



EL DORADO COUNTY PLANNING COMMISSION

Building C Hearing Room
2850 Fairlane Court, Placerville, CA 95667
<http://www.co.el-dorado.ca.us/planning>
Phone: (530) 621-5355 Fax: (530) 642-0508

Walter Mathews, Chair, District IV
Alan Tolhurst, First Vice-Chair, District V
Lou Rain, Second Vice-Chair, District I
Dave Pratt, District II
Tom Heflin, District III

Char Tim Clerk of the Commission

MINUTES

Regular Meeting June 11, 2009 – 8:30 A.M.

1. CALL TO ORDER

Meeting was called to order at 8:33 a.m. Present: Commissioners Rain, Pratt, Heflin, and Mathews; Paula Frantz-County Counsel*; and Char Tim-Clerk of the Planning Commission.
*[*Arrived at 8:57 a.m. and was in attendance at the start of the public hearing portion.]*

2. ADOPTION OF AGENDA

Motion: Commissioner Rain moved, seconded by Commissioner Pratt, and unanimously carried (4-0), to adopt the agenda as presented.

AYES: Heflin, Pratt, Rain, Mathews
NOES: None
ABSENT: Tolhurst

3. PLEDGE OF ALLEGIANCE

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

a. **Minutes:** May 28, 2009

END OF CONSENT CALENDAR

Motion: Commissioner Heflin moved, seconded by Commissioner Pratt, and unanimously carried (4-0), to approve the Consent Calendar.

AYES: Rain, Pratt, Heflin, Mathews
NOES: None
ABSENT: Tolhurst

5. DEPARTMENTAL REPORTS AND COMMUNICATIONS
(Development Services, Transportation, County Counsel)

Pierre Rivas stated that at the last meeting the Commission expressed interest in obtaining more information on Zone of Benefit and, as a result, he invited DOT staff to this meeting to provide a brief summary. Elizabeth Zangari and Eileen Crawford distributed a handout to the Commission which provided an overview of the various County Service Area Zones of Benefit. A detailed discussion ensued on this subject between the Commission, DOT staff and Peter Maurer.

Mr. Rivas distributed an e-mail to the Commission that he had received from SACOG on potential SACOG/American Planning Association workshops for Planning Commissioners. A discussion on interest and potential subject areas were discussed.

Mr. Rivas provided a summary of recent Board of Supervisor's actions regarding current planning:

- Appeal of S07-20/Pacific House Auto Repair: The Board heard this appeal on June 2, 2009, and directed the appellant, Marion Long, to work with Supervisor Nutting and staff to resolve issues regarding the Conditions of Approval and have the item return on June 30, 2009, for approval.
- A08-0016/Z08-0040/El Dorado Mirage Plaza: This item was conceptually approved by a 4-1 vote on June 9, 2009, with the main concern being the PD overlay to the zone district.

6. COMMISSIONERS' REPORTS – None

9:00 A.M.

PUBLIC FORUM/PUBLIC COMMENT – None

7. DESIGN REVIEW

DR09-0001 submitted by MARK and IRENE SMITH (Agent: Marty Owen) to construct a 1,200 square-foot office building, and associated lighting, signage, landscaping and parking. The property, identified by Assessor's Parcel Number 061-511-46, consisting of 2 acres, is located on the north side of State Route 193, approximately 0.25 miles east of the intersection with Spanish Dry Diggins Road in the Georgetown area, Supervisorial District IV. (Categorical Exemption pursuant to Section 15303(c) of the CEQA Guidelines)**

Tom Dougherty presented the item to the Commission with a recommendation for approval. Staff presented an elevation plan for a trash enclosure that would become Exhibit M and identified modifications to conditions #1, #4, and #28 reflecting this additional exhibit, as referenced in the staff memo dated June 2, 2009.

The applicant, Mark Smith, was available for questions.

Commissioner Rain felt that the design went well with the surrounding area.

No further discussion was presented.

Motion: Commissioner Rain moved, seconded by Commissioner Heflin, and unanimously carried (4-0), to: 1. Certify that the project is exempt from CEQA pursuant to Section 15303(C) of the CEQA Guidelines; and 2. Approve Design Review DR09-0001 based on the findings proposed by staff, subject to the conditions of approval as modified to include modifications to conditions #1, #4, and #28 referencing Exhibit M (as identified in staff memo dated June 2, 2009).

AYES: Pratt, Heflin, Rain, Mathews

NOES: None

ABSENT: Tolhurst

This action can be appealed to the Board of Supervisors within ten (10) working days.

Findings

1.0 CEQA Findings

- 1.1 This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15303(C) of the CEQA Guidelines Sections. Section 15303 (C) applies to a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of the Development Services-Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 General Plan Findings

- 2.1 As conditioned, the proposal is consistent with the intent of General Plan Policies 2.1.2.1 (Rural Center boundaries), 2.1.2.2 (Rural Center definition), 2.1.2.3 (Rural Center purpose), 2.2.5.2 (review for General Plan consistency), 2.2.5.21 (compatibility with surroundings), 2.8.1.1 (lighting impacts), 5.1.2.1 (adequate utilities), 5.7.1.1 (adequate emergency water and related facilities), 6.2.3.2 (adequate access), 7.4.4.4 (oak canopy), 10.1.5, 10.1.5.1, 10.1.5.2, and 10.1.5.4 (encouragement of economic opportunities because the project will have minimal impacts on visual resources, existing utilities, and on existing emergency response times. There are adequate services to facilitate the site, such as water, power and solid waste. The project provides an office alternative to the Georgetown area.

3.0 Zoning Findings

- 3.1 The project site is zoned Planned Commercial (CP) which permits office use subject to Design Review approval, and to the standards of Sections 17.32.130 through 17.32.160

of the County Code. The proposed structure would comply with the minimum development standard for parcel sizes in CP pursuant to Section 17.32.160 for minimum lot area of 5,000 square feet, for minimum lot width of 50 feet, and minimum yard setbacks of ten feet front and five on the sides and rear.

- 3.2 As proposed and conditioned, the project meets all applicable development standards contained within the El Dorado County Zoning Ordinance because sufficient landscaping, lighting, setbacks, and parking have been provided.

4.0 Administrative Findings

- 4.1 The proposed use and design will not be detrimental to the public health, safety, and welfare, nor injurious to the neighborhood and can be found to have minimal, if any, public health, safety, and welfare impacts regarding traffic, noise, parking, lighting, and aesthetics issues.

Conditions of Approval

Planning Services

1. This Design Review permit is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits A through L M dated June 11, 2009, 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:

Approval of the Design Review Application allows construction of a 1,200 square-foot general office building, customer parking spaces, landscaping, and driveway improvements. One 2-foot by 20-foot wall sign fronting SR 193 is approved. No off-site signs are approved by this permit. The building shall be constructed with the following materials:

BUILDING PORTION	STYLE/COLOR	MATERIAL
Roof	Green	Ribbed metal
Building Walls	1) South and west walls: tan/natural finish. 2) North and east walls: Concrete blocks painted to match the wood siding and natural finish along roof eaves.	1) Concrete blocks faced with rough- sawn plywood siding with vertical wood batten strips. 2) Concrete blocks, 8" x 8" x 16" for the walls. Rough-sawn plywood siding with vertical wood battens above the eaves.

