

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



**Agenda of:** December 11, 2008  
**Item No.:** 9.d  
**Staff:** Aaron Mount

**SPECIAL USE PERMIT**

**FILE NUMBER:** S07-0022/Seventh Day Adventist Church of Placerville

**APPLICANT:** Northern California Conference Association of Seventh Day Adventists/  
John C. Mackay

**AGENT:** Lebeck Young Engineering

**REQUEST:** Special Use Permit request for an expansion of an existing church to include a 12,900 square foot multi-purpose building, expansion of the existing parking lots, grading for future parking, and associated lighting and landscaping; and a reduction in setback from 50 feet to 15 feet from a pond.

**LOCATION:** On the north side of Mother Lode Drive, approximately 400 feet southwest of the intersection with Missouri Flat Road in the Placerville Periphery area, Supervisorial District III. (Exhibit A)

**APN:** 327-140-52 & 327-140-53

**ACREAGE:** 18.13 acres

**GENERAL PLAN:** Medium Density Residential (MDR) (Exhibit B)

**ZONING:** One-acre Residential (R1A) (Exhibit C)

**ENVIRONMENTAL DOCUMENT:** Mitigated Negative Declaration

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

1. Adopt the Mitigated Negative Declaration, based on the Initial Study prepared by staff; and
2. Adopt the Mitigation Monitoring Program in accordance with CEQA Guidelines 15074(d), as incorporated in the Conditions of Approval in Attachment 1, and
3. Approve Special Use Permit S07-0022 subject to the conditions in Attachment 1 based on the findings in Attachment 2, and
4. Special Use Permits, V66-0023 and S71-0052 are hereby null and void, being superseded by S07-0022. With the exception of S00-0019 and S03-0039 for the cell tower, S07-0022 would supersede all previously approved special use permits for the church.

## **BACKGROUND**

According to available Planning Service's records, the first discretionary approval for the site was Variance V66-0023 which acted as a special use permit for expansion of the church and a variance for a height exception. S76-0084 approved a mobile home at the western end of the subject site when the parcel was under a different ownership. Special use permits for mobile homes were found to be null and void with adoption of a mobile home ordinance. S71-0052 allowed one on-premise sign of 70 square feet and one off-premise sign of 16 square feet advertising the Seventh Day Adventist Church. S80-0147 approved a mobile home for a caretaker on the site adjacent to the church but was later revoked. The site also contains an approved cellular communications tower, S00-0019, located adjacent to U.S. Highway 50 on the northern portion of the subject site. S03-0039 approved a co-location on the existing approved cellular communications tower. The residence for the clergy at the eastern end of the subject site was approved by building permit number 34809 on June 30, 1981.

The subject application was submitted June 26, 2007. The project was deemed complete on December 12, 2007 and a TAC meeting was held on March 10, 2008. Final comments were received from the U.S. Army Corps of Engineers on September 29, 2008.

## **STAFF ANALYSIS**

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

**Project Description:** The applicant is requesting approval of a special use permit to expand an exiting church. The proposal includes a 12,900 square foot multi-purpose building, expansion of the parking area adding 64 parking spaces, grading of an approximately 57,600 square foot area for a future parking area, and connection to a public sewer system. The multi-purpose room would contain a basketball court, classrooms, meeting rooms, storage, kitchen, restrooms, and a lobby.

Once constructed, the multi-purpose building would be replacing existing rooms in the church building. The applicants expressed that the congregation would be applying for a new sanctuary in the future. An alternative wetland setback from the pond has been requested. The Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.3.3.4 requires a 50 foot setback from ponds and wetlands and the project is proposing to build retaining walls within 15 feet of the high water mark of the pond. The retaining walls would be required for the engineering related to slope stability for the proposed multi-purpose building.

The existing paving in the existing parking area will be re-graded and replaced with a new pavement section and curbing. Additionally, 64 new parking spaces would be added. The existing secondary access to the property is too steep and exceeds fire department allowable grade. The access would be relocated in order to meet fire safe and County standards. A waterline for fire protection and potable water would be constructed from the rear of the property to the proposed building and the existing church. Fire hydrants would be installed. The project is proposing to use an on-site sewage disposal system and in lieu of a 300 percent replacement area the project would connect to a public sewer system. In the future the applicants intend to connect all buildings to the public sewer connection. This proposal has been approved and conditioned by Environmental Health.

