



## 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  
December 28, 2006 – 8:30 A.M.  
BUILDING C HEARING ROOM  
2850 Fairlane Court, Placerville, CA**

**1. CALL TO ORDER**

Meeting called to order at 8:32 a.m. Following persons were in attendance: Commissioners Mac Cready, Machado (after 9:00 a.m.), Chaloupka, Tolhurst, and Knight; Edward L. Knapp, County Counsel; and Jo Ann Brillisour, Clerk to the Planning Commission.

**2. ADOPTION OF AGENDA**

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER CHALOUPKA (Commissioner Machado was absent), IT WAS MOVED TO ADOPT THE AGENDA, AS PRESENTED.

**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.)**

**Minutes:** December 14, 2006

MOTION: COMMISSIONER CHALOUPKA, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO APPROVE THE OCNSTENT CALENDAR.

**5. DEPARTMENTAL REPORTS AND COMMUNICATIONS - None**

**6. COMMISSIONERS' REPORTS - None**

**PUBLIC FORUM/PUBLIC COMMENT - None**

7. **REZONES/PLANNED DEVELOPMENTS/TENTATIVE PARCEL MAPS**  
(Public Hearing)

a. **Z05-0020/PD05-0017/P05-0019/Hillsdale Office Park** submitted by TRES BANDITOS, LLC (Agent: Lane Borges-Borges Architectural Group, Inc.) to rezone property from Research and Development-Design Control (R&D-DC) to Research and Development-Planned Development (R&D-PD); development plan to construct five office buildings ranging in size from 3,250 to 4,800 square feet, one each on the five proposed parcels; and tentative parcel map to divide the 2.001-acre parcel into five parcels ranging in size from 11,866 to 26,158 square feet. The property, identified by Assessor's Parcel Number 117-085-10, is located on the south and east sides of Hillsdale Circle, approximately 530 feet west of the intersection with Robert Mathews Parkway, in the **El Dorado Hills area**. (Negative declaration prepared)

Staff: Tom Dougherty recommended approval. Lane Borges agreed with the proposed conditions. The applicant chose to have individual business signs within the project rather than a larger sign outside of the project. There was no further input.

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER KNIGHT AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS ADOPT THE NEGATIVE DECLARATION, AS PREPARED; APPROVE Z05-0020 REZONING ASSESSOR'S PARCEL NUMBER 117-085-10 FROM RESEARCH AND DEVELOPMENT-DESIGN CONTROL (R&D-DC) TO RESEARCH AND DEVELOPMENT-PLANNED DEVELOPMENT (R&D-PD), BASED ON THE FINDINGS PROPOSED BY STAFF; AND APPROVE PD05-0017/P05-0019, ADOPTING THE DEVELOPMENT PLAN AS THE OFFICIAL DEVELOPMENT PLAN; BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

**Findings**

**1.0 CEQA Findings**

1.1 El Dorado County has considered the Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal. 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).

1.2 The County finds that through feasible conditions 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 base are in the custody of the Development Services-Planning Services at 2850 Fairlane Court, Placerville, CA.

## **2.0 General Plan Findings**

- 2.1 As proposed, the project is consistent with the Research and Development (R & D) land use designation of the subject site as defined by General Plan Policy 2.2.1.2 because the R & D land use designation specifically includes office use as a compatible use.
- 2.2 The proposal is consistent with the intent of General Plan Policies 2.2.3.1, 2.2.5.2, 2.8.1.1, TC-Xf, TC-5b, 5.1.2.1, 7.3.5.1, 7.3.5.2, 7.4.4.2, 9.1.2.4. and 9.1.2.8 concerning the requirement for a planned development request, the floor/area ratio, lighting glare, traffic impacts, landscaping, and the inclusions of provisions that promote non-vehicular travel. Because of the project's provisions of adequate access, site design and attention to architectural design features that fit within the context of the surrounding uses, it is consistent with the General Plan policies identified above.