Windows	Conventional/brown.	Metal and tempered glass.
Doors	1) Double doors, west side/brown. 2) Solid core, half glass, south side (front)/brown.	1) Metal with tempered glass windows. 2) Wood with glass panes.

Parking shall consist of the following:

Building square footage.	Standard Spaces Required: (1 space per 250 square feet of gross floor area.)	Standard Spaces Provided: (9 ft. x 18 ft.)	Handicap accessible spaces required and provided. (One is required to be van accessible).
1,200	5	5	1 required, 1 provided. That space would be (van accessible with an 8-foot wide unloading area outlined in blue on the passenger side).

Planning Services Site Specific and Standard Conditions

2. Sign location shall comply with Exhibit I1. No lighting for illumination of the approved sign is included with this approval. The sign plans shall be reviewed for compliance with the approved sign program by Planning Services prior to issuance of a building permit.
3. All outdoor lighting shall conform to the approved Exterior Lighting Plan (Exhibits I1, and I2), County Code Section 17.14.170, and be fully shielded pursuant to the Illumination Engineering Society of North America’s (IESNA) full cut-off designation. Three exterior wall-mounted light fixtures as shown in Exhibit I1 are permitted for each one on the west side and two on the south side of the building. The final lighting plan shall be submitted for review and approval by Planning Services with the building permit application and shall be reviewed for conformance with the approved Exterior Lighting Plan shown in Exhibits I1, and I2 prior to issuance of a building permit.

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.

4. Building design, colors, building placement, and parking lot improvements shall be completed in conformance with the plans submitted and in conformance with the conditions of approval herein and shall substantially comply with Exhibits F, G, H, I1, I2, I3, ~~and J~~ and M. Minor variations are allowed, however, any major changes in the design

- of buildings, location of buildings, access ways, and parking shall require review and approval by the Planning Services prior to project modifications.
5. Parking shall be improved consistent with Chapter 17.18 of the County Code, including the 2007 California Building Code Accessibility Regulations. Parking shall conform to Exhibit F. The final total customer parking spaces shall be five spaces. An ingress/egress easement shall be established with the adjoining parcel identified by Assessor's Parcel Number 061-790-08 to allow access between the parcels. That easement shall be reviewed and approved by Planning Services prior to recordation. Recordation shall occur prior to issuance of final occupancy.
 6. The landscape plan shall meet Zoning Code Chapter 17.18.090 and General Plan Policies 7.3.5.1, 7.3.5.2, and 7.4.4.4 and shall be consistent with Exhibit J. The applicant shall install and maintain landscaping in accordance with the approved landscaping plan in perpetuity.
 7. 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.
 8. Construction activities on the site shall be limited to daylight hours from 7 a.m. to 7 p.m., Monday through Friday, and 8 a.m. and 5 p.m. on weekends, and on federally-recognized holidays. The construction hours shall be placed on the grading plans and verified by Planning Services prior to issuance of a grading permit.
 9. Pursuant to Resolution No. 240-93, a \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption. This fee shall be made payable to El Dorado County and shall be submitted to Planning Services after the end of the appeal period of a final project decision.
 10. The applicant shall make the actual and full payment of Planning Services processing fees for the Design Review application prior to issuance of any County development permit.
 11. Pursuant to County Code Section 17.22.250, implementation of the project must occur within twenty-four (24) months of approval of this permit, otherwise the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with conditions of approval.
 12. If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and Native American Heritage Commission shall be contacted per Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public

Resources Code. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed. If archaeological sites or artifacts are discovered, the subdivider shall retain an archaeologist to evaluate the resource.

If the resource is determined to be important, as defined in Appendix K of the CEQA Guidelines, mitigation measures, as agreed to by the subdivider, archaeologist, and Planning Services shall be implemented. Treatment of Native American remains and/or archaeological artifacts shall be the responsibility of the subdivider and shall be subject to review and approval by Planning Services.

13. 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 developer and land owner 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 Design Review Permit.

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

Georgetown Divide Public Utility District (GDPUD)

14. The applicant shall install all improvements to the existing treated water transmission and distribution system existing proximate to the subject parcel along State Route 193. The improvements necessary shall be determined by the District's standards, the applicant-submitted modeling study and by any comments received from any other agency pertinent to water supply. The water meter required to serve the project shall be applied and paid for prior to final approval of any building permit. The applicant shall be responsible for all expenses incurred by the District associated with this proposed development.
15. Comments by another agency, pertinent to water supply shall be mitigated at the applicant's expense prior to issuance of final occupancy.

Georgetown Fire Protection District

16. The project shall meet all Georgetown Fire Code requirements.
17. Address numbers shall be placed in such a position to be plainly visible and legible from the road fronting the property. Numbers shall be four inches tall, contrast with their background, and be positioned so that the bottom of the numbers is a minimum of eight

inches above final grade. Compliance with this condition shall be verified by the District prior to issuance of final occupancy.

18. Vehicle parking and material storage during construction shall not restrict or obstruct streets, roads, and/or access/egress to any structure. A minimum twelve feet travel lane for emergency vehicle access shall be maintained clear and unobstructed at all times including during construction.
19. An approved access driveway in compliance with the Georgetown Fire Code shall be installed prior to construction with any combustible materials on the site. Each driveway shall serve no more than two buildings. The driveway shall be a minimum of 12 feet in width and capable of supporting an imposed load of at least 75,000 pounds. The driveway must be an all-weather driving surface maintained free, clear, and unobstructed at all times. In the Georgetown Fire Protection District, grades shall not exceed 16 percent; however, 20 percent may be permitted on straight sections. Driveway grades greater than 20 percent shall be chip-sealed, paved, or have a concrete surface. Dead-end access driveways exceeding 150 feet in length shall be provided with an approved turn-around. Gates on access driveways shall have a key safe (Knox box) installed for emergency vehicle access, and egress/access shall not be impeded by vegetation, topography, and/or snow. District approval for any driveways and gates shall be granted before ground disturbance. Compliance with this condition shall be verified by the District prior to issuance of final occupancy.
20. State Public Resource Code 4291 commonly referred to as the 100 feet and 30 feet minimum fuel reduction, egress/access standard, water supply, and/or fire safe regulations shall be required on this project prior to construction with any combustible materials. Compliance with this condition shall be verified by the District prior to issuance of final occupancy.
21. If the above project (structure) exceeds the maximum square footage of 2,000 square feet, allowed per the Georgetown Fire Code, but the existing municipal fire hydrant system satisfies fire flow requirements, no additional water supplies are required.
22. One dry-chemical, ABC-type (all-purpose), 5-pound fire extinguishers is required per office suite. The extinguishers and their mounting shall be in accordance of NFPA 10. Compliance with this condition shall be verified by the District prior to issuance of final occupancy.

NOTE: Extinguisher cabinets are recommended; however, not required.

