

*"Placerville, a Unique Historical Past Forging into a Golden Future"*



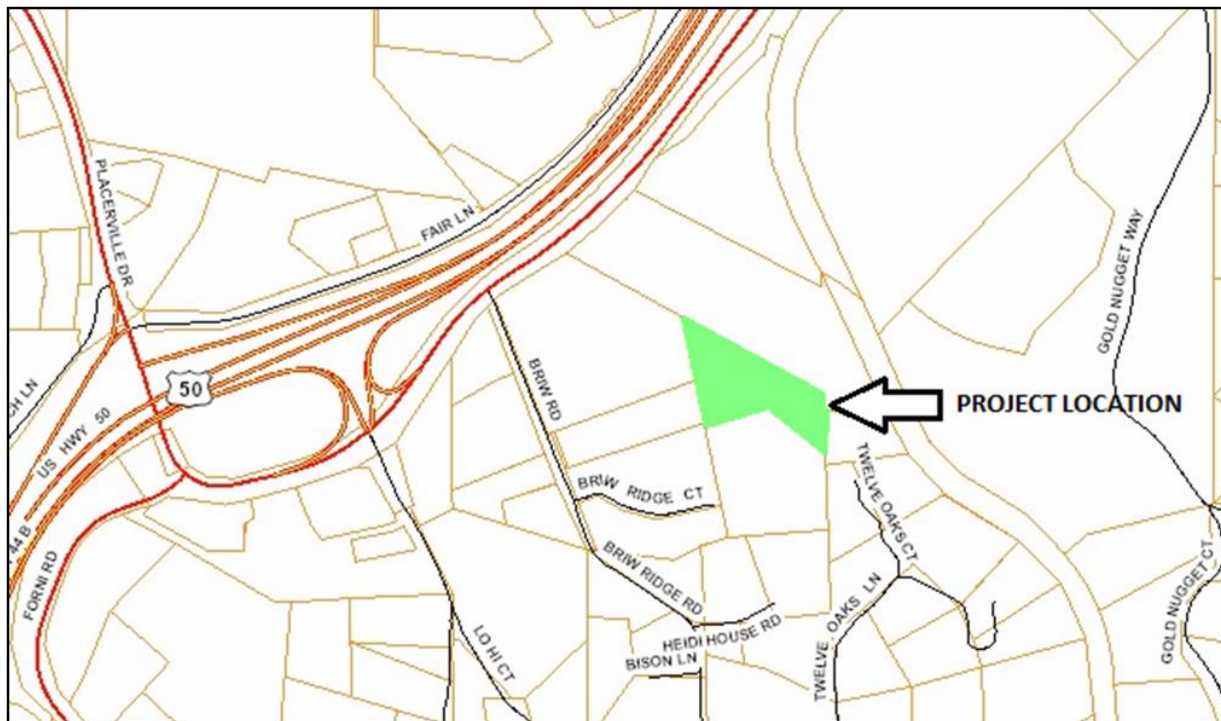
**CITY OF PLACERVILLE PLANNING COMMISSION  
STAFF REPORT  
NOVEMBER 6, 2018 REGULAR MEETING**

**PROJECT:** NIEMANN'S AUTO TOUCH  
GENERAL PLAN AMENDMENT 18-01, CONDITIONAL USE PERMIT 18-01  
SITE PLAN REVIEW 18-02, ENVIRONMENTAL ASSESSMENT 18-01

**FROM:** Andrew Painter, City Planner  
Development Services Department, Planning Division

**APPLICANT:** Jim Dillingham, D&Z Structural Engineering, Inc., on behalf of property owner  
Ron Thompson

**LOCATION:** 136 Forni Road (Assessor Parcel Number 325-310-99)



**REQUEST:**

1. General Plan Amendment 18-01: Amend the Commercial (C) land use designation within Part I. Land Use / Circulation Diagrams and Standards of the General Plan Policy Document, removing language that excludes auto sales and services as allowable uses within the Commercial designation;
2. Conditional Use Permit 18-01: To operate an auto service detailing facility, a conditional use within the Commercial Zone; and
3. Site Plan Review 18-02: Site grading for the construction of a 5,818 square-foot, single-story, automobile detailing shop facility metal building, with attached 1,455 square foot covered vehicle wash station, along with site improvements including rockery retaining

walls, landscaping, on-site storm water detention and treatment facilities, a sand-oil separator, and paved surfacing.

**RECOMMENDATION:** That the Planning Commission make recommendation to City Council to take the following actions:

1. Make findings, then receive, adopt and file the Mitigated Negative Declaration and mitigation monitoring and reporting plan prepared for the request.
2. Approve General Plan Amendment 18-01.
3. Make findings, and then approve Conditional Use Permit 18-01.
4. Make findings, and then approve Site Plan Review 18-02.

**AUTHORITY FOR APPLICATION:**

Zoning Ordinance Sections:

- 10-3-1(C): Planning Commission shall act upon applications for use permits and site plans;
- 10-3-6 et. Seq.: Conditional Use Permit Procedure;
- 10-4-9 et. seq.: Site Plan Review; and
- 10-5-15: Commercial Zone: (C)5. Auto service conditional use.