## **3.0 Zoning Findings**

- 3.1 The project is consistent with the El Dorado County Zoning Ordinance designation of Research and Development because the proposed office use is permitted pursuant to section 17.35.020©.
- 3.2 The project, as proposed and conditioned, and along with the zone change to Research and Development-Planned Development, are consistent with the El Dorado County Zoning Ordinance Development Standards because the five parcels ranging in size from 11,866 square feet to 26,158 square feet are being addressed with a planned development application and the proposed buildings meet the development standards pursuant to section 17.35.

## **4.0 ADMINISTRATIVE FINDINGS**

### **4.1 Planned Development PD05-0017 Findings**

- 4.1.1 Issuance of a planned development (PD05-0017) for a commercial office park with five office buildings, landscaping, lighting, signage and parking.
- 4.1.2 The planned development request is consistent with the General Plan because the application is for a professional office park, being developed in a campus like setting as required by the General Plan.
- 4.1.3 The proposed development is so designed to provide a desirable environment within its own boundaries providing outdoor landscaping, lighting, pedestrian traffic, and subdued design features which will enhance the environment for the tenants within the business

park; therefore, it can be found that the proposed development will provide a desirable environment within its own boundaries.

- 4.1.4 The project is being developed or conditioned to comply with all County code requirements. No exceptions are being requested.
- 4.1.5 That the site is physically suited for the proposed uses since it is located within a business park environment; therefore, it can be found that the site is suited for the office development.
- 4.1.6 All required utilities are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities.
- 4.1.7 That the proposed uses do not significantly detract from the natural land and scenic values of the site since it devoid of trees and shrubs and has previously been mass graded and the proposal will provide the required landscaping, enhancing the natural environment.
- 4.1.8 The proposed project, including design and improvements, is consistent with the General Plan policies and land use map since it is for a professional office park, being developed in a campus like setting as required by the General Plan. As required by the R&D Zone District, a planned development has been applied for, to allow for the creation of parcels less than two acres in size.

## **4.2 Parcel Map P05-0019 Findings**

- 4.2.1 Issuance of a parcel map (P05-0019) to subdivide a 2.001-acre research and development parcel into five parcels ranging in size from 11,866 to 26,158 square feet.
- 4.2.2 The proposed parcel map does conform to the applicable standards and requirements of the County's zoning regulations and the Minor Land Division Ordinance because the project site has been evaluated in accordance with the R&D development regulations and it has been found that the project complies with the minimum design standards, as conditioned.
- 4.2.3 The site is physically suitable for the proposed type and density of development because the site is located within a business park, and it can be found that the site is suited for the office development.
- 4.2.4 The proposed parcel map is not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. The parcel map is an administrative document to allow the individual ownership of buildings within the development. No environmental impacts will be created by the parcel map. An Initial Study has been prepared in accordance with the CEQA Guidelines and it can be found that there would be no impact significant impact on fish or wildlife or their habitat from the project.

4.2.5 The design of the parcel map is not likely to cause serious public health hazards. The proposed parcel map would not create an undue negative impact upon the business park. It can be found that the improvements would not be detrimental to the public health, safety and welfare or injurious to the business park because the surrounding infrastructure is in that can support it.

**Conditions**

1. This planned development, zone change, and parcel map 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:** Zone change (Z05-0020) from Research and Development-Design Control (R&D-DC) to Research and Development-Planned Development (R&D-PD); planned development (PD05-0017) to allow the construction of five office buildings ranging in size from 3,250 to 4,800 square feet, one each on the five proposed parcels; and tentative parcel map (P 05-0019) to subdivide the 2.001-acre research and development lot into five parcels ranging in size from 11,866 square feet to 26,158 square feet.

The parcel is identified as Assessor's parcel number ~~108-108-275-10~~ 117-085-10.

