



COUNTY OF EL DORADO PLANNING COMMISSION

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

Dave Pratt, Chair, District 2
Walter Mathews, First Vice-Chair, District 4
Tom Heflin, Second Vice-Chair, District 3
Lou Rain, District 1
Brian Shinault, District 5

Char TimClerk of the Planning Commission

MINUTES

**Regular Meeting
November 8, 2012 – 8:30 A.M.**

1. **CALL TO ORDER**

Meeting was called to order at 8:35 a.m. Present: Commissioners Rain, Heflin, Pratt, Mathews and Shinault; Paula Frantz-County Counsel; and Debbie Ercolini-Planning Services.

2. **ADOPTION OF AGENDA**

Motion: Commissioner Mathews moved, seconded by Commissioner Rain, and carried (5-0), to adopt the agenda as presented.

AYES: Shinault, Heflin, Rain, Mathews, Pratt
NOES: None

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:** October 25, 2012

Staff Recommendation: Approve Meeting Minutes as presented

Item was pulled from the Consent Calendar as Commissioner Heflin needed to abstain from this item.

Motion: Commissioner Rain moved, seconded by Commissioner Shinault, and carried (4-0), to approve the October 25, 2012 meeting minutes as presented.

AYES: Mathews, Shinault, Rain, Pratt
NOES: None
ABSTAIN: Heflin

b. 2013 Planning Commission Meeting Schedule

Staff Recommendation: Approve 2013 Meeting Schedule

Motion: Commissioner Mathews moved, seconded by Commissioner Shinault, and carried (5-0), to approve the 2013 Meeting Schedule as presented.

AYES: Rain, Heflin, Shinault, Mathews, Pratt
NOES: None

END OF CONSENT CALENDAR

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

Peter Maurer reported that the Board of Supervisors approved the creation of the Community Development Agency, and directed CAO staff to work with the department heads of Development Services, Environmental Management and Transportation to develop a work program to create the new agency during the next several months. Mr. Maurer further reported that there was a community workshop in Meyers the previous night on the development of an update to the Meyers Community plan in coordination with TRPA. Commissioner Shinault asked what the focus of the plan was. Mr. Maurer stated that the plan is intended to develop Meyers as a recreational hub and to make Meyers more pedestrian friendly.

6. COMMISSIONERS' REPORTS

Commissioner Shinault commented that the Tahoe Regional Planning Agency (TRPA) has suspended grading. The deadline was October 15th.

9:00 A.M. – TIME ALLOCATION

7. PUBLIC FORUM/PUBLIC COMMENT - None

8. WILLIAMSON ACT CONTRACT

WAC12-0002/Dan Varozza Preserve and WAC12-0003/Modification to Agricultural Preserve No. 36 submitted by DAN VAROZZA to establish new Agricultural Preserves as

follows: 1. Establish a new Agricultural Preserve for 226 acres; and 2. Modify existing Agricultural Preserve for 1,852 acres. The property, identified by Assessor's Parcel Numbers (WAC12-0002) 087-021-30, 087-021-20, 087-021-28, 087-021-27, and 087-021-42; and (WAC12-0003) 087-040-91, 087-040-89, 087-040-35, 087-123-01, 091-020-07, 091-020-21, 091-303-21, 091-040-14, 091-140-01, 091-140-03, 091-200-13, 091-200-14, 091-030-21, and 091-040-14, consisting of 226 acres (WAC12-0002) and 1,852 acres (WAC12-0003), is located on the south side of Memory Lane, approximately three-fourth mile east of the intersection with South Shingle Road, in the Latrobe area, Supervisorial District 2. *[Project Planner: Gina Paolini]* (Categorical Exemption pursuant to Section 15317 of the CEQA Guidelines)**

Staff Recommendation: Recommend approval to the Board of Supervisors

Gina Paolini presented the item to the Commission with a recommendation for approval to the Board of Supervisors.

Chris Flores, Agricultural Department was present and available for questions.

Chair Pratt closed Public Comment.

No further discussion was presented.

Motion: Commissioner Mathews moved, seconded by Commissioner Heflin, and carried (5-0), to recommend the Board of Supervisors take the following actions: 1. Certify that the projects are Categorically Exempt from CEQA pursuant to Section 15317; 2. Approve Williamson Act Contract WAC12-0002 based on the Findings as presented; and 3. Approve Williamson Act Contract WAC12-0003 based on the Findings as presented.

