

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: October 9, 2008
Item No.: 8
Staff: Tom Dougherty

PLANNED DEVELOPMENT

FILE NUMBER: PD08-0002/Hilltop Tree Service Storage Yard

APPLICANT: Eric Hill

REQUEST: Development plan to utilize an existing 11,900 square-foot graded parking area for tree service vehicle and equipment storage and to use a mobile home as a caretaker residence.

LOCATION: On the northeast side of Pleasant Valley Grange Road approximately 150 feet north of the intersection with Pleasant Valley Road in the Pleasant Valley area, Supervisorial District II. (Exhibit A)

APN: 078-040-17 (Exhibit B)

ACREAGE: 3.92 acres

GENERAL PLAN: Industrial (I) (Exhibit D)

ZONING: Industrial – Planned Development (I - PD) (Exhibit E)

ENVIRONMENTAL DOCUMENT: Categorically exempt pursuant to Sections 15301 (a), (d) and 15304 (a) of the CEQA Guidelines.

RECOMMENDATION: Staff recommends that the Planning Commission take the following actions:

1. Certify that the project is exempt from CEQA pursuant to Sections 15301 (a), (d) and 15304 (a) of the CEQA Guidelines.
2. Approve Development Plan PD08-0002, as the official Development Plan, subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

BACKGROUND: The subject parcel was created by Parcel Map 3 – 30, recorded on March 29, 1973. The application was received January 15, 2008 and was deemed complete on August 6, 2008. There is an active code compliance file number 141184 that had been issued on June 18, 2001 for occupying an un-permitted mobile home with no septic system.

The preceding General Plan Amendment file for this parcel, A01-0002, included the following background text that is presented in an attempt to explain why the subject parcel is an island of Industrial-zoned land within an area zoned primarily for low-density residential use: *The subject parcel had been zoned Industrial-Planned Development (I-PD) pursuant to Ordinance 2031 adopted October 2, 1979 and effective November 1, 1979. This ordinance adopted zoning for the entire Pleasant Valley-Oak Hill Area Plan. The Planned Development overlay was added as the Area Plan called for additional review on any industrial development. Approval of a planned development requires a finding of consistency with the County General Plan. However, the 1996 General Plan land use designation for the parcel was Low Density Residential (LDR), not Industrial, placing a restriction on any development that would be allowed under the zone. During review of Building Permit #119604, a proposed industrial building, this inconsistency between the zone and the land use designation was discovered. It was determined that the incompatibility of the land use designation with the zone district was due to a mapping error and the General Plan Land Use was changed to the current Industrial designation.*

Industrial land uses in the Plan Area at the time of its adoption were limited to resource extraction at the Placerite Quarry on Newtown Road and the Limestone Quarry on Quarry Road. Lack of sewer facilities in the area prevented any intensive manufacturing-industrial land uses. This conformed to the General Plan policy whereby industrial lands in Rural Regions shall be constrained to uses which support on-site agriculture, timber resource production, mineral extraction, or other resource utilization. This designation is considered appropriate within Community Regions, Rural Centers and Rural Regions. (2.2.1.2). The parcel in question is located in a Rural Region.

In addition, the adjacent parcel to the south, APN: 078-040-18, has a split-zone. Approximately 60% of the parcel, or 2.76 acres, lying north of Grange Road and abutting the parcel in question is similarly zoned I-PD. The remaining 1.84 acres lying south of Grange Road is zoned Estate Residential Five-acre (RE-5). The RE-5 portion constitutes a legal, nonconforming parcel as it is significantly less than the minimum size of five acres allowed under the zone. The I-PD portion conforms to the zoning requirements for Industrial Districts (17.34.040). However, the entire parcel has an Industrial (I) land use designation. There is no record of a "Site Specific Request" to change the land use designation of either this split-zoned parcel or the parcel in question.