**PROJECT DETAILS:**

**General Plan Text Amendment**

The site is designated and zoned Commercial (C) on the City of Placerville General Plan Land Use Map and the Zoning Map respectively. The request would amend the text of the Commercial land use designation within Part I. Land Use / Circulation Diagrams and Standards of the General Plan Policy Document, removing language that excludes auto sales and services as allowable uses within the Commercial designation. This amendment follows utilizing highlighted strikethrough text:

**Commercial (C)**

Purposes

1. *Provide for retail sales and services, including entertainment and other commercial activities to serve the residents of the community.*
2. *Provide for the development of commercial facilities concentrated in well-defined and well-designed areas.*
3. *Create conditions conducive to a convenient and desirable environment for customers and employees.*
4. *Protect areas in this designation from encroachment by heavy commercial, residential, or other incompatible uses.*

Allowable Uses

*Professional or business offices, banks, studios, retail sales, eating and drinking establishments, commercial recreation, motels and hotels, retail services (excluding fast food restaurants ~~and automobile sales or service~~), public and quasi-public uses, and similar and compatible uses.*

Density / Intensity Standards

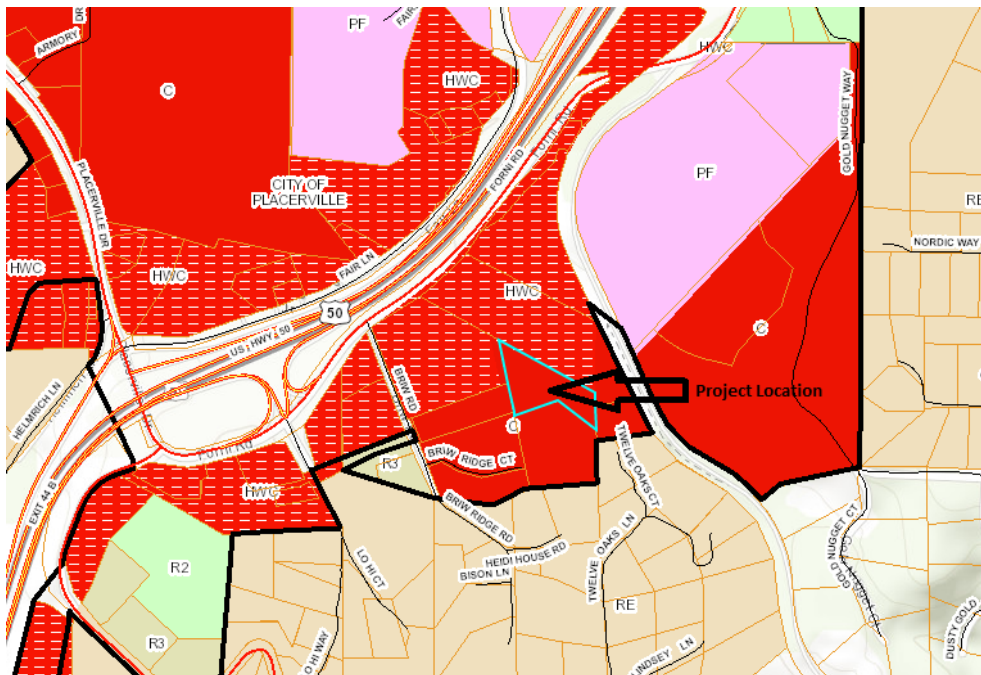
*Floor Area Ratio: 0.60*

Consistent Zoning Districts

C (Commercial)  
OS (Open Space)  
PF (Public Facilities)

Removal of the automobile sales and service use exclusion from the Commercial land use designation would allow such uses within the Commercial designation. The proposed removal would then allow for the applicant's proposed auto service as a conditional use and the accompanying site plan review required under City Code for new commercial construction. No changes to the text of the Commercial Zone are proposed or are necessary for auto sales and service uses. These uses currently are classified as conditional uses requiring the obtaining of a conditional use permit from the Planning Commission.

### Zoning Map



### Facility and Site Improvements

The proposed project would involve the construction of a 5,818 square-foot, single-story, automobile detailing shop facility metal building, with attached 1,455 square foot covered vehicle wash station, along with site improvements including rockery retaining wall, landscaping, on-site storm water detention and treatment facilities, a 1,000-gallon sand-oil separator for facility power wash activities, trash enclosure consisting of split-faced masonry block with galvanize corrugated metal gate, and paved surfacing for sixteen (16) onsite parking stalls. See Attachment – Exhibit A.

### Grading

Site grading is expected to generate 5,716 cubic yards of cut and 5,033 of fill. The 683 cubic yards of excess cut material is to be transported offsite and outside the City. Retaining walls are proposed to maintain the fill slopes. Wall (rockery) height is variable across the site, ranging from approximately two (2) feet to a maximum of eight (8) feet. Maximum cut slope, located at the southeastern most portion of the disturbance area, is 2:1 horizontal to vertical. Grading, building construction and landscape improvement installation is estimated to last nine (9) months.

### **Utilities and Storm Water Drainage**

The Project site would be served by existing El Dorado Irrigation District water and City sewer system mains located on the adjacent parcel to the east, 140 Forni Road (Thompson's Toyota), with connecting infrastructure installed under the paved surfacing of the finished site development. Electric power will be undergrounded from their source off site. Access easements will be recorded for servicing these utilities.