AYES: Shinault, Rain, Heflin, Mathews, Pratt

NOES: None

Findings for Approval -WAC12-0002

1.0 CEQA FINDINGS

1.1 The proposed requests for Williamson Act Contracts has been found to be Categorically Exempt from CEQA pursuant to Section 15317 stating that, "Class 17 consists of the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area."

1.2 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 95667.

2.0 GENERAL PLAN FINDINGS

2.1 The project is consistent with General Plan Policy 8.1.1.8.

General Plan Policy 8.1.1.8 requires Agricultural Lands (AL) to be of sufficient size to sustain agricultural use, to be under a Williamson Act or Farmland Security Zone Contract, and/or contain the characteristics of choice agricultural land. These lands should be under cultivation for commercial crop production or identified as grazing land and should be within the county's Rural Region or be identified by the County Department of Agriculture as land suited for agricultural production. The project's 226-acres has been identified as grazing land, is within the rural region and would be established under a Williamson Act Contract; therefore the property is consistent with the AL land use designation.

2.2 The project is consistent with General Plan Policy 8.1.3.2.

General Plan Policy 8.1.3.2 requires that agriculturally incompatible uses adjacent to agriculturally zoned land provide greater setbacks to protect agricultural resources. The creation of a new agricultural preserve would not impose new agricultural setbacks to adjacent parcels, as the project parcel is located within an existing agricultural zone district, and is subject to existing setback provisions.

2.3 The project is consistent with General Plan Policy 8.1.4.1.

General Plan Policy 8.1.4.1 requires the County Agricultural Commission to review all discretionary development applications involving land zoned for or designated agriculture. The El Dorado County Agriculture Commissioners reviewed the application on September 12, 2012 and determined that the Williamson Act Contract application did meet the minimum criteria for a low intensive agricultural operation.

2.4 The project is consistent with General Plan Policy 8.2.4.1.

General Plan Policy 8.2.4.1 seeks to ensure long-term conservation, enhancement, and expansion of viable agricultural lands. The project is consistent with Policy 8.2.4.1 by the request for the continued use of the Williamson Act Contract program.

3.0 ADMINISTRATIVE FINDINGS

3.1 Williamson Act Contract

The property satisfies the County's three criteria for the establishment of an Agricultural Preserve, as defined in Resolution Number 188-2002, as follows:

3.1.1 Minimum Acreage:

- a. The property is to be used for low intensive farming (grazing) and will consist of 226 fenced acres which complies with the preserve requirement of having a minimum of fifty contiguous acres that are adequately fenced to contain livestock.

3.1.2 Capital Outlay:

- a. The capital outlay reported is \$131,750, for fencing, water supply ponds for cattle and roads. The capital outlay exceeds the \$10,000 minimum requirement for low intensive farming operations, excluding the applicant's residence and original cost of the land.

3.1.3 Income:

- a. For low intensive farming operations, the property is required to have a minimum annual gross income of \$2,000. The property is reported to have an annual income of \$2,226.

4.0 ZONING FINDINGS

4.1 The proposed use is consistent with Title 17.

The proposed raising and grazing of livestock is a use permitted by right in accordance with Section 17.36.070 of the County Code.

Findings for Approval WAC12-0003

1.0 CEQA FINDINGS

- 1.1 The proposed requests for Williamson Act Contracts has been found to be Categorically Exempt from CEQA pursuant to Section 15317 stating that, "Class 17 consists of the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area."
- 1.2 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 95667.

2.0 GENERAL PLAN FINDINGS

2.1 The project is consistent with General Plan Policy 8.1.1.8.

General Plan Policy 8.1.1.8 requires Agricultural Lands (AL) to be of sufficient size to sustain agricultural use, to be under a Williamson Act or Farmland Security Zone Contract, and/or contain the characteristics of choice agricultural land. These lands should be under cultivation for commercial crop production or identified as grazing land and should be within the county's Rural Region or be identified by the County Department of Agriculture as land suited for agricultural production. The project's 1,852-acres has been identified as grazing land, is within the rural region and would be

established under a Williamson Act Contract; therefore the property is consistent with the AL land use designation.