23. An approved key box (Knox box), with the appropriate keys, shall be installed for emergency Fire District access in a location approved by the Fire Chief. Compliance with this condition shall be verified by the District prior to issuance of final occupancy.

24. IF a monitored fire detection system is installed or exists, it shall meet NFPA 72. Compliance with this condition shall be verified by the District prior to issuance of final occupancy.
25. An 8.5 by 11-inch color coded site map of this project shall be provided to the Fire District. This site map shall show the locations of gas shut-offs, power shut-offs, fire sprinkler riser rooms, fire department connections, alarm panels or keypads, key safes (Knox boxes), access doors and windows, stairways, and any additional Fire District requirements. Compliance with this condition shall be verified by the District prior to issuance of final occupancy.
26. Final inspections of all Fire District required installations by the Fire Prevention Officer or an appointee are required, and must be scheduled at least 96 hours in advance.

Environmental Management-Hazardous Materials Division

27. If any commercial, industrial, agricultural, mining or any other hazardous materials handling activities have taken place on the property in the past, the applicant must conduct a Phase I Environmental Site Assessment (ESA). The Phase I must be conducted in accordance with ASTM standard E 1527-00. All information developed in the Phase I process must be submitted to the Hazardous Materials Division (HMD) for review. If upon review of the Phase I information, HMD determines the property is a potentially impacted site, the applicant must apply for a permit, submit a workplan and conduct a Phase II ESA and any required site remediation activities prior to issuance of a building permit.

Environmental Management-Solid Waste Division

28. The applicant shall provide enough space for both a trash dumpster and a recycling dumpster. The enclosure housing both dumpsters shall be located as shown in Exhibit F and shall be constructed ~~to specifications recommended by the solid waste service company contracted to service the site~~ as shown in Exhibit M. The Solid Waste Division shall review and approve the location and building plan specifications prior to issuance of the Building Permit.

8. SPECIAL USE PERMIT

S09-0004/Harger Automotive Building submitted by ERIC HARGER (Agent: Michael Hord) to authorize the demolition of an existing 600 square foot wooden shop building and replace with a proposed 936 square foot steel automotive repair shop. The property, identified by Assessor's Parcel Number 101-201-44, consisting of 21,780 square feet, is located on the south side of Pony Express Trail, approximately three miles west of the intersection with Sly Park Road, in the Pollock Pines area, Supervisorial District II. (Categorical Exemption pursuant to Section 15303(c) of the CEQA Guidelines)**

Jason Hade presented the item to the Commission with a recommendation for approval.

Commissioner Heflin inquired on the absence of a trash enclosure condition which was added in the previous agenda item per staff's request. Discussion ensued on this subject with the applicant and staff. Pierre Rivas indicated that the Design Review Committee did not identify any concerns with the current trash bin being utilized and that trash enclosures are for managing trash and aesthetic purposes. Mr. Hade also explained that the application was an expansion of a previously authorized use and that is what staff focused on during the review.

Eric Harger, applicant, stated that the Special Use Permit is for the removal of a dilapidated building and replacing it with a new one.

Commissioner Pratt inquired on the necessity of the "knox box" identified in condition #20. Staff responded that it was a recommendation from the Fire Department.

Chair Mathews stated that this application was only in front of them based on an old Special Use Permit and he did not see a reason to add a trash enclosure condition.

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Rain, and unanimously carried (4-0), to: 1. Certify that the project is Categorically Exempt from CEQA pursuant to Section 15303(c) of the CEQA Guidelines; and 2. Approve S09-0004 based on the findings proposed by staff, subject to the conditions of approval as presented.

AYES: Heflin, Rain, Pratt, Mathews
NOES: None
ABSENT: Tolhurst

This action can be appealed to the Board of Supervisors within ten (10) working days.

Findings

1.0 CEQA FINDINGS

- 1.1 The Planning Commission has determined that the proposed project will have no significant impact on the environment and is exempt from CEQA pursuant to 15303(c) of the CEQA Guidelines.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

- 2.1 As proposed, the project is consistent with the Commercial (C) land use designation of the subject site as defined within General Plan Policy 2.2.1.2 because the C land use designation permits a full range of commercial, retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County, including the proposed automotive service and repair facility.
- 2.2 As conditioned, the proposal is consistent with General Plan Policies 2.2.5.21, land use compatibility, 5.2.1.2, water quality, 5.3.1.1, wastewater collection, 5.7.1.1, fire protection, 6.2.2.1, fire hazards, and 6.2.3.2, emergency access. Because of the project's compatibility with surrounding land uses, provision of sufficient water and wastewater collection facilities, and fire protection, it is consistent with the General Plan policies identified above.

3.0 ZONING FINDINGS

- 3.1 The proposed use is permitted by special use permit in the Commercial (C) zone district, pursuant to Section 17.32.030.A provided that the administrative findings outlined below can be made by the Planning Commission.
- 3.2 As proposed and conditioned, the project meets all applicable development standards contained within the El Dorado County Zoning Ordinance because sufficient parking is provided.

4.0 ADMINISTRATIVE FINDINGS (SPECIAL USE PERMIT)

- 4.1 *The issuance of the permit is consistent with the General Plan.*

As discussed above, the proposal is consistent with the following applicable General Plan Policies 2.2.5.21, land use compatibility, 5.2.1.2, water quality, 5.3.1.1, wastewater collection, 5.7.1.1, fire protection, 6.2.2.1, fire hazards, and 6.2.3.2, emergency access.

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

The proposed use will not be detrimental to the public health, safety and welfare or injurious to the neighborhood as it will fit within the context of the surrounding mix of residential and commercial land uses adjacent to the subject site and result in insignificant environmental, visual, noise, and traffic impacts to surrounding residents and businesses.

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

The proposed use is specifically permitted by special use permit pursuant to Section 17.32.030.A of the El Dorado County Zoning Ordinance as the required findings detailed above may be made by the Planning Commission.

Conditions of Approval

El Dorado County Planning Services

I. PROJECT DESCRIPTION

1. This special use permit is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits E and F, dated June 11, 2009, 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 (SUP) authorizes construction of a 936 square foot steel automotive repair shop expanding the existing auto repair facility in conformance with Exhibit E. Project materials include metal siding and roofing to match the existing steel building at the subject site in conformance with Exhibit F. Exterior building colors are Koko Brown with Aztec Gold trim. The site contains an existing 1,200 square foot automotive shop and 974 square foot single-family residence. No new landscaping or signage is proposed. Domestic water will be supplied by the El Dorado Irrigation District and sewage disposal will be provided by septic facilities. Hours of operation are 8:00 AM to 5:00 PM, Monday through Friday.

S09-004 will supersede S70-0136 as the authorizing permit for the subject site and S70-0136 will become null and void.

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 (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

II. PROJECT CONDITIONS OF APPROVAL

2. 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 developer and land owner 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 special use permit.