The project includes a stormwater drainage system for the facility improvements. This system includes drop inlets and underground storm drains that would be connected to a detention basin to be constructed at the northwest corner of the parcel. In addition, sheet flow of stormwater over proposed asphalt surfacing would be directed to a drainage swale then to the drainage basin. A low-level outlet pipe within the basin would connect collected basin stormwater to an existing underground storm drain located within the project site, along the westerly property boundary. The Drainage Study prepared for the Project drainage system indicates it is designed to accommodate the 10-year and 100-year storm event.

### **Building Design**

Facility building is pre-fabricated metal designed by Butler Manufacturing. Exterior features consist of flat wall panels colored "Cool Solar White," with flat panel roof fascia and soffit colored "Cool Igloo White." Trim bands over roll up doors are colored "Cool Majestic Blue." Shed style, standing seam awnings are proposed over two banks of windows along building's west elevation and above a utility door along the east elevation, colored "Cool Majestic Blue". Roof is standing seam metal, 1:12 pitch, with "Cool Majestic Blue" coloring. Building height at peak is approximately 23 feet.

Building interior space consists of five (5) work stations, office, kitchen/break room, restrooms and areas for service and vehicle tinting. At the southerly end of the building is a covered area where vehicle power washing would occur. Design includes wash water capture to an underground 1,000-gallon sand-oil separator. A contracted service provider would empty the separator tank regularly.

### **Building Identification / Signs**

Building address number would be located along east elevation on the roof fascia. No advertising signs are proposed for the facility structure.

### **Facility Operations**

The auto detailing facility would be open from 8:00 a.m. to 5:00 p.m., Monday through Friday. Facility use is by employees only of the Niemann's Auto Touch business. The facility would have no public access. Customers for this business would utilize the existing office and lobby at 126 Forni Road (Thompson's Chrysler, Jeep, Dodge, Ram) located adjacent and west of the facility.

### **Landscaping**

Facility landscaping consists of a combination of trees (Ginko Tree, Chinese Pistache, Live Oak), shrubs (manzanita, Barberry, Rockrose, Grape Holly) and groundcovers. Landscape plants are proposed for all disturbed, non-surfaced, non-building areas of the 2.0-acre site. These areas include most of the periphery, as well as proposed planter islands within the required parking spaces for the facility for visual interest and shading potential.

### **Exterior Lighting**

Facility lighting would consist of ten wall mounted exterior fixtures by Lithonia Lighting, DSXW2. Fixtures proposed are designed to illuminate the exterior of the building and the immediate surroundings for security reasons. No pole mounted fixtures are proposed.

**BACKGROUND:** The approximately 2.0-acre site is currently used as a temporary, unsurfaced vehicle parking area for the Thompson Auto Center surrounding uses. The subject site was once a portion of a 4.99 acre parcel that was annexed to the City in 2005. In 2017, the 4.99 acre parcel was adjusted under Lot Line Adjustment 17-02 along with two other parcels resulting in the existing 2.0 acre lot configuration.

**SURROUNDING LAND USE**

	<b>Land Use</b>
<b>North</b>	Auto sales/services
<b>West</b>	Auto sales/service, offices
<b>South</b>	Vacant single-family residence, and properties within El Dorado County containing single-family residences
<b>East</b>	Auto sales/services

**STAFF ANALYSIS**

**General Plan Text Amendment**

The site is designated and zoned Commercial (C) on the City of Placerville General Plan Land Use Map and the Zoning Map respectively. The request would amend the text of the Commercial land use designation by removing the exclusion of auto sales and service as an allowable use. By removing the exclusion from the designation, it would allow for an application for an auto service as a conditional use and accompanying site plan review requests required under City Code due to new commercial construction. Without removal of the auto sales and service exclusion, a required finding for the project’s requested auto service conditional use that the use is in harmony with the elements and objectives of the City’s General Plan cannot be made.

The text amendment would be applicable to all C designated land use areas within the City. There are two C designated and classified corridors within Placerville. One of the corridors includes most of Placerville Drive from Big O Tires to the US 50 Placerville Drive undercrossing. The second corridor includes the section of Main Street from the Druid Monument easterly to the Broadway, Main Street and Mosquito Road intersection. In addition, there are a few Commercial designated and classified parcels outside of these corridors that are south of US 50, adjacent to the Project site.

A total of fifteen existing auto sales and service uses currently operating within the above mentioned C zones. Eight operate under conditional use permits. One of the conditional use permits was adopted in 1994, in conflict with the General Plan adoption designation in 1990. Others appear to have had continuous operations of auto related uses on them prior to and since the 1990 General Plan.

There are three new car dealerships within Placerville that operate within the Highway Commercial (HWC) classification and designation that adjoins the site vicinity. These are Thompson’s Toyota, Thompson’s GMC and Thompson’s Jeep RAM. They operate under conditional use permits within the HWC and are not affected by the text amendment request.

In that fifteen auto sales and service uses currently operate within the City’s Commercial classification, the proposed text amendment would bring the existing permitted uses into consistency with current zoning. Removing the auto sales and service exclusion has the potential to result in future applications requesting these types of uses in the C designation and classification. These future applications would be subject to discretionary conditional use permits, in that the C zone lists auto sales and service use as a conditional use.