The proposed multi-purpose is expected to be used during normal church hours (i.e. weekends and evenings). It is expected that the proposed building would serve the existing congregation and is not expected to be growth inducing to the church membership. The church currently has five existing employees and is not anticipating hiring any additional employees.

**Site Description:** The subject site is approximately 1,800 feet above mean sea level in the Placerville area and is directly adjacent to U.S. Highway 50 on the northern boundary. The site's 18.13 acres is comprised of two parcels which are in the process of being merged. Physical features include an approximately five acre pond; ruderal grassland, remnant foothill woodland, and urban landscape. The five acre pond is the headwaters of Mound Springs Creek. Existing improvements include two residences, a 6,000 square foot sanctuary, 11,376 square feet of meeting, classrooms, and offices, a 2,400 square foot storage shed, and 127 parking spaces. Of the two residences, one is used for a caretaker residence and one is for clergy. Most of the native oaks exist on the southern and western portions of the site and include the following species; blue oak, interior live oak, and valley oak.

**Adjacent Land Uses:**

	Zoning	General Plan	Land Use/Improvements
<b>Site</b>	R1A	MDR	Church facility, two single family residences
<b>North</b>	C/TC	C	U.S. Highway 50, Regional shopping center (Prospectors Plaza)
<b>South</b>	R1A	MDR	Single family residences
<b>East</b>	R1A	MDR	Single family residences

West	R1A	MDR	Single family residences
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**Discussion:** The subject site is within the El Dorado/Diamond Springs Community Region. The project is an expansion of an existing permitted church and is compatible with the adjacent commercial and residential uses. A submitted acoustical analysis has determined that any noise originating from the project will be less than the General Plan maximum decibel levels allowed.

**Access:** The site is currently accessed by two driveways which encroach on to Mother Lode Drive. The southern driveway does not currently meet fire safe regulations due to slope. The applicant has proposed to relocate the secondary access to meet current standards.

**Parking:** Parking requirements for a church are based on the seats within the main assembly area at a ratio of one parking space per four seats as required by Section 17.18.060 of the Zoning Ordinance. The main assembly area contains approximately 350 seats requiring 88 parking spaces. The site currently contains 127 parking spaces and proposes to add an additional 64 spaces. The project would comply with parking requirements.

**Building Design:** The building design, as shown on Exhibit Q and R, is consistent with commercial architecture on the Missouri Flat and U.S. Highway 50 corridors. The design would employ neutral colors which would blend with the natural features of the site. Visibility of the proposed multi-purpose structure from U.S. Highway 50 would be limited due to the main assembly hall being between the highway and the proposed structure. Visibility is also reduced by the natural slope of the property and natural features such as tree cover.

**Lighting:** The project proposes and is conditioned to provide lighting that is fully cut shielded in order to reduce impacts lighting may have on adjacent residential uses and U.S. Highway 50. As proposed and conditioned there is little potential for on-site lighting to have an impact on adjacent uses. A photometric plan has been submitted showing conformance with applicable ordinances and policies.

**Sewer/Water:** Public water and sewer service would be provided to the project site by the El Dorado Irrigation District (EID). EID provided a letter dated April 5, 2007 indicating that adjacent facilities have adequate existing water and wastewater capacity to serve the proposed project. The existing church is currently connected to a water line on the project site that has available capacity to provide necessary potable water and fire flow to the proposed structure. The project proposes to temporarily utilize an on-site septic system for waste water treatment until such time as a sewer line is constructed. The connection would serve as an alternative to the required 300 percent replacement area that a septic design requires. The applicants have provided two alternatives for a sewer line connection. Option A would require a line to be developed under highway 50 to Prospectors Plaza (Kmart Shopping Center). The EID preferred option would be to connect to the existing sewer line on Missouri Flat Road near the intersection with Mother Lode Drive. The project is conditioned by Environmental Health to connect to the public sewer system if there is a failure of the existing and proposed septic systems. Based on this information, the project would be consistent with General

Plan Policies 5.2.1.3, 5.2.1.4 and 5.3.1.1 regarding connection to public water, availability of reliable water supply and wastewater capacity.