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

3. Prior to issuance of any permits, the applicant shall pay all Development Service fees.
4. Prior to building permit issuance, the applicant shall provide a written description, together with appropriate documentation, demonstrating conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services permit center staff prior to final occupancy for verification of compliance with applicable conditions of approval.
5. The applicant is responsible for providing 13 off-street parking spaces at all times while the automotive repair facility is in operation pursuant to 17.18.060 of the Zoning Ordinance. All on-site parking shall meet the parking lot design standards contained in Section 17.18.030 of the County Code. The required parking shall be provided as shown on the approved site plan, Exhibit E.
6. Prior to final building occupancy, all outdoor lighting shall conform to Section 17.14.170 of the County Code and be fully shielded pursuant to the Illumination Engineering Society of North America (IESNA) full cut-off designation, as determined by Planning Services.
7. Pursuant to County Code Section 17.22.250, implementation of the project must occur within twenty-four (24) months of approval of this permit, otherwise the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with conditions of approval.

Air Quality Management District

8. During construction, all activities shall apply standard Best Management Practices (BMPs) to control dust during construction. These practices shall be incorporated into the project and include:

- Application of water on disturbed soils and unpaved roadways a minimum of three times per day
 - Using track-out prevention devices at construction site access points
 - Stabilizing construction area exit points
 - Covering haul vehicles
 - Restricting vehicle speeds on unpaved roads to 15 miles per hour
 - Replanting disturbed areas as soon as practical and other measures as deemed appropriate to the site, to control fugitive dust
9. Prior to grading permit issuance, a Fugitive Dust Plan (FDP) application shall be submitted with appropriate fees to and approved by the Air Quality Management District (AQMD).
 10. Burning of vegetative wastes that result from “Land Development Clearing” must be permitted through the District Rule 300 Open Burning. Only vegetative waste materials are permitted to be disposed of using an open outdoor fire.
 11. The applicant shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
 12. Project construction involving the application of architectural coating shall adhere to AQMD Rule 215 Architectural Coatings.
 13. Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, boilers, internal combustion engines, etc.), authority to construction applications shall be submitted to the District. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors.

Department of Transportation

14. Encroachment (Obstruction) Permit: The applicant shall obtain an encroachment permit from DOT for the use of the County right of way for parking purposes. The applicant understands the County may rescind the encroachment permit at any time as DOT deems necessary. Additionally, the County will not be responsible for snow removal in the area granted for obstruction. The applicant shall obtain approval of the encroachment permit prior to issuance of a building permit.

El Dorado County Environmental Management Department

15. Prior to building permit issuance, any previous Phase I site assessments shall be updated and submitted to the Environmental Management Department for review and approval. If any potential impacts are identified from agricultural, mining, commercial, or other historical uses, a Phase II site assessment shall be conducted under permit by the Environmental Management Department. If significant contamination is discovered,

appropriate remedial action shall be conducted to the satisfaction of the Environmental Management Department.

16. If the automotive repair facility will store reportable quantities of hazardous materials (55 gallons) or generate hazardous waste, prior to commencing operations the owner(s)/operator(s) must:
- Prepare, submit and implement a hazardous materials business plan and pay appropriate fees.
 - Obtain a hazardous waste generator identification number from the California Department of Toxic Substances Control.
 - Train all employees to properly handle hazardous materials and wastes.
 - Implement proper hazardous materials and hazardous waste storage methods in accordance with the Uniform Fire Code and Uniform Building Code.

El Dorado County Fire Protection District

17. A site inspection/review fee of \$150.00 shall be submitted to the El Dorado County Fire Protection District (EDCFPD) prior to building permit issuance.
18. Prior to final building occupancy, a fire hydrant shall be installed on the south side of Pony Express Trail (specific location to be determined by EDCFPD) to provide service within 150 feet of all points of the new steel building. Alternative fire protection provisions in-lieu of the required fire hydrant may be approved at the discretion of the EDCFPD.
19. Prior to final building occupancy, the applicant shall submit documentation from the El Dorado Irrigation District to the EDCFPD demonstrating that the project will meet the required fire flow of 1,500 gallons per minute at 20 pounds per square inch for two hours.
20. All project gates will be required to open with the knox security system and with 3M opticom prior to final building occupancy.
21. Prior to final building occupancy, all buildings will be required to have an addressable EDCFPD approved NFPA fire alarm system.

9. REZONE

Z98-0017 submitted by HERNAN CASTRO (Agent: Carlton Engineering) to rezone from Estate Residential Five-Acre Zone District (RE-5) to One-Acre Residential District (R1A). The property, identified by Assessor's Parcel Numbers 070-101-65 and -66, consisting of 5.62 acres, is located on the north side of Meder Road, approximately 200 feet west of intersection with Carlson Road, in the Shingle Springs area; Supervisorial District IV. (Negative declaration prepared)*

Mel Pabalinas presented the item to the Commission with a recommendation for approval to the Board of Supervisors. He indicated that there is no proposed development at this time and that no issues were raised by the various reviewing agencies. Mr. Pabalinas stated that one public comment was received from Richard Holmes, which was distributed to the Commission for their review.

James Wilson/Carlton Engineering, said that this application has had a long history with the County and that the applicant is available for any questions.

No further discussion was presented.

Motion: Commissioner Heflin moved, seconded by Commissioner Pratt, and unanimously carried (4-0), to recommend the Board of Supervisors take the following actions: 1. Adopt the Initial Study/Negative Declaration; and 2. Approve Rezone application Z98-0017 based on findings proposed by staff.

**AYES: Rain, Pratt, Heflin, Mathews
NOES: None
ABSENT: Tolhurst**

Findings

1.0 CEQA

El Dorado County prepared an Initial Study in evaluation of potential environmental impacts. A Negative Declaration has been determined given that there is no substantial evidence contained in the project record that would indicate that this project has the potential to significantly degrade the quality of the environment. The negative declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.

The documents and other materials which is constitutes the record upon which this decision is based are in the custody of the Development Services Department-Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 ADMINISTRATIVE FINDINGS

2.1 General Plan

The project site is within the Shingle Springs Community Region planning concept area of the county and has a land use designation of Medium Density Residential. This designation anticipates residential development with a density range of one dwelling units per one to five acres. The proposed zone change to One-Acre Residential (R1A) is consistent with Medium Density Residential. The rezone has been evaluated for conformance to applicable General Plan policies including Land Use Element Policies 2.2.5.2, 2.2.5.3 and Public Services and Utilities Element Policies 5.2.1.3 and 5.2.1.4.

Future development of the site shall be further reviewed for consistency with applicable policies including project density and intensity, consistency with the surrounding uses, site, circulation and utility layout, and preservation of natural and cultural resources.

2.2 Zoning

The project site is currently zoned Estate Residential 5-acre minimum which is consistent with the Medium Density Residential land use designation. The zone change to One-Acre Residential (R1A) would be consistent with land use designation and anticipated residential development. Subsequent development of the site shall require conformance to the applicable development standards regulated under Chapter 17.28 Section II of the El Dorado County Zoning Ordinance.