## **Consistency with General Plan Goals and Policy**

### General Plan

The Land Use Element contains a goal and policy regarding commercial services and automotive suppliers. These are as follows:

*Goal C: To protect and provide for the expansion of Placerville's commercial services sector to meet the needs of both Placerville area residents and visitors.*

*Policy 3: The City shall promote the retention and expansion of commercial businesses already located in Placerville.*

The Community Design Element contains two goals and several policies regarding construction development of commercial land uses. These are as follows:

*Goal I: To promote architectural quality throughout Placerville.*

*Policy 1. The City shall ensure that new development will be a positive addition to the city's environment and not detract from the nature and character of appropriate nearby established development because of architectural style, scale, or location.*

*Policy 4. The City shall condition development projects to minimize grading due to building and foundation construction.*

*Goal J: To promote development of aesthetic and functional signage and reduce visual clutter.*

*Policy 1. The City shall only allow new signs that are appropriate in design and scale, while making adequate provisions for business identification.*

The request is consistent with these goals and policies. The Niemann's Auto Touch business is an existing use that operates currently at 126 Forni Road. The request would relocate this existing auto services use business to the project site. Building design shares appearance, form, scale and function to that of adjacent auto sales and service uses. Proposed commercial development of the Project site under CUP18-01 and SPR18-02 will be subject to the provisions of Chapter 7, Title VIII of the City Code, the City's Grading, Erosion and Sediment Control regulations.

### **Zoning Ordinance Consistency**

Permitted uses within the C Zone include banks, retail sales when fully enclosed in a building, eating and drinking establishments, hotel, motel, used merchandise stores, pawn shops and antique stores. Conditional uses within the C Zone include gasoline service stations and new and used automobile sales and services. The proposed use is an automobile service use that would require a Conditional Use Permit before it could begin operation within the C Zone.

#### **Conditional Use Permit**

The project includes a request for a Conditional Use Permit (CUP18-01). As mentioned, the site is located within the Commercial Zone (C). Auto sales and service uses are conditional uses with the C zone. Per City Code Section 10-3-3, conditional uses may be permitted under a conditional use permit request where such uses are deemed essential or desirable to the public convenience or welfare, are in harmony with the various elements or objectives of the City's General Plan, and are not detrimental to surrounding property.

The requested auto service use would be desirable, convenient and beneficial to the public in that it would be located in an area containing existing, concentrated, auto-oriented uses near

access to and from US 50. As described in the staff report, the request would be consistent with the intent of the Commercial land use designation, as well as applicable land use goals and policies of the General Plan. In addition, as designed and as conditioned to comply with regulations within City Code regarding grading, drainage, building construction and aesthetics, along with environmental mitigation measures involving noise and cultural resources that would lessen potential impacts to a less than significant level, the project would not be detrimental to surrounding property. Findings necessary to support the request, per City Code Section 10-3-3, can be made.

#### Commercial Zone Regulations

The request would comply with all applicable General Regulations under the C Zone, City Code Sections 10-5-15(D)5 and (D)2. Proposed facility building height is approximately twenty-three (23') from finished grade. Forty-foot (40') is the maximum building height within the C Zone. Proposed building coverage of 16.7% does not exceed the 60% maximum building coverage for the zone. Minimum yards (setbacks) within the C Zone are: front: 4'; sides and rear: 5'. Proposed setbacks are: front: 120' from the east property line, side: 12' from the west property line and 20' from the south (rear) property line.

#### Parking Regulations

Project design would meet the minimum parking needs for the proposed use. The auto service use is classified under City Code Section 10-4-4(E)1, as an Automotive Service Center. Parking requirements for an Automotive Service Center is one space per 500 square feet of maintenance area and one (1) space per 200 square feet of office/retail area. In addition one loading berth is required for the size of the facility. The proposed facility would have 6,918 square feet of maintenance area and 355 square feet of office area. Required facility parking is 16 stalls and one loading berth. Required stalls and loading berth are planned for and shown on the site plan.

#### Exterior Lighting

Exterior lighting must be fully shielded and must not exceed the maximum light intensity regulations under City Code Section 10-4-16: Exterior Lighting Regulations. Proposed exterior lighting for the new commercial structure is fully cut-off. Light intensity photometric analysis submitted with Project request shows light intensity levels in foot-candles is within the 0.3 foot-candle maximum at approximate property boundaries, as set by Section 10-4-16(E)2(d). Proposed exterior lighting is consistent with City Code.

#### Site Plan Review

The project also includes a request for Site Plan Review (SPR18-02). Under Section 10-4-9(G) of City Code, all new construction of commercial structures requires adherence to the criteria within the Site Plan Review Ordinance.

Building design shares appearance, form, scale and function to that of adjacent auto sales and service uses. Request is therefore consistent with Site Plan Review criteria under subsections (G)1(e) and (G)2(d) of City Code Section 10-4-9.

All disturbed areas not covered by the structure, parking area, paving are shown to be landscaped. Native and non-native trees, shrubs and groundcovers are shown on the landscape plans to be planted within the project site. species of oak, Manzanita, Barberry, Oregon Grape, Fescue, Deer Grass and the Carmel Creeper species are native. These and the Rockrose are drought tolerant. Three Ginkgo Trees, *Autumn Gold*, are proposed. Female Ginkgo Trees do have a smell character that may be offensive; however, Autumn Gold is a male tree that does not have offensive smell characteristics.

Landscape improvements meet or exceed Site Plan Review minimum criteria for parking lot shading , the landscaping of parking areas, plant material, rock retaining walls and visual interest under City Code Section 10-4-9(G)3(c),(e),(g).

