and gutter.
2. The applicant shall submit an improvement 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.
3. Applicant shall irrevocably offer to dedicate a road and public utilities easement for the onsite portion of a ~~50-25-foot right of way, measured from the existing road centerline of Running Deer Road along the project frontage, on the parcel map. This offer will be rejected.~~
4. The parcel map shall include the extension of the existing 15 foot wide non-vehicular across the entire frontage on North Shingle Road to eliminate the existing driveway access that was granted by PM37-28.
5. The applicant shall remove the existing driveway entrance to North Shingle Road prior to filing the parcel map.
6. The applicant 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 Major Land Division Ordinance prior to filing the parcel map.

7. Applicant shall join and/or form an entity, satisfactory to the County, to maintain all roads not maintained by the County, both onsite and for those roads that are required for access to County or State maintained roads. If a Zone of Benefit, Home Owners Association, or informal road maintenance association cannot be formed to maintain non-County maintained roads, the applicant should be aware that Civil Code 845 requires that the owner of any easement in the nature of a private right-of-way, or of any land to which any such easement is attached, shall maintain it in repair, and in the absence of an agreement, the cost shall be shared proportionately to the use made of the easement by each owner.
8. If blasting activities are to occur in conjunction with grading or improvements, the applicant shall ensure that such blasting activities are conducted in compliance with state and local regulations.
9. The applicant shall provide a soils report at time of improvement plan or grading permit application addressing, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
10. Any import or exported soils material to be deposited within El Dorado County shall require an additional grading permit for that offsite grading.
11. The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.
12. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.
13. Applicant shall pay the traffic impact fees in effect at the time a building permit is issued.
14. The applicant shall construct or confirm that Running Deer Road onto North Shingle Road conforms to Standard Plan 103C.

Fire District

14. The applicant shall upgrade the water line to provide a minimum flow of 1,500 gallons per minute. Water line improvements are subject to the approval of the El Dorado Irrigation District and shall be shown on the improvement plans submitted to the Department of Transportation

15. The applicant shall install a new fire hydrant on the existing eight-inch water line, on the northwest corner of parcel number 1. The fire hydrant location will be determined by the Rescue Fire Department.
16. The parcel map and future residential development shall meet all the requirements of the California SRA Fire Safe Regulations and California Fire Code 2001 Edition.

Planning Services

17. The subdivision is subject to parkland dedication in-lieu fees, based on values supplied by the County Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. The fees shall be paid at the time of filing the parcel map. The subdivider shall be subject to a \$150.⁰⁰ appraisal fee payable to El Dorado County Assessor for the determination of parkland dedication in-lieu fees.
18. The applicant shall obtain demolition permits to remove the residential structure that bisects parcel number 2 and 3, the storage barn/shed on parcel 1 and 2, and the covered garage building on parcel 3 to conform with zoning regulations prior to map recordation.
19. During all grading activities in the project area, an archaeologist or historian approved by the Deputy Director of Planning Services 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 on the plans. Planning Services shall review the grading plans prior to issuance of a grading permit.
20. 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 on the plans. Planning Services shall review the grading plans prior to issuance of a grading permit.
21. The project construction activity shall be limited to the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m., on weekends and on federally recognized holidays. Planning Services shall verify that the construction hours have been placed on the grading, improvement and structural plans prior to issuance of grading and building permits.

22. The project construction equipment engines shall be fitted with appropriate mufflers and kept in good working condition as required by El Dorado County. Planning Services shall verify that this notation has been placed on the grading, improvement, and structural plans prior to issuance of grading and building permits.

Air Quality Management District

23. If burning activities are to occur during the construction of the project improvements, applicant shall obtain the necessary burning permits from the California Department of Forestry and air pollution permits from the County prior to said burning activities. Burning of wastes that result from "Land Development Clearing" must be permitted through the District pursuant to Rule 300.
24. If grading and or excavation operations are required for road improvements, the applicant shall submit and obtain an approved Fugitive Dust Plan that is in conformance to District Rules 223, 223.1 and 223.2 whichever is appropriate.
25. The use of heavy equipment for road improvements shall adhere to AQMD's district regulations.

County Surveyor

26. All Survey monuments must be set prior to filling the parcel map.
27. Prior to filing the parcel map, a letter to the County Surveyor will be required from all agencies that have conditions placed on the map. The letter will state that all conditions placed on the map by the agency have been met.