On April 14, 1995, the Planning Commission moved to establish a base map for the General Plan, retaining existing zoning and insuring that the land use designation would accommodate existing zoning. It was further moved to retain the definitions of commercial, research and development, industrial, open space, public facilities, and adopted plan as written in the project description. Finally and most importantly, it was moved to retain all the Commercial, Industrial, and R&D designated lands on the project description maps and reinstate those areas which were zoned Commercial, Industrial, and R&D on the Area Plan maps onto the project description maps. Again,

the Pleasant Valley-Oak Hill Area Plan designated this parcel to be I-PD pursuant to Ordinance 2031. The land use designation was intended to accommodate this zone pursuant to the above motion. It appears then that the subject parcel's land use designation was the result of an error made during map preparation.

STAFF ANALYSIS

Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the permit request and issues for Planning Commission consideration are provided in the following analysis:

Project Description: The applicant is requesting approval of a Development Plan for the use of an existing approximately 11,900 square-foot graded parking area for the storage and parking of tree service equipment to typically include a bucket truck chip trucks, limb chippers, self-loading log truck log skidders and other tree-related equipment. Also proposed is wood waste recycling of wood chips. The request also includes the proposed use a mobile home for a caretaker for the protection of the equipment. Daily operations of the tree service typically occur between 7:00 am and 3:30 pm. Vehicles typically leave the yard at approximately 7:20 am to 7:30 am, arriving back to the storage yard at approximately 3:15 pm. There are currently six, full-time employees. The branches are chipped off-site and the wood chips are often hauled in and dumped in a pile for recycling.

Site Description: The 3.92-acre site is located at approximately the 2,500-foot elevation above sea level with a predominantly southern exposure with average slopes of ten percent or less. The project site is served by an existing encroachment off of Pleasant Valley Road. That encroachment leads to an asphalted road named Pleasant Valley Grange Road which becomes a dirt/graveled surface as it turns north to the subject parcel. That dirt/graveled road is shared with the parcel to the north. Within the parcel, there are no trees in the proposed parking area and random, scattered young-aged native oaks, pines and shrubs scattered intermittently throughout the parcel. Woodland covers approximately 25 percent of the site with the rest being annual grassland. The site had been previously been mined and the remaining tailings and gravels were graded to the present state. There is an existing double-wide mobile home, a producing well within an eight-foot by ten-foot building; and a rectangular, five-foot tall concrete-block housing a 500-gallon fuel tank. The road enters the parcel through a 14-foot metal gate and then follows a graveled driveway up to the mobile home. The parcel contains Acidic rock land soils (AaF) and no agricultural Choice soils.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	I - PD	I	Industrial, vacant. Mobile home, well house, 500-gallon fuel tank, gravel driveway.
North	RE-5	I	Residential, single-family dwelling, (one 14-acre parcel).
South	I - PD	I	Industrial, vacant, (one 4.6-acre parcel).
East	I - PD/RE-5	LDR	Industrial (two parcels 0.9 to 1.8 acres)
West	RE-5	LDR	Residential, single family dwelling, (one, 13-acre parcel).

Discussion: Development of the parcel for tree service equipment storage and the use of the mobile home by a caretaker was found to be consistent and compatible with General Plan intended resource based, industrial-type uses permitted to occur to the east and south and there are no uses proposed that would typically create excessive noise, dust, fumes, odors and noise produced beyond the confines of the applicant’s parcel and therefore does not require a Special Use Permit application.

Project Issues:

Mineral Resources: There is evidence of past mining activities on the subject parcel that left gravels from placer and hydraulic mining. The project site is approximately 850 feet from the active portion of the Placerite Quarry to the northeast. That quarry has a mineral resources classification of MRZ-2a by the State Geologist (California Department of Conservation, California Geological Survey, Mineral Land Classification of El Dorado County, California, CGS Open-File Report 2000-03, 2001), which means it has marginal economic value and reserves. The project site has not been delineated in the General Plan as a locally important mineral resource recovery site. (El Dorado County Planning Department, El Dorado County General Plan Draft EIR (SCH #2001082030), May 2003, Exhibits 5.9-6 and 5.9-7).