Staff has conditioned the request to require the submittal of final landscape and irrigation plans, consistent with the requirements under City Code Title 10, Chapter 6: Water Efficient Landscape Regulations. When final plans are approved by staff, the applicant shall record a Landscaping Maintenance Agreement for all landscaping located on site as required under the Site Plan Review criterion under City Code Section 10-4-9(G)3(m).

Trash receptacle to serve the facility use is screened using split faced concrete masonry unit (CMU) block and metal gate. Screening meets Site Plan Review criteria per City Code Section 10-4-9(G)(f) and (h).

Photometric and fixture shielding requirements under the City's Exterior Lighting Ordinance, City Code Section 10-4-17, are met. Fixture design and size is compatible with building design, therefore meeting Site Plan Review criterion per Section 10-4-9(G)3(l).

This request, as conditioned, is consistent with the purpose, intent and criteria of the Site Plan Review Regulations of City Code Section 10-4-9.

#### Traffic

The roadway providing Project access and circulation is Forni Road. Forni Road is classified under the General Plan Transportation a west-east major collector that runs parallel to US 50 from its intersection with Main Street in the east to its intersection with Placerville Drive in the west. It is a two-lane with a center auxiliary lane between Ray Lawyer Drive and Lo-Hi Way.

The commercial auto detailing service use is expected to generate as many as 62 vehicle trips per day (Trip Generation Rates from the 8th Edition of the Institute of Transportation Engineers Report). The Project addition of 62 vehicle trips would create a slight increase in vehicle trips along Forni Road. As of 2015, Forni Road was operating with an average daily traffic (ADT) of 4,760, or Level of Service (LOS) A. LOS A ranges from 0 to 7,500. Capacity on Forni Road is estimated to be 12,500, or LOS F. The Project's estimated potential increase of 62 vehicle trips would not reduce the level of service along Forni Road to an unacceptable service level or exceed the capacity of the street system.

**ENVIRONMENTAL ANALYSIS:** The California Environmental Quality Act (CEQA) guidelines require that an environmental review be conducted in conjunction with any project that may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

Review of pertinent environmental documents has disclosed no significant adverse impacts resulting from the proposed project after mitigation measures have been applied. Potential effects are discussed more fully in the attached Initial Study / Mitigated Negative Declaration (Attachment – Exhibit B).

A Mitigation Monitoring and Reporting Plan, contained in the Mitigated Negative Declaration initial study, has been prepared in accordance with CEQA Guideline Section 15097 to ensure adopted mitigation measures are implemented.

The Initial Study prepared for the proposed project was sent for public review. Based on this information, staff has determined that a Mitigated Negative Declaration is warranted. Notice of intent to prepare a Mitigated Negative Declaration has been legally advertised. The 20-day

public review period ended on October 19, 2018. During the public review period no comments were received.

Applicants whose projects have the potential to result in the loss of fish, wildlife, or habitat through urbanization and/or land use conversion are required to pay filing fees, as set forth under Section 711.4 of the Fish and Game Code. Pursuant to Section 21089(b) of the Public Resources Code, the approval of a project is not valid, and no development right is vested, until such fees are paid.

**PUBLIC NOTICING:** Notice of Public Hearing was mailed to all property owners within a 500-foot radius of the project, noticed in the Mountain Democrat newspaper per prescribed procedure, and posted to the City's website. No public comments have been received.

**CONCLUSION:** In light of the analysis above and the analysis provided in the Initial Study, Staff respectfully requests the Planning Commission:

- I. Receive and file Staff's report, including all exhibits and figures as part of the public record;
- II. Make the following findings:
  1. The Planning Commission conducted a duly-noticed public hearing on November 6, 2018 to receive and consider public input regarding GPA18-01, CUP18-01 and SPR18-02;
  2. The Planning Commission considered the Initial Study / Mitigated Negative Declaration (IS/MND) prepared and circulated for the project, before making its recommendation to the City Council regarding GPA18-01, CUP18-01 and SPR18-02.
- III. Make the following recommendations to City Council:
  - A. Make the following findings with respect to the Initial Study /Mitigated Negative Declaration (IS/MND) prepared for the project:
    1. On the basis of the whole record before the City Council, including Staff's report, application materials, public comment and the Initial Study prepared for the project, there is no substantial evidence that the project will have a significant effect on the environment.
    2. The IS/MND prepared for the project reflects the City's independent judgment and analysis.
  - B. Receive, adopt and file the IS/MND prepared for the project, including the Mitigation Measures and Mitigation Monitoring and Reporting Program contained within the Initial Study.
  - C. Adopt a resolution amending the Commercial (C) land use designation within Part I. Land Use / Circulation Diagrams and Standards of the General Plan Policy Document, removing language that excludes auto sales and services as allowable uses within the Commercial designation.
  - D. Make the finding as follows for CUP18-01:
    1. The requested auto service use would be desirable, convenient and beneficial to the public in that it would be located in an area containing existing, concentrated, auto