2.2 The project is consistent with General Plan Policy 8.1.3.2.

General Plan Policy 8.1.3.2 requires that agriculturally incompatible uses adjacent to agriculturally zoned land provide greater setbacks to protect agricultural resources. The creation of a new agricultural preserve would not impose new agricultural setbacks to adjacent parcels, as the project parcel is located within an existing agricultural zone district, and is subject to existing setback provisions.

2.3 The project is consistent with General Plan Policy 8.1.4.1.

General Plan Policy 8.1.4.1 requires the County Agricultural Commission to review all discretionary development applications involving land zoned for or designated agriculture. The El Dorado County Agriculture Commissioners reviewed the application on September 12, 2012 and determined that the Williamson Act Contract application did meet the minimum criteria for a low intensive agricultural operation.

2.4 The project is consistent with General Plan Policy 8.2.4.1.

General Plan Policy 8.2.4.1 seeks to ensure long-term conservation, enhancement, and expansion of viable agricultural lands. The project is consistent with Policy 8.2.4.1 by the request for the continued use of the Williamson Act Contract program.

3.0 ADMINISTRATIVE FINDINGS

3.1 Williamson Act Contract

The property satisfies the County's three criteria for the establishment of an Agricultural Preserve, as defined in Resolution Number 188-2002, as follows:

3.1.1. Minimum Acreage:

- a. The property is to be used for low intensive farming (grazing) and will consist of 1,853 fenced acres which complies with the preserve requirement of having a minimum of fifty contiguous acres that are adequately fenced to contain livestock.

3.1.2. Capital Outlay:

- a. The capital outlay exceeds the \$10,000 minimum requirement for low intensive farming operations, excluding the applicant's residence and original cost of the land.

3.1.3. Income:

- a. For low intensive farming operations, the property is required to have a minimum annual gross income of \$2,000. The contiguous properties reportedly have an annual income of more than \$2,000.

4.0 ZONING FINDINGS

4.1 The proposed use is consistent with Title 17.

The proposed raising and grazing of livestock is a use permitted by right in accordance with Section 17.36.070 of the County Code.

9. SPECIAL USE PERMIT

- a. **Special Use Permit Revision S02-0037-R/Gold Key Boathouse** submitted by DAVE CIAPPONI (Agent: Ogilvy Consulting) to eliminate the self-storage element of the Special Use Permit and allow for boat sales and service, and recreational vehicle storage. Boat storage would continue at the site. The property, identified by Assessor's Parcel Number 117-060-34, consisting of 3.51 acres, is located on the south side of Suncast Lane, approximately 800 feet west of the intersection with Latrobe Road, in the El Dorado Hills area, Supervisorial District 2. [*Project Planner: Gina Paolini*] (Previously Adopted Mitigated Negative Declaration)

Staff Recommendation: Approval

Gina Paolini presented the item to the Commission with recommendation of approval to include the modifications to the Conditions of Approval as presented in the Staff Memo dated November 8, 2012.

Commissioner Shinault asked if the Fire Department was aware of the modifications to the Conditions.

Brad Ballenger/El Dorado Hills Fire District stated he was aware of the modifications to the Conditions. Mr. Ballenger also introduced Mike Lilienthal as he will be the new Fire Marshal.

Chair Pratt closed Public Comment.

No further discussion was presented.

Motion: Commissioner Heflin moved, seconded by Commissioner Rain, and carried (5-0), to take the following actions: 1. Find that the previous Mitigated Negative Declaration for the project sufficiently analyzed the project and the modifications made to the use do not raise new environmental impacts; 2. Pursuant to Section 15162 of the CEQA Guidelines no subsequent Negative Declaration shall be prepared for the project; and 3. Approve Special

Use Permit Revision S02-0037-R based on the Findings and subject to the Conditions of Approval as modified in the Staff Memo dated November 8, 2012.

AYES: Shinault, Mathews, Rain, Heflin, Pratt
NOES: None

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

Findings

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the Planning Commission makes the following findings:

1.0 CEQA FINDINGS

- 1.1 Pursuant to CEQA Guidelines Section 15162, no subsequent Mitigated Negative Declaration shall be prepared for the project as there has been no substantial change in the project, based on the whole record, that would cause a significant effect on the environment. There have been no significant environmental effects identified or substantial increase in the severity of previously identified significant effects with the proposed expanded use. The expanded use will not involve new significant effects not discussed in the previous mitigated negative declaration. The previously adopted mitigation measures for the project continue to be feasible for the expanded use.
- 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 **The project is consistent with General Plan Policy 2.2.1.5.**

The site is 3.51 acres in size, with a maximum floor area ratio (FAR) of 76,447 square feet. The site has been developed with 62,605 square feet, with a 0.40 FAR.