The following table provides the proposed building sizes (from Exhibit E, Site Plan), and proposed parcel sizes (from Exhibit F, Tentative Parcel Map):

PARCEL NUMBER	PARCEL SIZE (Square Feet)	BUILDING	BUILDING SIZE (Square Feet)
1	15,389	A	3,250
2	14,767	B	3,250
3	26,280	C	4,800
4	11,866	D	3,000
5	18,860	E	3,000

Each building exterior includes dark brownish/burgundy brick veneer from the finished floor up to approximately six feet in the areas between the aluminum storefront vistawalls. From six feet up, the walls are stuccoed a tannish-brown color around the front door entrances that also have parapets, and a light tannish sandstone color. The roof is to be gray-colored concrete tiles.

**Planning Services**

2. All site improvements shall conform to Exhibits E, F, G1, G2, H, I1, I2, and J in the project file on file at Planning Services.
3. Prior to issuance of a building permit 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 of approval imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services prior to issuance of a building permit for verification of compliance with applicable conditions of approval.
4. The following signs are authorized: Five two-faced, 30 square-foot free-standing monument signs, one for each of the five proposed parcels, each to be used for up to two tenants only. These monument signs comply with the County Code requirements. All sign copies, locations and sizes will be required to meet the El Dorado County Zoning Ordinance as well as the Developer Landlord as described in the "Hillsdale Office Park: Signage Guidelines," included as Exhibits H1 and H2.

The sign plans shall be reviewed for compliance with the approved sign program by the Development Services Director or designee prior to issuance of a building permit.

5. The final landscape plan shall comply with Section 17.35.030D (4b) of the County Code, which requires that 50 percent of the parking lot be landscaped with shade trees from the Planning Department approved list, and that the tree canopy be achieved within 15 years of securing a building permit. Landscaping is required to meet Zoning Code Chapter 17.18.090, and General Plan Policies 7.3.5.1 and 7.3.5.2. The final Landscape Plan shall meet the intent of the General Plan Policies for inclusion of native El Dorado County plants indigenous to the project vicinity. Overhead irrigation shall be replaced by drip irrigation or bubblers. A Final Landscape Plan and Water Conservation Landscape Statement, if applicable, shall be submitted to the Planning Services for review and approval prior to issuance of a building permit. Applicant shall install and maintain landscaping in accordance with the approved final landscaping plan in perpetuity or unless otherwise modified through any future permit.
6. All outdoor lighting shall conform to §17.14.170 and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. The fourteen pole lights shall not exceed fifteen feet in height from ground level. The applicant shall submit a light fixture detail in compliance with the IESNA standards for review and approval by Planning Services prior to issuance of a building permit. In addition, the following apply:
  - a. External lights used to illuminate a sign or side of a building or wall shall be shielded in order to prevent light from shining off the surface to be illuminated.

- b. Lighting for outdoor display areas shall be turned off within 30 minutes after the closing of the business. No more than 50 percent of the parking lot lighting may remain on during hours of non-operation. Security lighting shall be designed with motion-sensor activation.

Should final, installed lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of Planning Services.

- 7. Building design and colors, building placement, and parking lot improvements shall be completed in conformance with the plans submitted and in conformance with the conditions of approval herein and shall substantially comply with Exhibits F1 and F2. Minor variations are allowed, however, any major changes in the design of buildings, location of buildings, access ways, and parking shall require review and approval by the Development Services Director or designee prior to project modifications.
- 8. Parking shall be improved consistent with Chapter 17.18 of the County Code, including the April 14, 1993 California Accessibility Regulations. The uses will be re-evaluated during the tenant improvement/building permit process prior to issuance of a building permit to ensure that parking will be available for each use, and to be sure the initial proposed uses were not subjected to a change. All loading and unloading of goods shall be conducted within a building or an area fenced for out door storage. Parking shall conform to Exhibit E and shall consist of 56 standard spaces, 19 compact spaces, and 8 handicap spaces.
- 9. A joint access and parking agreement shall be provided to ensure on-going access and maintenance of the parking to all property owners within the Hillsdale Office Park. A copy of said agreement shall be provided to Planning Services for review and approval prior to issuance of a building permit. The approved agreement shall then be recorded and a copy shall be provided to Planning Services prior to final occupancy and filing of the final parcel map.
- 10. The applicant shall include provisions for bicycle parking on the site by providing a minimum of four bicycle spaces/racks, not necessarily all together, within the project where they can be shared by all five parcels, at locations at the discretion of the applicants. The bike racks maintenance and access shall be included in the joint access and parking agreement. The bike racks shall be installed prior to final occupancy.