**Noise:** An acoustical analysis was submitted by the applicants that shows conformance with applicable General Plan policies related to acceptable noise levels. The existing church and proposed expansion are adjacent to U.S. Highway 50 (US50) and have the potential of exposing a noise sensitive land use to existing noise levels generated by the highway. The proposed expansion also has the potential to produce noise levels that may have an affect on adjacent residential uses. The submitted acoustical analysis states that the proposed multi-purpose building would be 500 feet from the centerline of US50 and traffic noise exposure would be below General Plan maximum decibel levels. Additionally, the study concluded that noise levels emanating from the new structure and associated parking lots would not exceed the established maximum noise levels in the General Plan.

**General Plan:**

The General Plan designates the subject site as Medium Density Residential. This designation establishes areas suitable for detached single-family residences with larger lot sizes which will enable limited agricultural land management activities. Additionally, the following General Plan policies also apply to this project:

**Policy 2.2.5.2** directs that all applications for discretionary projects or permits including, but not limited to, General Plan amendments, zoning boundary amendments, tentative maps for major and minor land divisions, and special use permits shall be reviewed to determine consistency with the policies of the General Plan.

Discussion: The expansion of the previously approved church and the ensuing uses it allows is consistent with the MDR land use designation.

**Policy 2.2.5.21** directs that new development be compatible with the surrounding neighborhood.

Discussion: The proposed project is an expansion of an existing church. The existing and proposed church facilities provide a transition between the commercial uses to the north and the residential uses to the south. Therefore, the proposed project is compatible within the context of the surrounding land uses pursuant to General Plan Policy 2.2.5.21.

**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.

Discussion: As conditioned, and discussed under the Access section above, the project would meet the intent of this policy. Fire issues are addressed within the project's conditions of approval.

**Policy 7.1.2.1** states that development or disturbance shall be prohibited on slopes exceeding 30 percent unless necessary for access.

Discussion: The proposed building site contains slopes at or greater than 30 percent. However, it was determined that those slopes over 30 percent are artificial and a remnant of previous development of the site. Existing artificial slopes created under the authority of a permit issued by El Dorado County are not subject to the slope gradient restrictions of Policy 7.1.2.1.

**Policy 7.3.3.4** provides buffers and special setbacks for the protection of riparian areas and wetlands.

Discussion: The project is proposing development within the required 50 foot setback from the approximately five acre pond on the site which contains wetland habitat. The Interim Interpretive Guidelines allows an alternative setback when the applicant demonstrates that the alternative setback would still provide sufficient protection of the biological resources and avoids or minimizes impacts as required by the General Plan. The applicant proposes a setback of 15 feet for retaining walls, but the proposed structure would be 52 feet from the pond. A biological report has been submitted by the applicant and as analyzed in the initial study, impacts have been reduced to a less than significant level by incorporation of mitigation measures. As conditioned and mitigated this project can be found to be consistent with Policy 7.3.3.4.

**Policy 7.4.4.4** and the Oak Woodland Management Plan establish the native oak tree canopy retention and replacement standards.

Discussion: The project site contains approximately 5.3 acres of oak tree canopy or 29 percent canopy cover. The project proposes to remove approximately 0.8 acres of canopy which is consistent with the retention requirement of 85 percent. The applicants have proposed to pay the Option B off-site mitigation fee at a one to one replacement value consistent with the Oak Woodland Management Plan.

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

### **Zoning:**

The project site design meets all applicable development standards as specified in Section 17.28.080 of the Zoning Ordinance. Specifically, the project meets the required setbacks of 30 feet on all sides.

### **Special Use Permit:**

The proposed project is permitted by Special Use Permit in the R1A Zone District, pursuant to Section 17.28.070.A which specifically lists places of worship. In order to approve the project, the approving authority must find that the project is consistent with the General Plan and would not be detrimental to the public health, safety and welfare nor injurious to the neighborhood. Based on comments received from public agencies, citizens' groups, and as discussed in the staff report, staff finds that the project to not be detrimental to the public health, safety and welfare and to not be injurious to the neighborhood.