- oriented uses near access to and from US 50. As described in the staff report, the request would be consistent with the amended Commercial land use designation, as well as applicable land use goals and policies of the General Plan. It would not be detrimental to surrounding property, in that it is designed and as conditioned to comply with regulations within City Code regarding grading, drainage, building construction and aesthetics, along with environmental mitigation measures involving noise and cultural resources that would lessen potential impacts to a less than significant level.
- E. Conditionally approve CUP18-01, a request to allow the conditional use of an auto detailing facility, an auto service use, within the Commercial Zone, located at 136 Forni Road (APNs 325-310-99), subject to the Mitigation Measures adopted under the IS/MND for the project and Conditions of Approval herein.
- F. Make the findings as follows for SPR18-02:
1. Building design shares appearance, form, scale and function to not detract from the nature and character of adjacent auto sales and service uses. The request is therefore consistent with Goal I and Policy 1 of the General Plan Community Design Element.
  2. Site grading is minimal to accomplish project construction. The request is therefore consistent with Policy 4 of Goal I of the General Plan Community Design Element.
  3. Building identification is limited to the site address being placed on the exterior wall. The request is therefore consistent with Goal J and Policy 1 of the General Plan Community Design Element.
  4. This request is consistent with City Code Section 10-4-9: Site Plan Review, in that it encourages orderly and harmonious development throughout the City while maintaining public health, safety and welfare, and property and improvement values throughout the community through the provision of building, site and other feature designs that are compatible consistent with the community as a whole.
- G. Conditionally approve SPR18-02, a request to allow the construction of a 5,818 square-foot, single-story, automobile detailing shop facility metal building, with attached 1,455 square foot covered vehicle wash station, along with site improvements including rockery retaining walls, landscaping, on-site storm water detention and treatment facilities, a sand-oil separator, and paved surfacing, the Niemann's Auto Touch facility, located at 136 Forni Road (APNs 325-310-99), subject to the Mitigation Measures adopted under the IS/MND for the project and Conditions of Approval herein.

### **CUP1801 and SPR18-02 Conditions of Approval and Mitigated Negative Declaration Mitigation Measures and Mitigation Monitoring and Reporting Plan**

#### Mitigated Negative Declaration Mitigation Measures and Mitigation Monitoring and Reporting Plan

CR-1: If potential tribal cultural resources, archaeological resources, other cultural resources, articulated, or disarticulated human remains are discovered by Native American Representatives or Monitors from interested Native American Tribes, qualified cultural resources specialists or other Project personnel during construction activities, work will cease within one-hundred (100) feet of the find (based on the apparent

distribution of cultural resources), whether or not a Native American Monitor from an interested Native American Tribe is present. A qualified cultural resources specialist and Native American Representatives and Monitors from culturally affiliated Native American Tribes will assess the significance of the find and make recommendations for further evaluation and treatment as necessary. These recommendations will be documented in the Project record. For any recommendations made by interested Native American Tribes which are not implemented, a justification for why the recommendation was not followed will be provided in the Project record.

If adverse impacts to tribal cultural resources, unique archaeology, or other cultural resources occurs, then consultation with Native American Representatives from culturally affiliated Native American Tribes regarding mitigation contained in the Public Resources Code sections 21084.3(a) and (b) and CEQA Guidelines section 15370 should occur, in order to coordinate for compensation for the impact by replacing or providing substitute resources or environments. A note to this effect shall be placed on the construction plans.

Timeframe for Implementation: During grading and construction activities  
Responsibility for Implementation: Developer and qualified archaeologist  
Oversight of Implementation: Development Services – Engineering and Planning Divisions

CR-2: If, during the course of site development, any paleontological resources (fossils) are discovered, the Project proponent for any future residential development on the site shall notify and the City of Placerville Development Services, Planning Division. At that time, the City will coordinate any necessary investigation of the discovery with a qualified paleontologist with the cost of such investigation born upon the Project developer/applicant.

The City shall consider the mitigation recommendations of the qualified paleontologist for any unanticipated discoveries of paleontological resources. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The Project applicant shall be required to implement any mitigation necessary for the adequate protection of paleontological resources. A note to this effect shall be placed on the construction plans.

Timeframe for Implementation: During grading and construction activities  
Responsibility for Implementation: Developer and qualified paleontologist  
Oversight of Implementation: Development Services – Engineering and Planning Divisions

NOI-1: The Project proponent for the commercial development on the site shall control all construction related to development on the Project site so that it is limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Saturday. No construction shall be allowed on Sunday, or on City-recognized or federally-recognized holidays. A note to this effect shall be placed on the construction plans.

Timeframe for Implementation: During construction activities  
Responsibility for Implementation: Developer  
Oversight of Implementation: Development Services Department