10. GENERAL PLAN AMENDMENT/ORDINANCE

A08-0001/OR08-0001/Mixed Use Development initiated by EL DORADO COUNTY. The purpose of the Mixed Use Development section of the County Zoning Ordinance is to further development that incorporates a range and variety of uses within a single development site while encouraging residents to work, shop and recreate close to where they live, and in some instances, take advantage of non-automobile oriented transportation methods, minimizing vehicle miles traveled. The following sections are included: A. Amendments to section 17.32 (Section I), B. Amendments to section 17.32 (Section II), C. Amendments to section 17.32 (Section IV) allowing for Mixed Use Development in these designated areas, and D. Addition of Design Guidelines in Section 17.14, providing standards to be analyzed by application of a Planned Development, and shall be approved based on design standards outlined in the ordinance. (Negative Declaration prepared/SCH#2001082030)*

Shawna Purvines presented the item to the Commission with a recommendation for approval to the Board of Supervisors. She provided a background history on this item that had been originally heard by the Commission in 2008 and returned to the Commission by the Board after a workshop/special hearing was conducted. Ms. Purvines indicated that there were two primary changes that came from the workshop: (1) Allowing Mixed Use Development (MUD) on multiple parcels; and (2) Having an interim process that requires MUD projects to go through a Planned Development (PD). She also stated that the Board was agreeable to allowing flexibility of the 30% Open Space for PD on MUD projects only.

Members of the stakeholder's group, Kathye Russell, Jim Brunello, and Andrea Howard, conducted a PowerPoint presentation to the Commission and audience.

Art Marinaccio encouraged the Commission to approve this item today and stated that it was important to remember that MUD is not just one thing and that the community needs have to be considered. He also stated that this was a good opportunity and that specific policies will need to be reviewed and to be prepared for more discussion.

Judy Mathis indicated that this was one of the best pieces to be added to the General Plan. Currently, it is difficult to find properties that allow residential/commercial combinations, which many people desire in order to live and work in the same area. Ms. Mathis felt that the County needs to show that it is looking forward and commended the group for working very hard on this and identifying opportunities.

Sue Taylor felt that MUD has been hijacked and considers the stakeholder group to be development lobbyists who are not affordable housing developers and probably don't live in the places identified as potential MUD areas. She inquired as to why the rush to complete Phase I and why not go straight to Phase II. Ms. Taylor also voiced concerns over the lack of checks and balances for water, the General Plan being "guttled" by amendments, and felt that what was being proposed was pure urbanization along the highway corridor. She suggested that potential MUD projects be brought forth as a conceptual review during meetings held in the evening. Ms. Taylor also inquired as to how we can guarantee that people are living and working in the same area.

Chris Alarcon was offended by comments made by a public member and stated that he was excited about MUD and that this would be fleshing out policies that have always existed in the General Plan.

With Chair Mathews' consent, Mr. Marinaccio was allowed to respond for the record to comments made. He stated the following: (1) It was the Planning Commission, specifically Commissioner Knight, and not developers that requested MUD be included in the General Plan in a more meaningful way; and (2) MUD allows the County to accommodate smart growth and also maintain a rural atmosphere.

Sherry Alarcon stated they are "advocates" for MUD and spoke on current foreclosures and job loss. She felt that this can help the County in the future and encouraged the Commission to be progressive and put Phase I in place.

Noah Briel said that this is not new and that the main point is that 2,000 more people a year are coming here and MUD is the "silver bullet" that can resolve many issues the County is facing.

Chair Mathews stated that the County is being mandated by the State to accommodate growth and MUD provides an opportunity to fill commercial and affordable residential needs at the same time. MUD also allows creativity and a feeling of community.

Commissioner Rain commended the entire group on an excellent job and thought it was a good project that was going back to the Board. He did request a wording modification to Attachment 6, in section "A", by removing the word "close" in front of "proximity".

Commissioner Heflin thought the form-based code was a good direction and applauded the group's effort and thought this was forward-thinking.

Commissioner Pratt liked the concept of "smart growth" and stated that this should be a catalyst for communities to begin thinking of specific design guidelines for their areas. He did voice

concerns regarding management mechanisms on the following issues: (1) How to keep Mixed Use, mixed; (2) Maintaining balance between moderate and affordable; (3) Managing Floor Area Ratio; and (4) Linkage between multiple parcels.

No further discussion was presented.

Motion: Commissioner Heflin moved, seconded by Commissioner Rain, and unanimously carried (4-0), to recommend the Board of Supervisors take the following actions: 1. Adopt the Negative Declaration based on the Initial Study prepared by staff; 2. Approve A08-0001 amending General Plan Policies 2.1.1.3; 2.1.2.5; 2.2.1.2; and 2.2.1.3 Table 2-2 Land Use Densities and Residential Population Ranges; as shown in Attachment 2, based on the findings contained in Attachment 1; 3. Approve OR08-0001 amending Zoning Ordinance Chapter 17.32 to include Mixed-Use Development as a permitted use in Commercial Districts (C), Professional Office Commercial Districts (CPO), and Planned Commercial Districts (CP) with a maximum residential density of 24 dwelling units per acre within Community Regions and a maximum residential density of 4 units per acre in Rural Centers as shown in Attachments 3 thru 5, based on the findings contained in Attachment 1; and 4. Approve regulations for Mixed-Use Development as set forth in Zoning Ordinance Chapter 17.14 with the addition of section .220, as modified, and shown in Attachment 6, based on the findings contained in Attachment 1.

AYES: Pratt, Rain, Heflin, Mathews
NOES: None
ABSENT: Tolhurst

Findings

1.0 CEQA FINDINGS

1.1 Pursuant to Public Resources Code 21083.3 and State CEQA Guidelines Section 15177, the County has determined that the project is within the scope of the General Plan EIR, adopted July 2004 and the Supplemental EIR adopted July 10, 2007. Therefore, the initial study that was prepared only looked at issues specific and unique to the General Plan and Zoning Ordinance Mixed-Use Amendment and current setting conditions, and did not re-evaluate issues adequately addressed in the previous General Plan EIR or Supplemental EIR completed for the Floor Area Ratio Amendment adopted on July 10, 2007.

1.1.1 The policy amendment would not degrade the quality of the environment, reduce habitat, threaten plant or animal communities or eliminate important examples of California history or prehistory; and

1.1.2 The policy amendment would not have a significant impact related to aesthetics, air quality, hazards/hazardous materials, hydrology/water quality, land use/planning, noise, population/housing, public services, traffic/transportation, or

utilities/service systems beyond what was analyzed in the General Plan EIR and subsequent FAR Supplemental EIR; and

- 1.1.3 The policy amendment would not have environmental effects that would cause substantial adverse impacts on people either directly or indirectly.
- 1.2 The proposed amendment does not create any new or changed impacts from that analyzed in the 2004 General Plan EIR and Supplemental EIR (A06-0002); and in the County's judgment the County's General Plan EIR and the Negative Declaration is adequate for approval of this project.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 GENERAL PLAN AND ZONING ORDINANCE FINDINGS

- 2.1 The proposed amendments will provide greater opportunity for development of affordable housing, encourage infill development within Community Regions and Rural Centers, and assist in meeting State Housing Element Law requirements, thereby meeting the provisions of General Plan policies HO-1.2, adequate supply of suitable sites that are properly located based on environmental constraints, community facilities, and adequate public services; HO-1.5, direct higher density residential development to Community Regions and Rural Centers; HO-1.8, encourage mixed-use projects where housing is provided in conjunction with compatible nonresidential uses; HO-1.16, minimize discretionary review for affordable housing; and 6.7.4.1, reduce automobile dependency by permitting mixed land use patterns.
- 2.2 All other policies relating to new development requiring adequate transportation improvements, infrastructure, public services, and protection of natural resource still

Proposed General Plan Policy Amendments

Policy 2.1.1.3:

Mixed-use developments, which combine commercial and residential uses ~~on a single parcel in a single project~~ are permissible and encouraged within Community Regions ~~provided the commercial use is the primary and dominant use of the land~~. Within Community Regions, the mixed-uses may occur vertically and/or horizontally. In mixed-use projects, the maximum residential density shall be ~~40~~ 24 dwelling units per acre within Community Regions. The residential component of a mixed-use project may include a full range of single and/or multi family design concepts.