This Special Use Permit proposes expansion of the existing permitted church. Special Use Permits S66-0023 and S71-0052 allowed for an expansion and signage respectively. The subject Special Use Permit would supersede these previously approved use permits. The existing church, previously approved improvements and the subject expansion would be authorized under this single Special Use Permit.

## **ENVIRONMENTAL REVIEW**

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

**NOTE:** This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,876.75 after approval, but prior to the County filing the Notice of Determination on the project. This fee plus a \$50.<sup>00</sup> recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$1,876.75 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the States fish and wildlife resources

## **SUPPORT INFORMATION**

### **Attachments:**

Attachment 1 .....	Conditions of Approval
Attachment 2 .....	Findings
Exhibit A .....	Vicinity Map
Exhibit B .....	General Plan Land Use Map
Exhibit C .....	Zoning Map
Exhibit D .....	Site Airphoto
Exhibit E .....	Site Plan
Exhibit F .....	Alternative Setback Request
Exhibit G .....	Grading and Drainage Plan
Exhibit H .....	Utility Plan
Exhibit I .....	Sewer Connection Option A
Exhibit J .....	Sewer Connection Option B
Exhibit K .....	Slope Map
Exhibit L .....	Landscape Plan

Exhibit M .....Irrigation Plan  
Exhibit N.....Photometric Plan  
Exhibit O.....Ground Floor Plan  
Exhibit P .....Second Floor Plan  
Exhibit Q.....Elevations  
Exhibit R.....Elevations  
Exhibit S .....Lighting Specification Sheets  
Exhibit T .....Environmental Checklist Form

# **ATTACHMENT 1 CONDITIONS OF APPROVAL**

## **Special Use Permit S07-0022/Seventh Day Adventist Church of Placerville (Supersedes V66-0023 and S71-0052) Planning Commission/December 11, 2008**

### **I. PROJECT DESCRIPTION**

1. This special use permit approval is based upon and limited to compliance with the approved project description, the Planning Commission hearing exhibits marked Exhibit E through S dated December 11, 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:

Special Use Permit request for an expansion of an existing church including a 12,900 square foot multi-purpose building, expansion of the parking area adding 64 parking spaces, grading of an approximately 57,600 square foot area for a future parking area, and associated lighting and landscaping. Water and fire flow will be provided by connection to a public water system. Waste water treatment will be provided by on-site septic systems and a connection to a public sewer system will be used in lieu of a 300 percent replacement area.

This Special Use Permit authorizes the following existing improvements as shown on Exhibit E, dated December 11, 2008:

1. 7,600 square foot church building and offices.
2. 3,000 square foot youth chapel and multi-purpose building.
3. Two structures containing a total of 6,776 square feet of classrooms.
4. 1,500 square foot residence for clergy.
5. 1,200 square foot caretaker's residence.
6. 2,400 storage shed.
7. A sign measuring 70 square feet along U.S. Highway 50.

8. A sign measuring 16 square feet at the main entrance.
9. 127 parking spaces.

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.

## **II. PROJECT CONDITIONS OF APPROVAL**

### **CONDITIONS FROM THE MITIGATED NEGATIVE DECLARATION:**

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

2. [MM Bio1]. Previous focused surveys for California red-legged frog (CRLF) conducted both on and off-site, in association with other proposed development projects, yielded no sightings of CRLF within the project region. Although occurrence of CRLF within the project site is considered to be highly unlikely due to the absence of sightings within the project region, the pond may provide marginal-quality habitat for the species. All disturbance of potential habitat for CRLF, including the pond and adjacent vegetation should therefore be avoided to the extent feasible. In the event that disturbance of aquatic habitat of the project site cannot be avoided, a California Red-legged Frog Habitat Assessment (USFWS 2005) should be prepared and submitted to the U.S. Fish and Wildlife Service Sacramento Field Office. Surveys may begin anytime during January and shall be completed by the end of September. The applicant should then contact the U.S. Fish and Wildlife Service to determine if follow-up surveys and avoidance measures are required.

**Monitoring:** The California Red-legged Frog Habitat Assessment shall be submitted to Planning Services staff with recommendations from the U.S. Fish and Wildlife Service prior to issuance of the grading permit

3. [MM Bio 2]. Potential habitat for northwestern pond turtle occurs in association with the large pond located in the central portion of the site. All disturbance of suitable habitat for northwestern pond turtle, including the pond and adjacent upland vegetation, should be avoided to the extent feasible. If it is determined that some disturbance of on-site aquatic habitats or adjacent vegetation will be required as part of the project, a preconstruction survey should be conducted to determine if areas proposed for disturbance are occupied by turtles at that time. In the event that turtles are found, the applicant should immediately

contact CDFG to determine appropriate protective measures for pond turtles and mitigation responsibilities.

Monitoring: The Northwestern pond turtle survey shall be submitted to Planning Services staff with recommendations prior to issuance of the grading permit

4. [MM Bio3]. The project site provides some limited nesting and foraging opportunities for Cooper's hawk. Implementation of the proposed project could therefore result in disturbance of breeding and nesting of Cooper's hawk if construction occurs at any time during the typical breeding season for the species (approximately March 1 through August 31). Nesting of other raptors known from the region, including red-shouldered hawk and great horned owl, could also be adversely affected if construction takes place during the identified breeding/nesting season. Take of any active raptor nest is prohibited under Fish and Game Code Section 3503.5. To avoid take of active raptor nests, preconstruction surveys should be conducted by a qualified biologist no more than 30 days prior to initiation of proposed development activities. Survey results should then be submitted to CDFG. If active raptor nests are found on or immediately adjacent to the site, consultation should be initiated with CDFG to determine appropriate avoidance measures.

Monitoring: The nesting survey shall be submitted to Planning Services staff with recommendations prior to issuance of the grading permit.

5. [MM Bio4]. Potential nesting habitat for tri-colored blackbird occurs within the project site, and consists primarily of blackberry thickets, and other dense vegetation located in the vicinity of the pond. Depending on the timing of construction, site disturbance could result in disturbance of breeding and nesting activity of this species. According to the California Department of Fish and Game Code 3503, "take" of the nest or eggs of any bird is prohibited, except upon approval from CDFG. Disturbance of active nests can be avoided during construction through appropriate measures. To the extent feasible avoid ground disturbance and removal of vegetation in the vicinity of the pond during the typical breeding and nesting period for this species (approximately April through July). If construction activities cannot be avoided during the typical breeding season, retain a qualified biologist to conduct a pre-construction survey (approximately 1 week prior to construction) to determine presence/absence of active nesting colonies. If no nesting activities are detected within proposed work areas, construction activities may proceed. If, however, active nests are found, construction should be avoided until after the young have fledged from the nest and achieved independence, or upon approval from CDFG.

Monitoring: The nesting survey shall be submitted to Planning Services staff with recommendations prior to issuance of the grading permit.

6. [MM Bio 5]. Prior to disturbance of any waters of the United States including any wetland features, a wetland delineation study for the project site shall be submitted to the Corps for their verification and approval. If fill of any potential waters of the U.S are anticipated, the

appropriate Corps 404 permit must be obtained prior to the fill activity occurring. The appropriate terms of mitigation including the wetland acreage to be mitigated for would be defined in the issued Corps permit. Any waters of the U.S. that would be lost or disturbed should be replaced or rehabilitated at a “no-net-loss” basis in accordance with the Corps’ mitigation guidelines. Habitat restoration, rehabilitation, and/or replacement should be at a location and by methods agreeable to the Corps. A total of 4.22 acres of waters of the United States, including wetlands, are present within the survey area. Wetland mitigation for this project shall be required. Mitigation may include the purchase of mitigation credits from an approved wetland mitigation bank at an appropriate ratio for each acre of wetland /waters proposed to be impacted as determined by the Corps of Engineers.

Monitoring: The applicant shall provide a copy of the approved 404 permit and Corps of Engineer’s approved mitigation purchase documentation of mitigation credits, if required, to Planning Services prior to issuance of the grading permit. If no permits are required by the Corps, a letter from the Corps shall be provided to Planning Services stating that no permit shall be required for this project prior to issuance of any grading permits.

7. [MM Bio 6].A Streambed Alteration Agreement shall be obtained from California Department of Fish and Game, if applicable, pursuant to Section 1602 of the California Fish and Game Code, for each stream crossing and any other activities affecting the bed, bank, or associated riparian vegetation of any stream on the site. Appropriate mitigation measures would be developed in coordination with California Department of Fish and Game in the context of the 1602 agreement process. Authorization prior to placement of any fill is required from the Corps of Engineers if any impacts are proposed to jurisdictional riparian habitat. This authorization may require mitigation as deemed necessary by the Corps of Engineers.

Monitoring: The applicant shall provide a copy of the approved 1602 permit, if required, to Planning Services prior to issuance of the grading permit. If no permits are required by the California Department of Fish and Game, a letter from Fish and Game shall be provided to Planning Services stating that no permit shall be required for this project prior to issuance of any grading permits.

8. [MM Bio 7]. Water Quality: The applicant shall determine if a 404 permit is required for the proposed project, water quality concerns during construction would be addressed in a required Section 401 water quality certification by the Regional Water Quality Control Board. A Storm Water Pollution Prevention Program (SWPPP) would be required during construction activities in conjunction with the 401 water quality certification. SWPPPs are required in issuance of a National Pollutant Discharge Elimination System (NPDES) construction discharge permit by the U.S. Environmental Protection Agency. Implementation of Best Management Practices (BMPs) during construction is standard in most SWPPPs and water quality certifications. Examples of BMPs include stockpiling of debris away from regulated wetlands and waterways; immediate removal of debris piles from the site during the rainy season; use of silt fencing and construction fencing around regulated

waterways; use of drip pans under work vehicles; and containment of fuel waste throughout the site during construction.

Monitoring: The applicant shall provide a copy of the approved 401 permit, if required, to Planning Services prior to issuance of the grading permit. If no permits are required by the Regional Water Quality Control Board, a letter from Regional Water Quality Control Board shall be provided to Planning Services stating that no permit shall be required for this project prior to issuance of any grading permits.

### **El Dorado County Planning Services**

9. Landscaping is required to meet Zoning Code Chapter 17.18.090 and General Plan Policies 7.3.5.1, 7.3.5.2 and 7.4.4.4. The final revised Landscape Plan shall meet the intent of the General Plan Policies for inclusion of native El Dorado County plants indigenous to the direct project vicinity. A Final Landscape Plan and Water Conservation Landscape Statement, if applicable, shall be submitted to the Development 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.
10. 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. 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. Parking lot standards (poles) shall not exceed fifteen feet in height above grade.
  - c. Lighting for outdoor areas shall be turned off within 30 minutes after the closing of the church. 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.

11. The applicant shall choose to mitigate for oak canopy loss with either Option A or Option B, pursuant to General Plan Policy 7.4.4.4.

If Option A is chosen, the applicant shall be required to replant 160 one-gallon sized black oak (*Quercus kelloggii*) and interior live oaks (*Quercus wislizenii*) trees (200 trees x 0.8 acre = 160). Alternatively, the applicant may plant 480 acorns [(200 trees x 0.8 acre) x 3 acorns =

480 acorns]. Prior to issuance of a grading permit, the applicant is required to enter into an oak tree replacement and mitigation monitoring agreement with the County.

If Option B is chosen, in lieu of the replanting and monitoring requirements set forth above, the applicant may mitigate the impacts to oak woodland by complying with the oak conservation in-lieu fee requirements (Option B) of the Oak Woodland Management Plan, adopted by the Board of Supervisors on May 6, 2008. The applicant shall pay the mitigation in-lieu fee for all oak canopy removed as part of development of the project. The mitigation fee shall be paid at a 1:1 ratio as required by the Oak Woodland Conservation Ordinance and shall be based on the fee established by the Board of Supervisors. The fee shall be paid prior to issuance of any grading permits.

12. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the applicant 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. Planning Services shall review and approve the grading plans prior to the issuance of a grading permit.
13. 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 and approve the grading plans prior to the issuance of a grading permit.
14. Prior to issuance of certificate of occupancy 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 imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services prior to occupancy/issuance of a building permit for verification of compliance with applicable conditions of approval.
15. The applicant shall make the actual and full payment of planning processing fees for the Special Use Permit application prior to the issuance of building permits.

The applicant shall submit to Planning Services the Department of Fish and Game filing fee and noticing fee prior to filing of the Notice of Determination by the County. No permits shall be issued until said fees are paid.

16. 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.

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 by El Dorado County.

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**

17. Encroachment Permit: The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment from the project site onto Mother Lode Drive to the provisions of County Design Std 103C. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to issuance of a building permit.
18. Left Turn Channelization / Right Shoulder Widening: The applicant shall design and construct a 14-foot wide left turn pocket on Mother Lode Drive at the new encroachment according to the provisions of the Caltrans Highway Design Manual and/or AASHTO. The improvements shall be completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to issuance of a building permit.

### **Department of Transportation Standard Conditions**

19. Easements: All applicable existing and proposed easements shall be shown on the project plans.
20. 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 a building permit. The signing and striping for this encroachment shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
21. Curb Returns: All curb returns, at pedestrian crossing, will need to include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp.

22. **Water Quality Stamp:** 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.
23. **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.
24. **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 a building permit.
25. **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 project approval.
26. **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.
27. **Grading Permit / Plan:** 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 DOT and/or Development Services (whichever is applicable) prior to occupancy clearance.
28. **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 or Development Services (whichever is applicable). 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.

29. 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 or Development Services (whichever is applicable) shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
30. 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 or Development Services (whichever is applicable). 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.
31. Drainage Study / SWMP Compliance: 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 or Development Services (whichever is applicable).

The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:

- The site can be adequately drained;
- The development of the site will not cause problems to nearby properties, particularly downstream sites;
- The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts;
- The ultimate drainage outfall of the project.

The improvements shall be completed to the approval of the Department of Transportation or Development Services (whichever is applicable), prior to the issuance of a building permit or the applicant shall obtain an approved improvement agreement with security.

32. 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.
33. CEQA Review: All on and off-site road improvement requirements required as conditions of approval and/or mitigation measures shall be analyzed in the environmental document for this development project to the appropriate extent under CEQA . Any improvements that are not thoroughly analyzed shall include a discussion and justification under that particular impact analysis within the CEQA document as to the circumstances preventing such analysis along with a method and time frame for any future analysis. Mitigation measures that are included in the 5 year CIP must have the CEQA processing completed to fulfill this condition as funded and programmed per the 2004 General Plan Policy TC-Xf.
34. 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.
35. TIM Fees: The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.

#### **Diamond Springs/El Dorado Fire Protection District**

36. The developer shall meet with this District and determine where the proper fire lanes shall be installed and identified at the site prior to building permit issuance, so as to provide for easy access by fire and emergency apparatus during incidents that occur at the complex.
37. Building and fire codes will also have to be adhered to but can not be determined until a full set of building and site plans are received by the district.
38. Sprinkler system shall be installed as per Fire District requirements. Three sets of sprinkler plans shall be approved by the Fire District prior to occupancy.
39. Fire flow for the building is 2,500 gallons per minute for duration of 2 hours at 20 pounds per square inch.
40. Knox Box shall be installed per District requirements prior to final occupancy.

41. Fire hydrant placement shall be approved by the Fire District prior to final occupancy.
42. Fire Department Connection placement shall be approved by the Fire District prior to final occupancy.
43. Fire apparatus access roads shall be provided within 150 feet to all portions of the building prior to final occupancy.
44. Fire apparatus roads shall meet 2007 CA Fire Code, as amended by this Fire District and El Dorado County DOT requirements.
45. Additional requirements may be necessary once a full set of plans are submitted to this District for review.
46. Approval of the subject project is conditioned on meeting the public safety and fire protection requirements of the County of El Dorado General Plan, which shall include provision of a financing mechanism for said services. The financing mechanism shall include inclusion within, or annexation into, a Community facilities District (“CFD”) established under the Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311 et seq.) established by the Diamond Springs/El Dorado Fire Protection District (“District”) for the provision of public services permitted under Government Code Section 53313, including fire suppression services, emergency medical services, fire prevention activities and other services (collectively “Public Services”), and as such, shall be subject to the special tax approved with the formation of such CFD with the Tract’s inclusion or annexation into the CFD.
47. A Fire District approved turn-a-round shall be provided at the residence at the western end of the project site.