## Conditions of Approval

### Development Services Department

1. **Project Location.** The Project site is located at 136 Forni Road, Placerville. APN: 325-310-99. CUP18-01 and SPR18-02 shall apply only to the project location and cannot be transferred to another parcel.
2. **Runs with the Land.** The terms and conditions of approval of the conditional use permit and site plan review shall run with the land; shall be binding upon and be to the benefit of the heirs, legal representatives, successors, and assignees of the property owner.
3. **Any deviations from the project description, conditions, or exhibits shall be reviewed and approved by the City for conformity with this approval. Deviations may require approved changes to the permit. Deviations without the above described approval will constitute a violation of permit approval. The project shall be substantially in conformance with the approved site plan, landscaping plan, and building elevations, as follows:**
  - Sheets T1, T2, C0.1, C1.1, C1.2, C1.3, C1.4, C1.5, C1.6, C1.7, C2.1, C2.2, C2.3, E0.1, A1.1, A1.2, A1.3, A2.1, A2.2, A2.3, A2.4, A3.1, A3.2, A4.1, A4.2, A4.3, A5.1, S1.1, S1.2, S2.1, S2.2, S3.1, U2.1, U2.2, dated 4/18, prepared by D&Z Structural Engineering, Inc;
  - Lithonia Lighting D-Series Size 2 pages 1, 2, 3 and 4;
  - Sheet L1 and L2 dated 08/28/18, prepared by Adams Landscape Design & Consulting; and
  - Sheet 1 of 1: 1000 Gallon Sand-Oil Interceptor, dated 6/18, prepared by D&Z Structural Engineering, Inc.
4. **Building design and colors, parking lot and landscape improvements shall be completed in conformance with the plans submitted and in conformance with the conditions of approval herein. Minor variations are allowed, however, any major changes in the design of buildings, location of buildings, access ways, and parking shall require Planning Commission review and approval as authorized under City Code Section 10-4-9(P).**
5. **Permits.** The applicant shall obtain a building permit for the Commission approved scope of work. Three complete copies of plans shall be submitted to the Development Services Department for processing. Construction drawings submitted for permit processing shall include a sheet containing all approved mitigation measures and conditions of approval under the approved CUP18-01 and SPR18-02 project.
6. **Other Applicable Requirements.** The project approval is subject to all applicable requirements of the Federal, State, City of Placerville and any other affected governmental agencies.
7. **Substantial Conformance.** The use shall be implemented in substantial conformance to the Conditional Use Permit and Site Plan Review as approved by the City.

8. Revisions. Any proposed change to the Project Description or conditions of approval shall be submitted to the Development Services Department, Planning Division for determination of appropriate procedures.
9. Conditional Use Permit and Site Plan Review Expiration. The approval of the conditional use permit and site plan review shall expire and become null and void eighteen (18) months after the date of approval unless a building permit has been obtained for any building thereon before the date of expiration. Should the building permit expire for any building thereon, then the conditional use permit and site plan review approval shall also simultaneously expire. The Planning Commission may grant a one year extension for the project if the applicant makes such a request and pays a new fee prior to the expiration date. The Planning Commission shall consider any changes to this code or to the project when granting the extension.
10. The developer/property owner shall submit landscape and irrigation plans, consistent with the shading and water efficiency requirements under Section 10-4-9 and 10-6-1 to 10-6-17 of the City Code, to the Development Services Department for review and approval prior to issuance of a construction permit for the commercial building.
11. The project applicant or his/her successors, heirs, assigns shall record a Landscaping Maintenance Agreement prior to the issuance of a Certificate of Occupancy for the site in accordance with City Code Section 10-4-9 (Site Plan Review).
12. Parking spaces, accessible space and loading berth shall comply with City Code.
13. This Site Development project shall comply with all pertinent City Ordinances and City standard street cross-section details available at the office of the City Engineer. All remaining Development Services/Engineering items, except for sewer and water, will be designed in accordance with the County of El Dorado Design and Improvement Standards Manual, as revised May 18, 1990; the County of El Dorado Drainage Manual, dated March 14, 1995; and the 2010 State of California Department of Transportation (Caltrans) Standard Plans and Standard Specifications. Sewer service will be provided by the City and shall be designed and constructed in accordance with El Dorado Irrigation District (EID) Design and Construction Standards, dated July 1999, except when otherwise directed by the City Engineer. Water distribution is within the EID service area and shall comply with their standards and conditions of approval.
14. The Applicant shall reimburse the City for associated project costs incurred by the City for any outside consultants, City staff time, and other expenses for special design needs above and beyond normal items covered by the City's fee schedule.
15. Appropriate land rights shall be obtained from the affected property owners as necessary to allow any required grading and/or facilities to be installed outside the site plan boundaries. A copy of the written authorization(s) shall be included with the final improvement plan submittal.
16. All Capital and Impact Fees are to be calculated and paid at time of Building Permit issuance.
17. Improvements shall comply with Fire District requirements, including locations and spacing of fire hydrants, building sprinkler requirements, fire flows, and traffic and emergency circulation.

18. The required water system, including all fire hydrants, shall be installed and accepted by EID and the El Dorado County Fire Protection District prior to any combustible building material being placed on site.
19. A meter award letter or similar document from EID shall be provided by the Applicant prior to receiving a building permit.
20. A sand-oil interceptor system is required; location and type shall meet City and EID standards for this type of installation.
21. The sanitary sewer lateral shall connect to the existing 12-inch sewer main located in the sewer easement behind the existing Thompson's Toyota building and shall be installed by the applicant.
22. Sewer and water laterals shall have a 10' minimum separation from connections at the respective mains to the point of connection with the structure.
23. Where the finished floor elevation of a structure is less than 6 inches above the upstream manhole lid elevation, provide backwater valve installation per EID standards or protect with other method as approved by the City Engineer.
24. An encroachment permit shall be obtained from the City Engineering Division prior to beginning any work on this development within the City sewer easement.
25. Drainage facilities shall be designed and included in the final improvement plan submittal. Drainage and detention facilities shall be designed and constructed to keep post-development flows leaving the site at or below pre-development levels. Drainage calculations will be required to show that these conditions are being met. Changes to historical and existing drainage patterns will not be allowed without specific City approval. All areas of concentrated drainage flow shall be contained in a pipeline or improved channel to a City-approved discharge point.
26. Interceptor ditches are required at the top of all slopes and retaining walls or as directed by the City Engineer. Water collected by this ditch shall be taken to a drainage system.
27. All drainage inlets shall be marked "Do not Dump – Flows to Creek."
28. Surface drainage, drainage swales or concentrated lot drainage is not allowed to sheet flow across sidewalks.
29. Storm drain pipes shall be RCP, PVC, HDPE, or other materials as approved by the City Engineer.
30. A maintenance plan and agreement with the City for the detention pond is required to be submitted per Section 5.3 of the CEDDM. The Engineering Division will provide the owner with agreement documents that will be subsequently recorded at the County.
31. Electric, telephone, and cable TV shall be placed underground within the project boundary and where connections are made to existing overhead facilities. Location of these improvements, both on and off-site, shall be shown on the improvement plans.