**El Dorado Hills Fire Department**

- 11. The potable water system for the purpose of fire protection for this residential development shall provide a minimum fire flow of 1,750 gpm with a minimum residual pressure of 20 psi for two-hour duration. This fire-flow rate should be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of the system shall be supplied to the Fire Department for review and approval.

12. This development shall install Mueller Dry Barrel fire hydrants conforming to the El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 300 feet. The exact location of each hydrant shall be determined by the Fire Department.
13. To enhance the nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations.
14. In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to framing of any combustible materials as specified by the El Dorado Hills Fire Department Standard 103.
15. This development shall be prohibited from installing of any type of traffic calming devices that utilize a raised bump or a lower dip section of roadway.
16. Each building shall be addressed in accordance with Fire Department requirements.
17. The applicant shall provide the Fire Department with a CD that contains all CAD files for this project.
18. The fire access roadways shall be designed to accommodate a 40-foot inside and a 56-foot outside turning radius.
19. The applicant shall pay an annexation fee to El Dorado County Water District for each additional parcel of land created in accordance with the El Dorado Hills Business Park agreement.

**Department of Transportation**

20. The applicant shall submit improvement and grading plans, prepared by a professional civil engineer, to the Department for review and approval. The plans shall be in conformance with the County of El Dorado County *Design and Improvement Standards Manual*, the *Grading, Erosion and Sediment Control Ordinance*, the *Drainage Manual*, the *Storm Water Management Plan*, the *Off-Street Parking and Loading Ordinance*, Caltrans Standard Plans, and the State of California Handicapped Accessibility Standards. A commercial grading permit is required.
21. The applicant shall secure an encroachment permit, with the County, and the work must be substantially complete (as determined by the Department of Transportation) for the following improvements on Hillsdale Circle, prior to final occupancy:
  - a. Standard. Plan 103G driveway entrances, modified for maximum five percent ramps and two percent sidewalk cross-fall across the driveway,



and adding truncated domes at the edge of the driveway. Driveway widths shall be a minimum of 12 feet for one-way access and a minimum of 24 feet for two way access, as required by Section 17.18.B.3 of the El Dorado County Zoning Ordinance.

b. Six-foot wide sidewalks along the entire project frontage

22. Applicant shall pay the traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision, General Plan Policy TC-Xh.
23. The applicant shall provide a soils report at time of grading and improvement plan submittals 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.
24. Any import, or export to be borrowed or deposited within El Dorado County, shall require an additional grading permit for that offsite grading.
25. The applicant shall provide a drainage report at time of 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.
26. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer shall provide a CD to the Department of Transportation with the approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.

#### **El Dorado County Surveyor**

27. The five-foot public utility easement noted on the south boundary line should be noted as 7.5 feet pursuant to note 5 on the Parcel Map Book 36/Page 115.
  28. All survey monuments shall be set prior to filing and recording the parcel map.
  29. Prior to filing the parcel map, a letter to the County Surveyor shall be required from all agencies that have conditions placed on the map. The letter shall state that all conditions placed on the map by that agency have been met.
- b. **Z05-0016/PD05-0014/P05-0016** submitted by WILLIAM ORMOND (Engineer: Jeffery Crovitz, MGE Engineering, Inc.) to rezone property from Estate Residential Ten-acre (RE-10) to Estate Residential Ten-acre/Planned Development (RE-10/PD), development plan and tentative parcel map creating four residential lots ranging in size from 4.03 to 11.47 acres, with a commonly held open space area of 12.59 acres. A design waiver has been requested to reduce the road width improvement requirement for the access road to Lots 2, 3, and 4 from 24 to 20 feet.

The property, identified by Assessor's Parcel Number 071-450-03, consisting of 40.1 acres, is located on the east side of Cherry Acres Road, approximately one mile south of the intersection with State Route 193, in the **Cool area**. (Mitigated negative declaration prepared)

Staff: Gina Hunter presented this item recommending the project be continued due to the letter just received from the engineer for the project. The Department of Transportation has not had an opportunity to review the conditions in the letter. Commissioner Mac Cready asked if the new conditions are part of the Building Code. Ms. Hunter said most are standard Department of Transportation conditions. The applicant did not feel the project should be continued but deferred to his engineer who agreed to the continuance as long as they are able to make the Board hearing date on January 30, 2007. There was no further input.

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER CHALOUPKA, IT WAS UNANIMOUSLY MOVED TO CONTINUE Z05-0016/PD05-0014/P05-0016 TO THE MEETING OF JANUARY 11, 2007.

**8. REZONE/PLANNED DEVELOPMENT (Public Hearing)**

**Z06-0007/PD06-0008/Sierra Storage** submitted by J. B. HARRIS to rezone property from Commercial (C) to Commercial-Planned Development (C-PD) Zone; and development plan for 24, 10-foot by 20-foot mini-warehouse units. The property, identified by Assessor's Parcel Number 101-282-03, consisting of 0.22 acre, is located on the south side of Pony Express Trail, approximately 500 feet west of the intersection with Bonanza, in the **Pollock Pines area**. (Negative declaration prepared)\*

Staff: Aaron Mount recommended approval. Commissioner Mac Cready said there are single family residences on three sides and multifamily residential on the other. How does a non-conforming use get into these commercial districts? Peter Maurer explained how the zoning occurred. Commissioner Machado commented a planned development is to benefit the applicant, County, and neighbors. He does not see any benefit to the surrounding residents. Commissioner Mac Cready would like to see a landscape plan, not just conditions for landscaping.

J. R. Harris built another 50-unit facility up the street several years ago and would like this project to look the same.

Commissioner Tolhurst asked about the requirement for a fire wall as there are zero lot setbacks.

Commissioner Machado said the applicant is using the planned development to obtain more floor area ratio. He does not see any benefit other than to the applicant. Commissioner Mac Cready would like to continue this item until appropriate landscaping plans are submitted and reviewed by staff. Larry Appel asked for direction from the Commission on the amount of landscaping and percentage of the floor area ratio. Commissioner Mac Cready would like perimeter landscaping. Peter Maurer will work with the Building Division to make sure the design is consistent with building codes. On Condition 9, Commissioner Machado said there are no other sidewalks in Pollock Pines. Mr. Mount said staff is recommending earth-tone colors rather than what is proposed by the applicant.

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER KNIGHT AND UNANIMOUSLY CARRIED, IT WAS MOVED TO CONTINUE Z06-0007/PD06-0008 OFF CALENDAR TO ALLOW TIME FOR SUBMITTAL OF ELEVATION RENDERINGS AND DETAILED LANDSCAPING PLANS.

**9. REZONE (Public Hearing)**

**Z06-0033** submitted by EDWARD KELLER to rezone property from Estate Residential Five-acre (RE-5) to Commercial-Planned Development (C-PD) Zone. The property, identified by Assessor's Parcel Number 094-020-05, consisting of 2.58 acres, is located on the east side of Fairplay Road, approximately 325 feet south of the intersection with Mt. Aukum Road, in the **Somerset area.** (Negative declaration prepared)

Staff: Tom Dougherty recommended approval. Ed Keller concurred with the staff report and briefly explained his proposal. There was no further input.