- 2.2 **The project is consistent with General Plan Policy 2.2.5.21.**

The exterior of the storage facility would remain as currently developed and consistent with the design guidelines established for the El Dorado Hill Business Park.

- 2.3 **The project is consistent with General Plan Policy 6.2.3.2.**

The project site is compliant with the California Fire Code and State Fire Safe Regulations.

3.0 ZONING FINDINGS

3.1 The proposed use is consistent with Title 17.

The project meets all applicable development standards contained within Section 17.35.030 of the County Code, including setbacks, landscaping, trash collection areas, service areas, parking and architectural design.

4.0 SPECIAL USE PERMIT FINDINGS

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

The proposed project has been analyzed for consistency with General Plan Policies 2.2.1.5 (Building Intensities), 2.2.5.21 (Land Use Compatibility) and 6.2.3.2 (Adequate Access) and has been found to be consistent with these policies as discussed in the General Plan findings section above and within the staff report.

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

The use will comply, as conditioned, with the Development Standards specified in Section 17.35.030 of the County Code. The proposed use will not be detrimental to the public health, safety and welfare, nor injurious to the surrounding uses, as Conditions of Approval have been imposed to maintain a hazardous material plan and require all activities to be conducted within the enclosed building.

4.3 The proposed use is specifically permitted by Special Use Permit.

The proposed use is permitted by Special Use Permit in a R&D zone district pursuant to Section 17.35.025 of the County Code.

Conditions of Approval

1. This Special Use Permit is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below:

Exhibit F..... Schematic Floor Plan
Exhibit G Site Plan

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:

Revision to a Special Use Permit allowing boat storage, boat sales and service within an existing 3.51-acre parcel identified by Assessor's Parcel Number 117-060-34, and consisting of the following:

- a. Boat storage building to not exceed 76,447 square feet in floor area;
- b. Marine vessel, tow-behind trailers and boat trailer service and repair, limited to the following:
 1. Fluid changes and tune-ups;
 2. Component diagnosis and repair;
 3. Engine/Drive repair and replacement; and,
 4. Detailing.
- c. Sale of new and used marine vessels and trailers, limited to boats, tow-behind trailers and accessories.
- d. Sales of parts and retail items related to boating, limited to engine, hull, trailer equipment and parts, boating accessories; batteries and maintenance items.
- e. Recreational Vehicle storage in the aisles of the boat storage area which shall not exceed 2,000 square feet of area per aisle.
- f. The installation of a gasoline convault at the rear of the property to store fuel in order to maintain 95 percent full fuel tanks within the boats in storage.
- g. The installation of a flammable liquids locker in the interior of the building within the proposed service area to store small amounts of gasoline (20 gallon maximum), oil, and other flammable liquids related to boat maintenance.
- h. Use and on-site storage of a certified fuel truck with a maximum capacity of 109 gallons to fill boat fuel tanks. Fueling is limited to vessels stored on-site.

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

1. ~~The Special Use Permit, as approved, will allow the following:~~

- ~~➤ 2 buildings of approximately 115,000 square feet total~~
- ~~➤ Maximum of 440 storage spaces within the buildings~~
- ~~➤ On-site landscaping conforming to preliminary landscape plan~~
- ~~➤ The buildings will be parchment/sandstone colored with green trim~~