11. GENERAL PLAN AMENDMENT (Public Hearing)

- a. **A06-0006** initiated by the EL DORADO COUNTY BOARD OF SUPERVISORS to amend the land use designation from Medium Density Residential (MDR) to Commercial (C) on property identified by a portion of Assessor's Parcel Number 071-280-51. The property consists of 1.05 acre and is located on the east side of State Route 49, at the northerly intersection with Grand Fir Circle, in the **Cool area**. (Negative declaration prepared)*

Staff: Peter Maurer recommended approval. There was no input.

MOTION: COMMISSIONER MACHADO, SECOND BY COMMISSIONER CHALOUPKA AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS ADOPT THE NEGATIVE DECLARATION, AS PREPARED, AND APPROVE A06-0006 CHANGING THE LAND USE DESIGNATION ON ASSESSOR'S PARCEL NUMBER 071-280-51 FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO COMMERCIAL (C), BASED ON THE FINDINGS PROPOSED BY STAFF.

Findings

1.0 CEQA FINDING

- 1.1 El Dorado County has considered the Negative Declaration together with the 2004 El Dorado County General Plan E.I.R. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 The project will not affect wetland, 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.
- 1.4 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 General Plan Findings

- 2.1 The change in land use is a correction of a mapping error and conforms the land use designation to the existing zoning, consistent with the direction of the Planning Commission in their adoption of the 1996 General Plan.

12. GENERAL PLAN UPDATE

- a. **Draft Interim Guidelines Implementing General Plan:** Policies 7.4.4.4/7.4.4.5 (Oak Woodlands)

Staff: Steven Hust. Chair Knight would like to continue this item to the next meeting as the information was just received this morning by the Commissioners. Steven Hust briefly went through his report. Art Marinaccio has not had a chance to review the information. It seems some of the problematic issues have been addressed. The question is would not having this in place create more of a problem than adopting the Guidelines. We are going in the right direction until the policies can be amended. Kirk Bone, Parker Development Company, suggested something be put in place so staff has some guidance. He suggested adoption of the Guidelines and further review in 60 to 90 days. There was no further input.

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER CHALOUPKA AND UNANIMOUSLY CARRIED, IT WAS MOVED TO ADOPT THE PUBLIC REVIEW DRAFT INTERIM INTERPRETIVE GUIDELINES WITH STAFF TO REPORT BACK TO

THE COMMISSION ON FEBRUARY 8, 2007, ON HOW THE GUIDELINES ARE WORKING, SOONER IF THERE ARE ANY PROBLEMS.

Determination of Reasonable Use (Public Hearing)

- b. **Site Plan Review SPR06-137** submitted by MICHAEL and TAMMI SONSINI (Agent: Scott Story) seeking a determination of "Reasonable Use" of their property. The proposed residence requires the removal of Oak Woodland Canopy that is protected under General Plan Policy 7.4.4.4. The property, identified by Assessor's Parcel Number 110-311-26, consisting of one-half acre zoned One-family Residential (R1), is located on the east side of Crocker Drive, north of Hathaway Court, in the **El Dorado Hills area**.

Staff: Tim Chamberlain recommended the Commission find the proposed development is a reasonable use of the property. Scott Story represented the applicants. There was no further input.

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FIND THAT THE PROPOSED DEVELOPMENT CONSTITUTES A REASONABLE USE OF THE SUBJECT PROPERTY AND THAT A REDUCTION IN THE OAK CANOPY RETENTION REQUIREMENT OF 60 PERCENT IS WARRANTED.

13. ZONING ORDINANCE UPDATE

- a. **Revised Flowchart; Identification of Existing Code Problems; Goals; General Plan Implementation Measures; and Zone District Maps**

Staff: Roger Trout went through his memo from October 26 and the memo for the hearing today. Chris McCraffree, Tax Collectors Office, would like to be part of the process as they enforce the vacation rental regulations. There was no further input.

14. DEPARTMENT OF TRANSPORTATION - None

15. COUNTY COUNSEL'S REPORTS - None

16. DIRECTOR'S REPORTS - None

17. ADJOURNMENT

Meeting adjourned at 1:34 p.m.

APPROVED BY THE COMMISSION
Authenticated and Certified:

John Knight, Chair