Policy 2.1.2.5

Mixed use developments which combine commercial and residential uses ~~on a single parcel in a single project~~ are permissible and encouraged within Rural Centers ~~provided the commercial use~~

~~is the primary and dominant use of the land.~~ Within Rural Centers, the mixed uses may occur either vertically and/or horizontally. The maximum residential density shall be four dwelling units per acre in Rural Centers in mixed use areas. The residential component of a mixed-use project may include a full range of single and/or multi family design concepts.

Policy 2.2.1.2:

Commercial (C): The purpose of this land use category is to provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. Mixed-use development of commercial lands within Community Regions and Rural Centers, which combine commercial and residential uses, shall be permitted ~~provided the commercial activity is the primary and dominant use of the parcel.~~ The residential component of the project shall only be implemented following or concurrent with the commercial component. Commercially designated parcels shall not be developed with a residential use as the sole use of the parcel unless the residential use is either (1) a community care facility as described in goal HO-4 or (2) part of an approved mixed used development as allowed by Policy 2.1.1.3 and 2.1.2.5.~~Except for Community Care Facilities described in Objective 4.1.2, developments in which residential usage is the sole or primary use shall be prohibited on commercially designated lands.~~ Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County. Except as provided in Policy 2.2.2.3, this designation is considered appropriate only within Community Regions and Rural Centers.

Policy 2.2.1.3

The General Plan shall provide for the following range of population densities in the respective land use designation based upon the permitted range of dwelling units per acre and number of persons per acre as shown in Table 2-2 below.

TABLE 2-2 LAND USE DENSITIES AND RESIDENTIAL POPULATION RANGES			
Land Use Designation	Units Per Acre	Persons Per Housing Unit¹	Persons Per Acre
Multifamily Residential	5 – 24	2.3	11.5 - 55.2
High-Density Residential	1 – 5	2.8	2.8 - 19.6
Medium-Density Residential	1 – 0.2	2.8	2.8
Low-Density Residential	0.20 - 0.1	2.8	0.56 - 0.28
Rural Residential	0.1 – 0.025	2.8	0.28 - 0.07
Agricultural Lands	0.05	2.8	0.14
Natural Resource	0.025 – 0.00625	2.8	0.07 - 0.0175
Commercial	10/4² <u>24/4²</u>	<u>2.3/2.8</u>	28-55.2/11.2
Research & Development	10/4²	2.8	28/11.2
Industrial	–	–	–
Open Space	–	–	–

Public Facilities	–	–	–
Tourist Recreational	–	–	–
Notes: ¹ 1990 U.S. Census ² Maximum of 10 <u>24</u> units per acre in Community Regions; maximum of 4 units per acre in Rural Centers			

Chapter 17.32
(Section I)

COMMERCIAL (C) DISTRICTS

Sections:

- 17.32.010 Applicability.
- 17.32.020 Uses permitted by right.
- 17.32.030 Uses requiring special use permit.
- 17.32.040 Development standards.

17.32.010 Applicability. The regulations set forth in Sections 17.32.020 through 17.32.040 shall apply to all C districts (commercial districts) and shall be subject to the provisions of Chapters 17.14, 17.16 and 17.18. (Prior code §9413(part))

17.32.020 Uses permitted by right. The following uses are allowed by right, without special use permit or variance:

- A. Any use, except one-family and multiple-family dwellings and mobile home parks, allowed by right or special use permit in RT tourist residential zones;
- B. Office, bank, studio, eating and drinking establishment and used retail sale other than those enumerated in subsection E of this section, retail repair and service exclusive of automobile service, service station, parking lot;
- C. Accessory use and structure;
- D. Two signs not exceeding fifty square feet in total area of any one display surface, or one sign not exceeding eighty square feet in area, advertising authorized activities on the premises;
- E. Places of entertainment, appliance store and repair (new and used), antique store and furniture store, second-hand store, when they are fully enclosed in a building;
- F. Reserved;
- G. Health facility;
- H. Community care facility. (Ord. 3992 §1(part), 1988: Ord. 3606 §41, 1986: Ord. 3419 §12, 1984: prior code §9413(a))

17.32.025 Uses requiring a Planned Development.

- A. Mixed-use development, (subject to provision in 17.02. 17.04 and 17.14.220).

17.32.030 Uses requiring special use permit. The following uses are allowed only after obtaining a special use permit therefor from the planning commission:

- A. New and used automobile sale and repair, bulk petroleum sale and storage; provided, however, that used automobile sale and repair shall not be deemed to include automobile dismantling, junking or wrecking operation;
- B. Animal clinic or shelter;
- C. Mobile home park;
- D. All uses enumerated in subsection E of Section 17.32.020 when they are not fully enclosed in a building;
- E. Other sign sizes and applicable general provisions as itemized in Chapters 17.14, 17.16 and 17.18;
- F. Airports, heliports and their accessory uses and structures;
- G. Reserved;
- H. Recreational vehicle parks, campgrounds and their accessory uses and structures;
- I. ~~Multiple family dwellings.~~ (Ord. 3992 §1(part), 1988: Ord. 3606 §42, 1986: prior code §9413(b))

17.32.040 Development standards. The following provisions shall apply to all C districts, except for Mixed-use developments (subject to provisions under 17.14.220), and unless and until a variance is obtained from the planning commission:

- A. ~~Minimum lot area, five thousand square feet, but not less than one thousand square feet for each dwelling or rental unit located on the first and second story; and seven hundred fifty square feet for each dwelling or rental unit located on the third story and above;~~
- B. Maximum building coverage, sixty percent of the lot;
- C. Minimum lot width, fifty feet;
- D. Minimum yard: front, ten feet; sides and rear, five feet, or zero feet and fireproof wall without opening; provided, however, that all hotels, motels or multifamily dwellings shall have at least five feet side and rear yards;
- E. Maximum building height, fifty feet. (Prior code §9413(c))

Chapter 17.32
(Section IV)

PLANNED COMMERCIAL (CP) DISTRICTS

- 17.32.130 Applicability.
- 17.32.140 Uses requiring site plan approval.
- 17.32.150 Uses requiring special use permit.
- 17.32.160 Development standards.