Conditions of Approval from the Mitigated Negative Declaration

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

21. The proposed project shall comply with all applicable requirements of the El Dorado County Air Pollution Control District Rule 502: General Conformity Rule, which requires compliance with the State and National Ambient Air Quality Standards.
32. The project shall adhere to the provisions of El Dorado County Air Pollution Control District Rule 223: Fugitive Dust to prevent impacts associated with fugitive dust. To ensure compliance with the rule, the project proponent shall submit a fugitive Dust Prevention and Control Plan to the El Dorado County Air Pollution Control District for review and approval prior to any grading activities on the site.
43. Asphalt surfacing of site access and parking areas shall conform with El Dorado Air Pollution Control Rule 224: Cutback and Emulsified Paving Materials, which prohibits the atmospheric discharge of volatile organic compounds caused by the use, manufacture, mixing, storage, and /or application of cutback or emulsified asphalt.
54. Pursuant to El Dorado County Air Pollution Control District Rule 501.3(A): Authority to Construct, the applicant shall receive authorization for construction (Authority to Construct) from the Air Pollution Control District prior to Commencement of grading and construction activities on the site.
65. Pursuant to El Dorado County Air Pollution Control District Rule 501.3(B): Permit to Operate, the project proponent shall obtain a written permit form the Air Pollution Control Officer prior to the issuance of a building permit.
76. In no case shall daily emissions of ROG, NOx, and PM10 exceed 82 lbs/day during any construction and grading activities on the site. The applicant shall insure all construction equipment adhere to the average daily fuel use limitation specified in the following table:

EQUIPMENT AGE DISTRIBUTION	AVERAGE DAILY FUEL USE PER QUARTER (Gallons Per Day)
All equipment 1995 model year or earlier	337 gallons per day
All equipment 1996 model year or later	402 gallons per day

87. The project shall adhere to the provisions contained in El Dorado County Ordinance No. 4548. No grading or excavation activities may take place on the site until an Asbestos Hazard Dust Mitigation Plan has been submitted to and approved by the El Dorado County Air Pollution Control District.
98. The applicant shall ensure all building comply with the State of California Title 24 Regulations for Energy Efficient Design to reduce secondary impact emissions.
109. During all grading and construction activities in the project area, an archaeologist or historian approved by the Development Services ~~Planning~~ Director shall be on-call. In the even a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent shall ensure that all such activities cease within 50-feet of the discovery until the on-call archaeologist can examine the find in place and determine its significance. If the find is determined to

be significant and authenticated, the archaeologist shall determine the proper methods(s) for handling the resource or item. Grading and construction activities may resume after appropriate measures are taken or the site is determined not to be of significance. The project grading plans shall include this mitigation on the plans. ~~The Planning Department Services~~ shall review the grading plans prior to issuance of a grading permit.

- ~~1140.~~ In the event of 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 Resource Code. If the remains are determined to be Native American, the corner must contact the Native American Heritage Commission with 24 hours. The treatment and disposition of human remains shall be completed consistent with the Guidelines of the Native American Heritage Commission. The project grading plans shall include this mitigation in the plans. ~~The Planning Services Department~~ shall review the grading plans prior to issuance of a grading permit.

Planning Services

~~2. All site improvements shall conform to Exhibits D, dated May 27, 2003.~~

12. **Fencing:** The access gates shall be relocated from the rear of the existing building to the front, providing both vehicular and pedestrian access. The existing property line fencing shall be extended along both the western and eastern property lines to connect with the relocated access gates.

- ~~134. Landscape Buffers: The relocation of the perimeter fencing may disturb the established landscaped buffer. The project shall comply with The applicant shall provide a final landscape plan at the time of building permit submittal conforming to the standards contained in Section 17.35.030 of the County Code and the approved shade tree list. The applicant shall provide a final landscape plan will to Planning Services be reviewed and approved prior to sign-off of the building permits. The Planning Department will complete an on-site inspection of the landscaping to ensure compliance. prior to sign-off for occupancy of any buildings on the site.~~

- ~~145. Outdoor Storage Prohibited:~~ All storage shall be contained within the buildings. Outdoor storage shall be prohibited.

15. **Motor Vehicle Repairs Prohibited:** Motor vehicle repairs shall be prohibited on recreation vehicles and passenger vehicles.

16. **Parking:** Parking shall be provided as shown in Exhibit G.

17. **Site Lighting:** 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. 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. ~~All proposed on-site lighting shall comply with the provisions of Section 17.14.170 of the County Code. A lighting plan shall be submitted for review and approval of the Planning Department at the time of building permit submittal.~~

18. **Conditions Compliance:** 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 imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services prior to Building Permit final for any Building Permit for verification of compliance with applicable Conditions of Approval.
19. **Payment of Processing Fees-Development Services:** The applicant shall make the actual and full payment of Planning and Building Services processing fees for the Special Use Permit and Building Permits prior to issuance of a Building Permit.
20. **Hold Harmless Agreement:** 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.

Building Services

213. **Building Permit:** The project applicant shall obtain a building permit from ~~be subject to the issuance of building permits from~~ El Dorado County Building Services for interior demolition, installation of boat racks and other improvements associated with the expansion of the use ~~Department~~.