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER TOLHURST AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS ADOPT THE NEGATIVE DECLARATION, AS PREPARED, AND APPROVE Z06-0033 REZONING ASSESSOR'S PARCEL NUMBER 094-020-05 FROM ESTATE RESIDENTIAL FIVE-ACRE (RE-5) TO COMMERCIAL-PLANNED DEVELOPMENT (C-PD), BASED ON THE FINDINGS PROPOSED BY STAFF.

**Findings**

**1.0 CEQA FINDING**

- 1.1 El Dorado County has considered the Negative Declaration together with comments received during the public review process. 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 rezone to Commercial-Planned Development would make the zone district designation compatible the Commercial land use designation.
- 2.2 The rezone would meet the intentions of Policies 2.1.2.1, 2.1.2.3 and 2.2.1.2 as it would allow uses directed to be located within a Rural Center and have the potential to provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County.
- 2.3 The rezone would meet the intentions of Policy 2.2.5.2 because the establishment of a new zone designation of Commercial (C) and the ensuing uses it allows is consistent with the allowed uses intended by the Commercial (C) land use designation.
- 2.4 The rezone would meet the intentions of Policy 2.2.5.3 because the location in a Rural Center, the current availability of supporting utilities and infrastructure, the easy access for emergency responders, and the potential for other surrounding commercial opportunities have determined that the site is appropriate for commercial development.
- 2.4 The rezone would meet the intentions of Policy 7.3.3.4 because Perry Creek is outside the northernmost parcel boundary and any future development plan that proposed development near that area would be analyzed for its potential impacts to that stream and said setbacks would be applied if applicable.
- 2.5 The rezone would meet the intentions of Policy 7.4.4.4 because all existing trees are located in the down-sloping rear, northern portion of the parcel, and future development permits will be looked at for the impacts to existing tree canopy when they are submitted.
- 2.6 The rezone would meet the intentions of Policy 8.1.1.5 because the 2.58-acre parcel has choice soils that are mapped only on the front approximately one-acre portion of the parcel which is much smaller in size than the typical size of concern for land to be considered for agricultural zoning designation.

**10. SPECIAL USE PERMIT (Public Hearing)**

**S98-0017R/Aerometals Facilities Expansion** submitted by REX KAMPHEFNER to allow the expansion of an aerometals manufacturing plant and relocation of a helipad. The property, identified by Assessor's Parcel Number 117-081-01, consisting of 5.613 acres, is located on the south side of Sandstone Drive, approximately 1,000 feet west of the intersection with Golden Foothill Parkway, in the **El Dorado Hills area**. (Mitigated negative declaration prepared)

Staff: Peter Maurer recommended conditional approval. Rex Kamphefner has been in operation for 10 to 11 years and has received no complaints. The new building will create a buffer for the existing residences. Lewis Bassano said their main concern is the loss of the view of the mountains. They do not mind the helicopter landing and would like the building moved to the other side of the property. Rosemary Jacobs prefers the view of the mountains. Perhaps the

parking lot could be moved to the area behind their houses. Commissioner Machado asked the height of the existing buildings. Mr. Kamphefner replied 20 feet. Commissioner Tolhurst asked about landscaping the area. Mr. Kamphefner said that area is for fire access. He would be willing to discuss landscaping. Commissioner Tolhurst would like to see a landscaping plan. Herb Weiss said he sees the hills now and will see the building. Could mature redwood trees be planted? O.J. Soma, from Aerometals, said they would like to provide vegetation on the surrounding properties rather than on the easement portion. Mr. Maurer proposed a condition pertaining to landscaping. Mr. Kamphefner agreed with the proposed condition.

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER CHALOUPKA AND UNANIMOUSLY CARRIED, IT WAS MOVED TO ADOPT THE MITIGATED NEGATIVE DECLARATION, AS PREPARED, AND APPROVE S98-0017R BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Changes made during this hearing are indicated by double underlining for additions and ~~double strikethrough~~ for deletions.