Cultural Resources: The *Cultural Resources Study of Assessor’s Parcel Number 078-040-17* by Historic Resources Associates, May, 2008, found the site had been subject to gold placer mining but that the site was *very common within the Newtown Mining District, and many better, larger, more intact examples exist.*” There are scattered mine tailings on the parcel that have been subjected to recent earth grading movement and thus had their potential historical integrity lost. Besides the evidence of the mining, there were no significant prehistoric and historic-period cultural resources sites, artifacts, historic buildings, structures or objects found on the subject parcel.

General Plan: The General Plan designates the subject site as Industrial (I). The purpose of this land use category *is to provide for a full range of light and heavy industrial uses. Types of uses that would be permitted include manufacturing, processing, distribution, and storage. Incompatible, non-industrial uses, excluding support services, shall be prohibited. Industrial lands in Rural Regions shall be constrained to uses which support on-site agriculture, timber resource production, mineral extraction, or other resource utilization.* The proposed use includes the storage of support equipment for residential/commercial tree services and related small-scale logging operations and

therefore could be found to conform to the General plan land use designation of Industrial. Additionally, the following General Plan policies also apply to this project:

Policy 2.2.3.1 states that the Planned Development (-PD) Combining Zone District allows *commercial uses consistent with the density specified by the underlying zoning district with which it is combined*. As proposed, the project would be compatible with the General Plan intended Industrial land use and the zoning designation of Industrial as well.

Policy 2.2.5.21 directs that new development be compatible with the surrounding neighborhood. As discussed in the *Background* section above, the Board of Supervisors determined the project site was appropriate for Industrial uses, with review of specific proposals by the Planning Commission. The proposed project, as conditioned, would be consistent with the intended uses for parcels zoned and General Plan designated for Industrial uses and compatible with the General Plan-intended uses for the lands to the south and east as they have portions zoned Industrial as well.

Policy 5.1.2.1 requires that there be adequate public utilities and services including water supply, wastewater treatment and disposal, solid waste disposal capacity, storm drainage, fire and police protection, and ambulance service exist or are available to the subject discretionary project. There is an existing well which was tested on December 10, 2007. That test was reviewed by the El Dorado County Environmental Health Division and it was found to show the well to be adequate. The applicant has also submitted preliminary designs for an alternative septic system for the mobile home which was also reviewed. It was found an adequate septic system is feasible for the proposed project. They would review and approve the final submitted system prior to issuance of a building permit. The project is conditioned by the El Dorado County Fire Protection District to meet minimum Fire Safe standards for the access road prior to issuance of any development permit and water supply for wildfire suppression prior to final occupancy of the mobile home. Adequate police protection and ambulance service exist and the proposed project would not be anticipated to burden those services on a significant level. Solid waste services currently exist for the current surrounding residents and would be available to the project site. The project proposal was reviewed for drainage issues by the Department of Transportation and it was found that they would be adequately handled through the grading permit process and with the implementation of the required implementation of Best Management Practices.

Policy 5.7.1.1 directs that the applicant demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or would be provided concurrent with development. **Policy 6.2.3.2** directs that the applicant demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area. The project would be required to meet the required minimum fire flow requirements of the El Dorado County Fire Protection District which would be reviewed and approved by them prior to final occupancy of the mobile home. The access roads to the parcel are conditioned to be improved to minimum Fire Safe standards. As conditioned, the project would meet the intent of these Policies.

Policy 7.4.4.4 establishes the native oak tree canopy retention and replacement standards. Because the parcel has 25 percent canopy coverage, the Interim Interpretive Guidelines for General Plan Policy 7.4.4.4 requires retention of 85 percent of the oak tree canopy. The project graveling of the storage/parking area, development of the caretaker mobile home and minor road/driveway improvements on and off-site would not be anticipated to remove native oak trees over six-inches in diameter or greater.

General Plan Objective 10.1.5 and Policies 10.1.5.1, 10.1.5.2, and 10.1.5.4 all seek to encourage and emphasize the importance of promoting and encouraging projects that have the potential to support, assist, and encourage the economic expansion and addition of businesses, and also enable and encourage existing companies, businesses, and/or industries, such as agriculture, to expand and economically thrive in El Dorado County. The proposed project approval allows the applicant to expand his business and help it thrive, while promoting a natural resource based activity providing a public benefit.

Conclusion: The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies and it has been determined that the project is consistent with the applicable policies of the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

Zoning: The subject site is zoned Industrial – Planned Development (I - PD). The purpose of the Industrial zone district allows a wide range of industrial uses, as well as those uses allowed by special use permit within the Commercial zone district (Section 17.34.020, County Code) if found compatible in accordance with General Plan Policy 2.2.1.2. The proposed application is for a development plan for a storage/parking yard for tree service equipment and for a residing caretaker for the security of the business.

The permitted uses, when the Planned Development is used in combination with other zones, would be limited to those listed within the basic zone with which the Planned Development zone is combined. In this case, the Industrial District is the base zone for the site. With the addition of the Planned Development overlay, Section 17.04.030.B of the Zoning Ordinance requires that any future development plan modification requires the submittal of a new Development Plan which then requires Planning Commission review.

Planned Development Permit Request: The review of the development plan includes review of the site plan, building elevations, access, signage, landscaping, and other issues which may impact surrounding uses as required by Planned Development Zone District overlay. Planned Development is defined in the Zoning Ordinance, Section 17.02.030, *to an area to be developed as a single entity, the plan for which may not correspond in lot size, land use, density, lot coverage, and required open space to the regulations established in any one district created under the provisions of the County Zoning Ordinance.* Planned developments are further defined in Section 17.02.030 as being *a method that potentially allows the use of modern planning and development techniques, effect more efficient utilization of land and to allow flexibility of development, and potentially aid in the reduction of development costs, as well as provide for a combination of different land uses which compliment each other but which may not in all aspects conform to the existing zoning regulations.* In this particular case, as discussed in detail in the *Background* section above, the current application

was preceded by a General Plan Amendment application which is a legislative act and is not conditioned. The Planned Development overlay was previously added to allow specific review of an actual proposal and hence, the subject application. The approval of the current proposal would resolve the Code Compliance issues the current applicant inherited from the previous owner which has lingered since that General Plan Amendment application in 2001. Staff has found that the proposed project, as conditioned, could be approved and meet the intent of the planned development combined zone district.

Building Designs: No new structure is proposed. The applicant has stated he may bring in a different mobile home, remove the old one and place it in the same location as shown in Exhibit G. The existing doublewide mobile home, or the new one proposed to occupy the same place shown on the submitted site plan, would be subject to a building permit prior to using it as a residence for a caretaker. The existing mobile home is shown in Exhibit J5.

Signage: No signage is proposed with this current application request. Any future signage for the meeting hall must comply with Chapter 17.34.020.F and Chapter 17.16 of the El Dorado County Zoning Ordinance and shall be provided to, and then approved by the Development Services Director or designee prior to issuance of a building permit for the proposed sign, if determined to be a minor change to the Development Plan (Section 17.04.070).

Landscaping: The distance from the storage area to the closest residence is approximately 250 feet to the east and the distance from Pleasant Valley Road is approximately 500 feet to the south. Staff has found that in addition to the existing vegetation, the addition of screening vegetation along the south fence line would shield the equipment from the parcel adjoining to the south, currently owned by the Kingdom Hall of the Jehovah's Witnesses, as well as travelers along Pleasant Valley Grange Road. Drought resistant conifers and shrubs would be planted along the southern fence line as shown in Exhibit G.

Lighting: No outdoor lighting is currently proposed by the applicant at the parking/storage area. The project is conditioned to require that during the review of the building permit for the mobile home, any proposed outdoor lighting would be analyzed to assure that all lights conform to Section 17.14.170 of the County Code and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation.

Project Access: Access to the proposed project would be from one encroachment onto Pleasant Valley Road. Pleasant Valley Grange Road would need minor additions to the width to meet Fire Safe standards. The dirt road to the parcel would also need to be widened and graveled and no oak trees over six-inches in diameter would be anticipated to have to be removed. No public roadway extensions would be required to accommodate the proposed project. The existing 20-foot easement would need to be increased to 30 feet to accommodate the DOT required width and surfacing requirements.

Parking: The submitted site plan includes a storage area of approximately 11,900 square feet. There are currently six employees that would park their vehicles and then drive the company equipment to the respective jobsites. Seven spaces would be required with the addition of one

handicap space. The proposed parking area and storage yard has sufficient capacity for these spaces as well as for the tree service equipment. The required spaces are designated on the submitted site plan shown as Exhibit G and the project is conditioned for their inclusion. As conditioned, the project complies with Section 17.18.060 of the County Code.

Conclusion: Staff finds that the necessary findings can be made to support approval of the Development Plan request. The details of those findings are contained in Attachment 2.

Environmental Review: This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Sections 15301 (a), (d) and 15304 (a) of the CEQA Guidelines. Section 15301 applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Section 15304 applies to minor alterations to land consisting of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes including but not limited to grading on land with a slope of less than 10 percent. Pursuant to Resolution No. 240-93, a \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Vicinity Map
Exhibit B	Assessor's Parcel Map
Exhibit C	Parcels Only Map
Exhibit D	General Plan Land Use Map
Exhibit E	Zoning Map
Exhibits F	Parcel Map 3 - 30
Exhibit G	Site Plan
Exhibit H	Soils
Exhibit I	Camino U.S.G.S. Quadrangle with El Dorado County Parcels Overlaid
Exhibits J1, J2, J3, J4, J5	Site visit photos
Exhibits K1, K2	Aerial photos

ATTACHMENT 1
CONDITIONS OF APPROVAL

FILE NUMBER P08-0001/Hilltop Tree Service Development Plan

October 9, 2008 Planning Commission Hearing

1. This planned development is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits A-K2, approved October 8, 2008 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:

Development Plan for the use of an existing approximately 11,900 square-foot graveled parking area for the storage and parking of tree service related equipment. The project includes the wood waste recycling of wood chips in the form of sales only and the use of a permanent mobile home for a caretaker for the protection of the equipment. The use of equipment for chipping and milling of wood products, tree branches and logs is to occur off site.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

Planning Services Site Specific and Standard Conditions

2. All outdoor lighting submitted as part of the building permit for the existing mobile home shown on the site plan in Exhibit G, shall be reviewed and approved by Planning Services prior to issuance of the building permit. Said lights shall conform to Section 17.14.170 of the County Code and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. In addition, the following apply:
 - a. All security lighting shall be designed with motion-sensor activation.
 - b. No pole lights shall exceed fifteen feet in height from finished grade to the top of the pole.

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.

3. 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 evaluated during the building permit process prior to issuance of a building permit to ensure that parking will be available for each use that had been authorized by the approval of PD08-0002. The parking and storage areas shall conform to the site plan shown in Exhibit G and shall include a minimum of seven spaces marked and reserved for employee parking spaces and one shall be marked for handicap parking. The building permit for the mobile home shall show a minimum of two parking spaces not in tandem.
4. 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.
5. The applicant shall make the actual and full payment of Development Services Department processing fees for planned development application prior to issuance of any development permit.
6. During all grading and construction activities in the project area on the proposed parcels, an archaeologist or Historian approved by the Development Services Director shall be on-call. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent and/or future parcel owner 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.
7. 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.
8. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs

of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the California Government Code. The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

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

El Dorado County Department of Transportation

9. Off-site Access Improvements: The applicant shall construct and /or verify that the off-site portion of the access roadway, from the project boundary to Pleasant Valley Road, meets the requirements of El Dorado County Standard Plan 101A a 20-foot roadway with an asphalt paved or double-chip seal surface. (If double-chip sealed, the structural section shall be 2 inches double chip seal over 6 inches of Class II aggregate base). No curb, gutter, or sidewalks are required. The applicant shall provide an exhibit to DOT, Planning, and the Fire District that shows that the access roadway complies with the DISM and Fire Safe Regulations. The improvements shall be completed to the satisfaction of the Department of Transportation prior to issuance of any development permit (building permit) or commencement of use.
10. Road & Public Utility Easements: The applicant shall provide a 40-foot wide non-exclusive road and public utility easement for the access roadway from the end of the existing 40-foot wide easement for Pleasant Valley Grange Road to the project site and northward along the western boundary line of the project parcel. These easements must be recorded prior to issuance of any development permit or commencement of use. Slope easements shall be included as necessary.
11. Turnouts: The applicant shall provide turnouts on both sides of the one-lane culvert on the access roadway. The turnouts may be constructed of the same surface material as the improved roadway, or may be 6 inches of Class II aggregate base. The improvements shall be completed to the satisfaction of the Department of Transportation prior to issuance of any development permit or commencement of use.
12. Signs: The applicant shall provide "One Lane Bridge" signs on either end of the one-lane culvert. The improvements shall be completed to the satisfaction of the Department of Transportation prior to issuance of any development permit or commencement of use.
13. Easements: All applicable existing and proposed easements shall be shown on the project plans.

14. **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Department of Transportation prior to issuance of any development permit or commencement of use. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
15. **Maintenance Entity:** The proposed project must form an entity for the maintenance of any shared or common: private roads, parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping, signs, and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to issuance of any development permit or commencement of use.
16. **Water Quality Stamp:** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.
17. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.
18. **DISM Consistency:** 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 issuance of any development permit or commencement of use.
19. **Road Improvement Agreement & Security:** The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to issuance of any development permit or commencement of use.
20. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
21. **Grading Permit / Plan:** If more than 50 cubic yards of earth movement are required for improvements, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation 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. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of the DOT or the applicant shall obtain an approved improvement agreement with security, prior to issuance of any development permit or commencement of use.
22. Grading Plan Review: Grading and improvement 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. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
 23. RCD Coordination: The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
 24. Soils Report: At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, 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.
 25. Drainage Easements: Pursuant to Section 4.D of the DISM, the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans.
 26. NPDES Permit: At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a “Notice of Intent” (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the

Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.

27. Off-site Improvements (Security): Prior to issuance of any development permit or commencement of use, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required offsite improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in the amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.
28. Off-site Improvements (Acquisition): As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant 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 applicant's expense, 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 possession of the property. In such cases, the applicant shall submit the following to the Department of Transportation Right of Way Unit, 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% contingency:
 - a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
 - b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
 - c. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements.

In addition to the agreement the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

29. Electronic Documentation: 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 drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
30. TIM Fees: The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.

El Dorado County Fire Protection District

31. The applicant shall submit review fee of \$120.00.
32. Fire flow for this project is 1,000 gpm @ 20 psi for two hours or an approved NFPA residential sprinkler system shall be installed in the mobile home.
33. A fire hydrant will be required for this project within the subject parcel. The location of the hydrant shall be reviewed and approved by the Fire District prior to installation.
34. All project gates must comply with Fire Prevention Officer's standards, as determined by the Fire Protection District.
35. High-priority "Knox" access with keys for emergency access must be provided to the Fire Protection District prior to building occupancy.
36. Access roads shall be 20-feet wide with an all-weather surface capable of supporting a 75,000 pound load

El Dorado County Building Services Division

37. The existing mobile home shown in Exhibits G and J5 shall be subject to the issuance of a building permit from the El Dorado County Building Division. It shall be either the existing or new one but must be located in the location shown on the approved development plan.

El Dorado County Environmental Management Department/Hazardous Materials Division

38. For the storage of reportable quantities of hazardous materials (55 gallons), including the fuel tank, prior to commencing any use of the fuel tank the owner/operator must:
 - a. Prepare, submit and implement a hazardous materials business plan and pay appropriate fees.
 - b. Train all employees to properly handle hazardous materials and wastes.
 - c. Implement proper hazardous materials and hazardous waste storage methods in accordance with the Uniform Fire Code and Uniform Building Code.

El Dorado County Air Quality Management District

39. All portable, internal combustion engines (over 50 horse powers) must be registered with the California Air Resources Board or permitted with the El Dorado County Air Quality Management District prior to issuance of any development permit.

ATTACHMENT 2 FINDINGS

FILE NUMBERS PD08-0002/Hilltop Tree Service Development Plan October 9, 2008 Planning Commission Hearing

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

1.0 CEQA Findings

- 1.1 This project has been found to be Categorical Exempt from the requirements of CEQA pursuant to Section 15301(a) of the CEQA Guidelines Sections 15301 (a), (d) and 15304 (a) of the CEQA Guidelines. Section 15301 applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Section 15304 applies to minor alterations to land consisting of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes including but not limited to grading on land with a slope of less than 10 percent.
- 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-Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 General Plan Findings

- 2.1 As proposed, the project is consistent with the Industrial land use designation of the subject site as defined by General Plan Policy 2.2.1.2, because the Industrial land use designation permits *uses which support on-site agriculture, timber resource production, mineral extraction, or other resource utilization* which would include the proposed storage of support equipment for residential/commercial tree services and related small-scale logging operations and therefore could be found to conform to the General Plan land use designation of Industrial as a compatible use.
- 2.2 The proposal is consistent with all applicable Policies of the General Plan including 2.2.3.1, 2.2.5.21, 5.1.2.1, 5.7.1.1, 6.2.3.2, 7.4.4.4, General Plan Objective 10.1.5 and Policies 10.1.5.1, 10.1.5.2, and 10.1.5.4 concerning the requirement for a planned development request, compatibility with the surrounding parcels, available utilities or the ability to provide them, emergency access capability, and water availability for wildfire suppression, insignificant impacts on oak canopy, and support of an existing business. As conditioned, the project provides adequate access, site design, and conditions of approval that ensure compatibility with the surrounding uses, supporting utilities would be available as water, power and available solid waste disposal services exist at the site, is anticipated to remove

oak trees over six inches in diameter, adequate emergency response capabilities, and therefore is consistent with the General Plan policies identified above.

3.0 Zoning Findings

- 3.1 The project, as proposed and conditioned, is consistent with the El Dorado County Zoning Ordinance Development Standards because the proposed building meets the development standards pursuant to section 17.34.020 for minimum lot area, maximum building coverage, height and setbacks required.

4.0 Administrative Findings

4.1 Planned Development PD08-0002 Findings

- 4.1.2 *The planned development zone request is consistent with the General Plan.* The planned development request is consistent with the General Plan because the application is for a parking/storage area supporting resource utilization, consistent with the Industrial land use designation, and is consistent with applicable policies as outlined in Finding 2.2.
- 4.1.3 *The proposed development is so designed to provide a desirable environment within its own boundaries.* The proposed development plan provides subdued design features which will be typical for an industrially-zoned parcel within the Pleasant Valley area area.
- 4.1.4 *Any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography.* The project is being developed or conditioned to comply with all County Code requirements.
- 4.1.5 *The site is physically suited for the proposed uses.* The site is physically suited for the proposed uses since it is located within an industrial environment.
- 4.1.6 *Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities.* As conditioned, all required utilities would be available for the proposed uses, including, but not limited to, water supply, adequate sewage disposal area, roads, power, phone and solid waste disposal services.
- 4.1.7 *The proposed uses do not significantly detract from the natural land and scenic values of the site.* The proposed uses do not significantly detract from the natural land and scenic values of the site since it does not propose to remove oak trees over six-inches in diameter, and the driveway and parking/storage area have been previously graded.