Environmental Management- Solid Waste and Hazardous Materials Division

22. **Hazardous Materials:** The commercial facility will store reportable quantities of hazardous materials (55 gallons) and generate hazardous waste; therefore, prior to commencing operations the owner/operator shall:
 - a. Prepare, submit and implement a hazardous material business plan and pay appropriate fees.

- b. Obtain a hazardous waste generator identification number form the California Department of Toxic Substance Control.
- c. Train all employees to properly handle hazardous materials and wastes.
- d. Implement proper hazardous materials and hazardous waste storage methods in accordance with the Uniform Fire Code and Uniform Building Code.

El Dorado County Department of Transportation

- 5. ~~The project shall be subject to the El Dorado Hills Road Impact Fee (RIF). The fee shall be due upon issuance of a building permit. If prior to the application for a building permit for said project revised fees are established, such revised amounts shall be paid.~~
- 6. ~~The project shall be subject to the El Dorado County Interim Highway 50 Variable Road Impact Fee. The fee shall be due upon issuance of a building permit. If prior to the application for a building permit for said project revised fees are established, such revised amounts shall be paid.~~
- 7. ~~The project shall be subject to the State System Infrastructure Traffic Impact Mitigation (TIM) fee. Pursuant to Resolution 31-98, said fees shall be due upon issuance of a building permit. If prior to the application for a building permit for said project revised fees are established, such revised amounts shall be paid.~~
- 8. ~~The applicant shall submit a site improvements/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 Improvements 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 Accessiblity Standards.~~
- 9. ~~The applicant shall be subject to a grading permit fee commensurate with the scope of the proposed project prior to the commencement of any work.~~
- 10. ~~The applicant shall submit a soils report at the time of grading permit application addressing at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, and pavement section based on T1 and R values. Any export dirt from the site to be deposited with El Dorado County shall require an additional grading permit.~~
- 11. ~~The applicant shall provide a final drainage report at the time of grading permit application addressing storm water runoff increases, impacts to downstream facilities and properties to the satisfaction of the Department of Transportation. The project is located in the Carson Creek drainage watershed. Downstream properties have experienced localized flooding within this watershed. The report shall include the design and placement of storm water quality facilities using Best Management Practice as described~~

~~in the recommendations of the Storm Water Quality Task Force's California Storm Water Best management Practices Handbook (1993, or later revisions).~~

- ~~23~~12. **Catch Basins:** All proposed catch basins shall incorporate fossil filters or other approved oil/water separators. The property owner shall be responsible for the maintenance of these filters per the manufacturer/s specifications. As a Best Management Practice (BMP) the property owner shall perform parking lot sweeping prior to the first storm event of each season.
- ~~13.~~ ~~The encroachments onto Suncastr Lane shall be constructed to El Dorado County Standard Plan 103G.~~

El Dorado Hills Fire Department

24. **Standard Requirement:** The project applicant shall comply with the requirements of the El Dorado Hills Fire Department, including the following: ~~County Fire Protection District.~~
- a. **S-3 Code Classification:** Repair work shall be limited to exchange of parts and maintenance requiring no open flame or welding, and no fuel dispensing or draining within the building at the site.
 - b. **Limited Repairs:** Fiberglass resin mixing and associated repairs shall be limited to 16 ounces of product or less. Any residual product shall be dried and disposed.
 - c. **Fuel Tanks:** To comply with NFPA 303, all boats shall have fuel tanks filled to 95 percent of capacity prior to winterization storage (November 15th of each year).
 - d. **Portable Heaters:** There shall be no use of portable heaters within the building.
 - e. **Battery Storage:** The batteries in the boats shall have the "Perko" switch placed in the off position any time that they are stored in the building. If a boat does not have a "Perko" switch, the key shall be in the off position. The applicant shall designate and instruct employees to check batteries prior to storing within the building.
 - f. **Battery Charging:** Charging of batteries shall be limited to a maximum of six batteries at one time. All battery chargers shall be UL listed and in good operating condition. If a battery is left on a charger overnight, the maximum charging amperage shall be 2 amps or less. At no time shall there be any open flame or spark producing device within 20 feet of any charging operation.
 - g. **Employee Training:** All employees shall be trained on procedures for responding to a fire, fire alarm, the use of portable fire extinguishers, and reporting a fire.