## **Findings**

### **1.0 CEQA Findings**

- 1.1 El Dorado County 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 County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 Through feasible conditions and mitigation placed upon the project, impacts on the environment relating to noise have been eliminated or substantially mitigated.
- 1.3 A de minimis finding on the project's effect on fish and wildlife resources cannot be made, therefore, 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).
- 1.4 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.
- 1.5 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 proposed manufacturing and testing use is consistent with the Research and Development land use designation of the 2004 General Plan.
- 2.2 The proposed project, including occasional helicopter test flights is consistent with the applicable policies of the General Plan relating to land use, floor area ratio standards, and noise, by implementing trip reduction measures and maintaining flight paths over non-populated areas.

**3.0 Zoning Findings**

- 3.1 The proposed use of a heliport as part of the manufacturing and testing business is authorized with approval of a special use permit by Section 17.35.025(A) of the El Dorado County Code.
- 3.2 The building and other site improvements comply with the development standards contained in Sections 17.35.030 and 17.14.170 of the El Dorado County Code.

**4.0 Special Use Permit Findings**

- 4.1 With specific conditions applied related to flight safety and fire protection as recommended by the State Department of Transportation, Division of Aeronautics, and the El Dorado Hills Fire Department respectively, the proposed revision to the special use permit would not be detrimental to the public health, safety and welfare.
- 4.2 With the relocation of the helipad and continued maintenance of the flight path away from the adjacent residentially-zoned property to the west, the use will not be detrimental to the neighborhood.

**5.0 Reduction in Parking Findings**

- 5.1 The increase in parking demand for the expanded facility will be for 10 new employees while 30 new spaces will be provided, meeting the intent of the parking ordinance.
- 5.2 The total of 75 parking spaces will be sufficient to support the full number of employees and customers at the site.
- 5.3 All necessary parking will be provided on site so the expanded use will not create an off-site parking problem or block fire access lanes, thereby ensuring that the reduction will not be detrimental to the public health or safety.

Conditions

Planning Services

1. The project, as approved, consists of the expansion of the manufacturing facility from 34,500 square feet to 73,350 square feet and the relocation of a helipad from the western boundary of the project site to the center of the site, as shown on Exhibit D. Helicopter use is limited to the McDonnell Douglas MD-500 helicopter. ~~The use shall conform to the approved site plan and project narrative attached to this report (Exhibit D and Exhibit E).~~ The helicopter is to be flown, on average, about once a week. The hours of operation shall typically be 8:00 a.m. to 5:00 p.m. with only an occasional night flight. Helicopter flights shall conform to FAA safety guidelines and flight rules, including the flight path as illustrated in Exhibit E.
2. The helicopter landing and takeoff area shall be located to the central portion of the property when residences are beginning to be constructed within 500 feet of the landing area shown on the site plan.
3. This special use permit will become void if the helicopter landing and takeoff use is abandoned for a period of one year.
4. If the helicopter landing and takeoff is found to create a public nuisance, or if the conditions of this permit have been violated, the County Planning Development Services Department may schedule a public hearing to revoke the use permit in accordance with the County Code.
5. ~~The applicant shall adhere to any State Department of Transportation, Division of Aeronautics, recommendations on traffic patterns and heliport operations regarding the school site selection.~~

An amended State heliport permit will be secured from the State Department of Transportation, Division of Aeronautics, prior to authorization and use of the relocated helipad.

6. The applicant shall file a "Notice of Landing Area Proposal" (Form 7480-1) with the Federal Aviation Administration (FAA). A copy of the completed Form 7480-1 and response from the FAA shall be submitted to Planning Services.
7. The applicant shall institute trip reduction measures by splitting the work shifts and maintaining off-peak work shifts in order to reduce vehicle trips impacting Latrobe Road from exceeding thresholds identified in Policy TC-Xe.
8. Subject to the issuance of a Streambed Alteration Agreement by the California Department of Fish and Game.

9. If legally possible and found to be in compliance with fire access requirements of the El Dorado Hills Fire Department, the applicant shall landscape the western boundary of the property with trees to break up the mass of the building wall. Landscape plans shall be submitted to and approved by Planning Services. As an alternative, planting on the adjacent parcels providing similar screening may be accepted.

**El Dorado Hills Fire Department**

10. The potable water system for the purpose of the fire protection for this commercial project shall provide a minimum fire flow of 2,875 gpm with a minimum residual pressure of 20-psi for a three-hour duration. This requirement is based on a fire sprinkler building of Type III N.R. construction and shall not exceed 73,350 square feet. This flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval.

11. This development shall install one additional Mueller Dry Barrel fire hydrant conforming to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The location of the hydrant shall be determined by the Fire Department.

12. To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations.

13. The building addition will require compliance with California Fire Code Section 902.21 – fire access lane within 150-feet of the buildings first floor as measured by an approved route around the exterior of the building.

14. The proposed helipad and hangar area shall comply with all requirements within the California Fire Code Article 24 for aviation facilities.

**El Dorado County Air Quality Management District**

15. Project construction involving grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM10) in the form of Dust, District Rules 223 and 223.1 will be required to insure compliance with mitigating fugitive dust emissions during construction. A Fugitive Dust Plan (FDP) application with appropriate fees shall be submitted to and approved by the District prior to start of project construction.

16. Project construction may involve road development and should adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.

17. The project construction will involve the application of architectural coating, which shall adhere to District Rule 215 Architectural Coatings.



18. Burning of wastes that result from “Land Development Clearing” must be permitted through the District. Only vegetative waste material may be disposed of using an open outdoor fire, Rule 300 Open Burning.
19. Prior to construction/installation of any new point source emission units or non-permitted emission units (i.e. gasoline dispensing facility, boilers, internal combustion engines, etc.), authority to construct applications shall be submitted to the District. Submittal of applications shall include facility diagram(s) equipment specifications and emission factors.

The action today can be appealed to the Board of Supervisors within 10 working days.

11. **GENERAL PLAN UPDATE** - None

12. **ZONING ORDINANCE UPDATE**

**Background Material:** American Planning Association (APA) Planning Advisory Service (PAS) Report Number 460

Staff: Roger Trout briefly went over his memo. Art Marinaccio’s main concern is this seems to be restructuring our codes as if the County were a city. You need flexibility. No action was taken.

13. **DEPARTMENT OF TRANSPORTATION** - None

14. **COUNTY COUNSEL’S REPORTS** - None

15. **DIRECTOR’S REPORTS**

Larry Appel would like to introduce some changes to the staff reports and conditions over the next few months. He would like timing added to some of the conditions and some of the conditions tightened up. The staff presentations have been shortened quite a bit, and he would like to know if the Commission agrees with this type of presentation. There would be a project description, and if there are any mitigation measures what caused these measures to be added to the project. Commissioner Mac Cready would like staff’s responses to comments received on a project (written or oral). Chair Knight agreed being brief is okay in a lot of situations. If there are issues that caused special amplification for staff, he would like to know about those issues. Mr. Appel asked for feedback on any changes seen by the Commissioners.

The floor area ratio draft Environmental Impact Report will be released this week and will be on the website. The INRMP is also on the website. Staff is preparing a table identifying the differences between staff’s winery ordinance and that released by the industry which will be available when the Commission considers the ordinance. Commissioner Machado said the direction given to the sub-committee was not to rewrite the ordinance but to make comments on staff’s draft. Staff is meeting with the Economic Advisory Committee the first of January to review the draft. Commissioner Tolhurst commented this ordinance came about without any

environmental document. Mr. Appel said we are not skipping that process. A determination will be made on what type of environmental document will be required once the draft goes to the Board.

**16. ADJOURNMENT**

Meeting adjourned at 11:47 a.m.

APPROVED BY THE COMMISSION  
Authenticated and Certified:

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John Knight, Chair