#### **El Dorado County Environmental Health**

48. In the event of a septic system failure all structures with plumbing on this property shall connect to public sewer.

#### **Air Quality Management District**

49. The project construction will involve 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. Current county records indicate this property is not located within the Asbestos Review Area (copy enclosed). District Rules 223 and 223.1, which address the regulations and mitigation measures for fugitive dust emissions shall be adhered to during the construction process. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223 and 223.1. In addition, a Fugitive Dust Plan

(FDP) Application with appropriate fees shall be submitted to and approved by the District prior to start of project construction.

50. Project construction may involve road development and shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
51. Burning of wastes that result from "Land Development Clearing" must be permitted through the DISTRICT. Only vegetative waste materials may be disposed of using an open outdoor fire (Rule 300 Open Burning).
52. The project construction will involve the application of architectural coating, which shall adhere to District Rule 215 Architectural Coatings.
53. The District's goal is to strive to achieve and maintain ambient air quality standards established by the U.S. Environmental Protection Agency and the California Air Resources Board and to minimize public exposure to toxic or hazardous air pollutants and air pollutants that create unpleasant odors. The following are measures used to reduce impacts on air quality from equipment exhaust emissions:

Heavy Equipment and Mobile Source Mitigation Measures.

- 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.
  - 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.
54. 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.

**ATTACHMENT 2**

**FINDINGS FOR APPROVAL**

**Special Use Permit**  
**S07-0022/Seventh Day Adventist Church of Placerville**  
**(Supersedes V66-0023 and S71-0052)**  
**Planning Commission/December 11, 2008**

**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 proposed project, as conditioned, will not have a significant effect on the environment. 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** 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** 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 the corresponding permit monitoring requirement, is hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 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 Division at 2850 Fairlane Court, Placerville, CA.

**2.0 SPECIAL USE PERMIT FINDINGS**

**2.1 The issuance of the permit is consistent with the General Plan;**

The proposed project has been analyzed for consistency with General Plan Policies 2.2.5.2 (General Plan Consistency), 2.2.5.21 (Compatibility With Adjacent Uses), 6.2.3.2 (Adequate Emergency Access), 7.1.2.1 (Soil Conservation), 7.3.3.4 (Conservation of Water Resources), and 7.4.4.4 (Oak Canopy Retention) and has been found to be consistent with these policies with incorporation of mitigation measures reducing the impact to wetlands and wetland habitat. The proposed project is also consistent with the General Plan Land Use Designation of MDR.

**2.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood;**

The proposed multi-purpose building will comply with the Development Standards of the R1A zoned district. The proposed Special Use Permit revision has been found to comply with the requirements of Chapter 17.22, Special Use Permits, and the proposed use is not considered detrimental to the public health, safety and welfare, nor injurious to the neighborhood, based on the conclusions contained in the staff report.

**2.3 The proposed use is specifically permitted by special use permit pursuant to this Title.**

The proposed use is specifically permitted in the R1A Zone District pursuant to Section 17.28.070.A of the Zoning Ordinance which states that places of worship are allowed only after obtaining a special use permit. This permit is an expansion of a previously approved Special Use Permit and supersedes the previous permits.

**3.0 ADMINISTRATIVE FINDINGS**

3.1 The proposed use conforms to the Zoning Ordinance because the project meets all development standards for a storage building within the R1A Zone District. The approval of this special use permit will not nullify any of the conditions of approval or objectives of the previously approved Special Use Permit.

3.2 The Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.3.3.4 requires a 50 foot setback from ponds and wetlands and the project is proposing to build retaining walls within 15 feet of the high water mark of the pond. The retaining walls would be required for the engineering related to slope stability for the proposed multi-purpose building. The Interim Interpretive Guidelines allows an alternative setback when the applicant demonstrates that the alternative setback would still provide sufficient protection of the biological resources and avoids or minimizes impacts as required by the General Plan. A biological report has been submitted by the applicant and as analyzed in the initial study, impacts have been reduced to a less than significant level by incorporation of mitigation measures. As conditioned and mitigated this project can be found to be consistent with Policy 7.3.3.4.