- h. **Liquid Petroleum:** The applicant shall designate employees who shall be instructed to shut off all liquefied petroleum gas at the tank prior to storing within the building.
25. **Waste Collection:** Waste oil collection shall be limited to a maximum of 55 gallons within the building. Oil shall be stored within a flammable liquids locker. The location of the locker shall be approved by the Fire Department prior to issuance of a permit.
26. **Gasoline Storage:** A maximum of 20 gallons of gasoline shall be stored in a flammable liquids locker. The location of the locker shall be approved by the Fire Department prior to issuance of a permit. This shall not apply to the 109 gallon truck mounted portable tank.
27. **Recreational Vehicle Storage:** Recreational vehicle storage shall be permitted under racks and within aisle ways. Storage within the aisles shall not exceed 2,000 square feet in size per aisle. The spacing between each unit and wall shall be a minimum of four feet. In addition, there shall be a minimum of seven and one-half feet of spacing away from any rack storage. The fire sprinkler engineer shall inspect and approve the recreational vehicle storage spacing and provide a written copy of the approval to the Department prior to the establishment of the use.
28. **Fire Lanes:** Fire lanes shall be established and painted "no parking fire lane" this shall be white letters on a red background for the complete site. The Fire Department shall approve the required fire lanes prior to establishment of the use.
29. **No Smoking:** There shall be no smoking within the building. "No Smoking" signs shall be placed at both south bay entries and at the liquefied petroleum gas fill station. Fire Department shall verify the sign locations prior to establishment of the use.

b. Special Use Permit Revision and Five-Year Cell Tower Review - S02-0002-R-5/ATC-White Hall submitted by METRO PCS (Agent: Jerry Jazmadarian) to request a five-year review of an existing 125-foot monopine cellular telecommunications facility and a revision to the Special Use Permit to allow for the following: 1. The replacement of three existing antennas with larger antennas; and 2. The installation of an Ericsson radio expansion cabinet on the existing concrete foundation. The property, identified by Assessor's Parcel Number 011-090-50, consisting of 431.35 acres, is located on the north side of White Meadows Road, approximately 3.62 miles northwest of the intersection with Icehouse Road and U.S. Highway 50, in the Pollock Pines area, Supervisorial District 2. [*Project Planner: Gina Paolini*] (Previously Adopted Negative Declaration)

Staff Recommendation: Defer approvals of additional permits and direct staff to return in six months for consideration of revocation if the monopine has not been brought into compliance.

Gina Paolini presented the item to the Commission stating the project is not in compliance.

Peter Maurer commented that the monopine is not visible from U.S. Highway 50, but is visible from Ice House Road.

Commissioner Shinault asked for verification of any open permits. Gina Paolini state all permits are closed.

Jerry Jazamadarian with Metro PCS was present and available to answer questions.

Jim Kelly with American Tower was present and available to answer questions.

Commissioner Shinault asked about a maintenance schedule. Rob Hernandez with American Tower was present and stated that there will be annual maintenance and inspections that he will do personally and that it is his responsibility to keep it maintained properly. Commissioner Shinault concerned only a yearly maintenance. Mr. Hernandez commented that he could do quarterly inspections.

Chair Pratt closed Public Comment.

No further discussion was presented.

Motion: Commissioner Mathews moved, seconded by Commissioner Heflin, and carried (5-0), to continue to December 13, 2012.

AYES: Shinault, Rain, Heflin, Mathews, Pratt
NOES: None

c. Special Use Permit Revision S04-0047-R/AT&T Telecommunications Tower-Pilot Hill submitted by AT&T (Agent: Forza Telecom) for a revision to an approved Special Use Permit to allow the removal of the existing wooden monopole telecommunications tower, replace it with a monopine and adding six new antennas for a total of 12. The property, identified by Assessor's Parcel Number 071-410-15, consisting of 7.02 acres, is located on the east side of State Route 49, 1.50 miles north of the intersection with Rattlesnake Bar Road, in the Cool area, Supervisorial District 4. [*Project Planner: Tom Dougherty*] (Previously adopted Negative Declaration)

Staff Recommendation: Approval

Tom Dougherty presented the item to the Commission with recommendation of approval.

Julie Epshteyn/Representative for AT&T was present and available for questions.

Chair Pratt closed Public Comment.

No further discussion was presented.