17.32.130 Applicability. The regulations set forth in Sections 17.32.130 through 17.32.160 shall apply in all CP districts and shall be subject to the provisions of Chapters 17.14, 17.16 and 17.18. (Prior code §9418(part))

17.32.140 Uses requiring site plan approval. The following uses are allowed without special use permit or variance, but only after obtaining approval of the site plan therefore from the planning director, who shall act thereon within fifteen days after submittal of the site plan. If the applicant is not satisfied with the action of the planning director, the applicant may request the review of the action by the planning commission:

- A. Any use, except one-family and multiple-family dwellings and mobile home parks, allowed by right or special use permit in RT tourist residential zones;
- B. Office, bank, studio, eating and drinking establishment and used retail sale other than those enumerated in subsection E of this section, retail repair and service exclusive of automobile service, service station, parking lot;
- C. Accessory use and structure;
- D. Two signs not exceeding fifty square feet in total area of any one display surface, or one sign not exceeding eighty square feet in area, advertising authorized activities on the premises;
- E. Places of entertainment, appliance store and repair (new and used), antique store and furniture store, second-hand store, when they are fully enclosed in a building;
- F. Reserved;
- G. Health facility;
- H. Community care facility. (Ord. 3992 §3(part), 1988: Ord. 3606 §43, 1986: Ord. 3419 §13, 1984: prior code §9418(a))

17.32.145 Uses requiring a Planned Development.

- A. Mixed-use development (subject to provisions under 17.02, 17.04 and 17.14.220),

17.32.150 Uses requiring special use permit. The following uses are allowed only after obtaining a special use permit therefore from the planning commission:

- A. New and used automobile sale and repair, bulk petroleum sale and storage; provided, however, that used automobile sale and repair shall not be deemed to include automobile dismantling, junking or wrecking operations;
- B. Animal clinic or shelter;
- C. Mobile home park;
- D. All uses enumerated in subsection E of Section 17.32.140 when they are not fully enclosed in a building;
- E. Other sign sizes and applicable general provisions as itemized in Chapters 17.14, 17.16 and 17.18;
- F. Airports, heliports and their accessory uses and structures;
- G. Recreational vehicle parks, campgrounds and their accessory uses and structures;
- H. ~~Multiple family dwellings. (Ord. 3992 §3(part), 1988: prior code §9~~

17.32.160 Development standards. The following provisions shall apply in all CP districts, except for Mixed-use developments (subject to provisions under 17.02, 17.04 and 17.14.220), and unless and until a variance is obtained from the planning commission:

- A. Minimum lot area, five thousand square feet;
- B. Maximum building coverage, sixty percent of the lot;
- C. Minimum lot width, fifty feet;
- D. Minimum yards: front, ten feet; sides and rear, five feet, or zero feet and fireproof wall without opening; provided, however, that all hotels, motels or multifamily dwelling structures shall have at least five-foot side and rear yards;
- E. Maximum building height, fifty feet;
- F. Density: ~~no less than one thousand square feet for each dwelling or rental unit located on first and second story; and seven hundred fifty square feet for each dwelling or rental unit located on the third story and above; however,~~ the maximum density shall be no greater than the highest density established by the adopted general plan land use element. (Ord. 3237 §6, 1982; prior code §9418(c))

Chapter 17.32
(Section II)

PROFESSIONAL OFFICE COMMERCIAL (CPO) DISTRICTS

Sections:

- 17.32.050 Purpose.
- 17.32.060 Uses requiring site plan approval.
- 17.32.070 Uses requiring special use permit.
- 17.32.080 Development standards.

17.32.050 Purpose. The purpose of the CPO districts is to ~~provide~~provide land use areas for the development and use of professional, administrative and business offices and related uses located in proximity to residential uses. It is intended that Sections 17.32.050 through 17.32.080 shall provide for an environment which will be in harmony with adjacent existing and proposed developments and shall provide a transition or buffer zone between residential and more intensive land uses. (Prior code §9413.2(A))

17.32.060 Uses requiring site plan approval.

- A. The following uses are permitted without special use permit, but only after obtaining approval of the site plan ~~therefore~~, from the planning director who shall act thereon within fifteen days after submittal. The planning director shall find that the proposed uses, architectural design, building siting, landscaping, parking and signs will be compatible and harmonious with existing and proposed adjacent developments and any contiguous like uses. If the applicant is not satisfied with the requirements or actions of the planning director, the applicant may request a review by the planning commission which shall hear the site plan review within thirty days of the request. Decisions of the planning commission may be appealed pursuant to the provisions of Chapter 17.08.
- B. The provisions of Chapters 17.14, 17.16 and 17.18 shall apply to such uses as listed below:

1. Dental clinics;
2. Professional offices for the use of accountants, architects, attorneys, banks, dentists, doctors, engineers, insurance, investment companies, real estate companies, savings and loan companies, surveyors and general business offices of an administrative or service nature to the exclusion of on-site retail or wholesale trade;
3. Coffee shops, newsstands, similar service accessory use to be located totally within an office building with no entrance directly from the street nor a sign visible from the street and of such a scope and nature as may be expected to generate patronage substantially from tenants of the office complex or building;
4. Drug and prescription sales accessory to a medical office or clinic to be located totally within an office building with no entrances directly from the street nor any sign visible from the street;
5. Reserved;
6. The following sign regulations shall apply in all professional office commercial zones:
 - a. No sign shall face any adjacent residential zoning district,
 - b. One freestanding sign, not exceeding fifty square feet on any display area, not exceeding the maximum elevation of the roof line of the building or complex advertised,
 - c. Wall signs when designed as an integral part of the building or complex and relating only the name and use of the building or complex. Such wall signs may also contain the names and specialties of the occupants when no freestanding sign is utilized,
 - d. Total sign area of paragraphs c and d combined shall not exceed fifty square feet, and
 - e. One nameplate not exceeding three square feet with letters and symbols not exceeding twelve square inches each and signifying the name and specialty of the occupant;
7. Health facility;
8. Community care facility. (Ord. 3992 §2(part), 1988: Ord. 3419 §14, 1984: prior code §9413.2(B))

17.32.065 Uses requiring a Planned Development

1. Mixed-use development, (subject to provisions under 17.02, 17.04 and 17.14.220),

17.32.070 Uses requiring special use permit. The following uses are allowed only after obtaining a special use permit therefore from the planning commission or zoning administrator:

- A. Veterinary office or clinic when totally enclosed within a building;
- B. Business and professional schools and schools of the arts;
- C. Veterans or fraternal organizations of a nonprofit nature; or
- D. Public buildings and public utilities buildings of a type and nature deemed compatible by the planning commission or planning director with the intent of this article;
- ~~E. Multiple family dwellings up to a maximum of four dwelling units per structure. (Ord. 3992 §2(part), 1988: prior code §9413.2(C))~~

17.32.080 Development standards. The following provisions shall apply in all CPO districts, except for mixed-use development (subject to provisions under 17.14.220), and unless and until a variance is obtained from the planning commission:

- A. Minimum lot area, six thousand square feet;
- B. Maximum building coverage, fifty percent of the lot;
- C. Minimum lot width, sixth feet;
- D. Minimum landscaping area, ten percent of the gross lot area;
- E. Minimum yards: front, twenty feet; five feet sides; and fifteen feet rear; multifamily dwelling structures shall have at least fifteen feet side and rear yards; and
- F. Maximum building height, thirty-five feet;
- G. Density: ~~no less than two thousand square feet for each dwelling unit; however, the~~ maximum density shall be no greater than the highest density established by the adopted general plan land use element. (Ord. 3237 §5, 1982; prior code §9413.2(D))

CHAPTER 17.14

17.14.220 Mixed-Use Development

- A. Purpose and Intent. The purpose of this chapter is to provide housing and employment opportunities in ~~close~~ proximity in order to more fully and efficiently utilize available land in Rural Centers and Community Regions. It is further the intent of this section to encourage the development of affordable housing and pedestrian-oriented communities, to maintain access to commercial businesses, to enhance the core areas of existing community and rural centers while protecting historical and cultural amenities and to provide incentives for such development.
- B. Definition. Properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development project with significant functional interrelationships and a coherent physical design. A “single site” may include contiguous properties.
- C. Applicability. Residential development may occur with permitted commercial development as provided in Chapter 17.32 where the standards established in §17.14.220 are met.
- D. Residential uses are allowed on separate parcels as the residential component of a mixed-use development. The residential component of a mixed-use development project may include a full range of single family and/or multi-family residential design concepts.
- E. Mixed Use Development Limitations. The following criteria shall apply to all mixed use development projects:
 - 1. At least 30% of the gross floor area of the mixed-use development project shall be devoted to commercial uses. “Gross floor area” does not include inner courts, stairwells or exterior balconies.

2. Construction of the residential development shall occur following or concurrently with the construction of the commercial development of the site.
3. Project Phasing. Mixed-use development projects may be developed in phases.

F. Development Standards.

1. The maximum density for residential units in mixed-use developments shall be twenty-four dwelling units per acre in Community Regions, four dwelling units per acre in Rural Centers and prohibited on Platted Lands designated commercial in Rural Regions;
2. Minimum dwelling unit area shall comply with California Building Code;
3. Minimum yard: may be built to property lines (back of sidewalk) or other publicly accessible area;
4. Mixed-use development may combine up to 20 percent (20%) of the required residential parking spaces with the commercial spaces as required pursuant to Chapter 17.18 except where the proposed commercial use will operate during evening or nighttime hours;
5. A minimum of one dedicated parking space per dwelling units must be provided;
6. Off-street parking spaces must be located to the rear of the principal building or otherwise screened so as to not be visible from public right-of-way or residential zoning districts.
7. All mixed-use development shall provide pedestrian walkways or sidewalks connecting the residential and commercial uses to each other as well as to adjacent commercial, residential, and civic uses, providing for pedestrian safety.
8. All mixed-use development shall contain complementary and connected uses that are mutually supportive of each use and are integrated into the community or neighborhood it is located.

G. Findings: To assure the proposed development meets the intent of this section for mixed-use development and in addition to the findings in section 17.04.030(B), the following findings shall be made prior to approving a mixed-use project.

1. Community integration: Development integrates into the existing and planned community and creates an appropriate internal and external human scale, providing for pedestrian comfort and amenities.
2. Land use, building and site layout: The development is an integrated project with significant functional interrelationships and a coherent physical design.

11. **LAND DEVELOPMENT MANUAL/HIGHWAY DESIGN MANUAL/STANDARD PLANS**

Adoption of Land Development Manual, Highway Design Manual, and Standard Plans (hereinafter “Manuals”). Section 16.14.010 and 16.16.020 of the El Dorado County Code require all subdivision improvements to be constructed in accordance with the County Design Manual. The proposed Manuals comprehensively incorporate provisions of the 2004 General Plan and 2007 Fire Code, updates to the current Design and Improvement Standards Manual, and includes additional information on development processes. The Manuals include provisions for: Subdivision Development Processes; Road Standards and Typical Sections; Hillside Design Standards; Design Waivers; Secondary Access Provisions; Sidewalk Requirements; Fire Protection Standards; Water and Sewage Disposal Standards; Miscellaneous DOT permits and processes; Grading; Gating of Roads; Surveying Information; and a Reference Chapter. (Negative declaration prepared)*

Roger Trout presented the item to the Commission and provided background history from the last meeting which was a workshop on this item. Mr. Trout referenced staff’s memo dated June 4, 2009, identifying global issues and a recommendation to continue formal action to the July 23, 2009, meeting.

Significant discussion ensued on the global issues identified in the staff memo and the Commission’s direction on those.

Kathy Russell stated that she does not like the proposed manual and requested the continued date be farther out to allow adequate time for review.

Kirk Bone/Parker Development, voiced concern over the level of detail that needs to accompany applications and would like more time to review the manual in order to look at the “what” and the “when” regarding requirements.

Art Marinaccio, in response to one of the global issues posed in the staff memo, stated that if the targeted audience is the novice, then staff should leave the General Plan polices, in verbatim, in the manual as presented. He also reminded the Commission that they need to identify a mechanism to fix the document before approving it. Mr. Marinaccio agreed with Mr. Bone’s comments on the timing of when documents need to be submitted for applications. He also felt that the Commission needs to determine what level of involvement they want to be at for the technical discussion.

Jim Brunello felt the document needs to be parried down and identify what is required. He stated that he would like to see the Commission become engaged in policy discussion.

Commissioner Rain reminded the audience that the Board is the policy-maker, not the Planning Commission.

Cindy Shaffer appreciated the amount of time and effort that staff has put into this document. She voiced concern over policy issues that may be embedded in the document and encouraged serious review on this in order to avoid unintended consequences. Ms. Shaffer also said that if the Commission does not want to discuss policy issues then perhaps they should forward it directly to the Board for that type of discussion.

Bill Fisher provided comments on pages 2-4 to 2-17 regarding application forms.

Craig McKibbin/DOT stated that this has been a long process already and staff has attempted to address issues brought to their attention. He would like to continue moving forward on this document, particularly since the existing manual is 20 years old and out of date.

Chair Mathews indicated that he was in favor of the continuance and encouraged the development community to provide comments to staff.

Commissioner Pratt stated that he liked the concept of a living document but questioned how the document would be modified without impeding pending projects. He also indicated that it is a difficult document to read for a lay person and inquired if there was a way to differentiate in the document between State Code and General Plan requirements.

No further discussion was presented.

Motion: Commissioner Mathews moved, seconded by Commissioner Rain, and unanimously carried (4-0), to direct staff to return with the design manuals updated according to Planning Commission's direction, ready for the Planning Commission to approve on July 23, 2009, meeting, with the updated manuals being ready for review by July 9, 2009.

AYES: Pratt, Heflin, Rain, Mathews
NOES: None
ABSENT: Tolhurst

12. ADJOURNMENT

Meeting adjourned at 12:50 p.m.

APPROVED BY THE COMMISSION
Authenticated and Certified:

Walter Mathews, Chair