32. Drainage easements for improvements such as, but not limited to, drainage swales, ditches, pipelines, detention basins, etc., consistent with the County of El Dorado Drainage Manual, the Final Drainage Plan.
33. All grading shall conform to the City Grading Ordinance and to all other relevant laws, rules, and regulations governing grading in the City of Placerville. Prior to commencing any grading, which includes 50 or more cubic yards, the applicant shall obtain a grading permit from the Engineering Division.
34. All retaining walls shall be reviewed and approved by the City prior to construction, including material types, colors, and surface finishes.
35. Submit final geotechnical report for this development with recommendations for the construction of building pads, retaining walls, sub-drains and roadways.
36. The improvement plans shall include an erosion and sediment control plan, which incorporates standard erosion control practices and best management practices, subject to the approval of the City Engineer. The plan shall be prepared by a Registered Civil Engineer or Certified Professional Hydrologist in accordance with the High Sierra Resource Conservation and Development Council Guidelines for Erosion and Sediment Control, and shall be included in an agreement with the construction contractor prior to the issuance of a grading permit. The following measures shall be included:
  - a) Any mass grading shall be restricted to dry weather periods between April 1 and October 31.
  - b) If other grading activity is to be undertaken in wet-weather months, permanent erosion and sediment controls shall be in place by October 15, and construction shall be limited to areas as approved by the City Engineer. A winterization plan must be submitted by September 15 and implemented by October 15.
  - c) Construction activity including clearing, grading, disturbances to the ground, such as stockpiling, or excavation will result in soil disturbances of more than one acre of total land area, the applicant shall obtain and provide a Notice of Intent (NOI) from the Regional Water Quality Control Board prior to issuing a construction permit.

The internet site for information and application on the NOI can be found at <http://www.waterboards.ca.gov/smarts/>
  - d) Sedimentation basins, traps, or similar BMP controls shall be installed prior to the start of grading.
  - e) Mulching, hydro seeding, or other suitable revegetation measures shall be implemented. Planting shall also occur on areas of cut and fill to reduce erosion and stabilize exposed areas of later construction phases. All disturbed areas with a slope greater than 5% shall receive erosion control.
  - f) Excavated materials shall not be deposited or stored where the materials could be washed away by storm water runoff.

37. Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the geotechnical engineer.
38. Obtain proper permits prior to demolition or grading of any hazardous materials, underground storage tanks, mines, tunnels, shafts, septic systems, water wells, graves, or other existing underground utilities or unforeseen features. Requirement to obtain additional permits shall be clearly stated on the grading plans.
39. The proposed grading plan shows an export of excavated material. Prior to obtaining a grading permit the applicant shall have obtained approval for the export location (unless the location is outside the City limits) from the City Engineer. An Environmental Assessment shall be submitted to the Planning Department for approval and shall include the borrow site information.
40. Mitigation measure related to noise and work hours shall be clearly stated on the Cover Sheet for the final improvement and/or grading plans.

County of El Dorado – Air Quality Management District (AQMD)

41. Fugitive Dust: The project construction will involve grading and excavation activities, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM<sub>10</sub>) in the form of dust. The project shall adhere to the regulations (AQMD Rules 223 and 223.1) for fugitive dust emissions during the construction process. In addition, a Fugitive Dust Mitigation Plan (DMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction. This plan shall be implemented by the Developer during grading as required by the City and the El Dorado County Air Quality Management District (AQMD). A permit from AQMD shall be submitted to the City prior to approval of the improvement plans.
42. Paving: Project construction will involve paving and shall adhere to Rule 224, AQMD Cutback and Emulsified Asphalt Paving Material.
43. Painting/Coating: The project construction will involve the application of architectural coating, which shall adhere to AQMD Rule 215, Architectural Coatings.
44. Open Burning: In the event that land development clearing involves the burning of waste, such burning must be permitted through the AQMD under Rule 300, Open Burning. Only dry vegetative waste materials originating from the property may be disposed of using an open outdoor fire.
45. Construction Emissions: During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§2449 et al, Title 13, Article 4.8, Chapter 9, California Code of Regulations (CCR)). Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation.
46. New Point Source: Prior to construction/installation of any new point source emissions units (e.g. auto body paint booths, emergency standby engine, etc.), Authority to Construct applications shall be submitted to the AQMD per AQMD Rules 501 and 523. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors.

47. Portable Equipment: All portable combustion engine equipment with a rating of 50 horsepower or greater shall be registered with the California Air Resources Board (CARB). A copy of current portable equipment registration shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, daily hours of operations of each piece of equipment.

**ATTACHMENTS**

Exhibit A: Applicant Submittal Package

Exhibit B: Initial Study / Draft Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan