



**PLANNING COMMISSION HEARING
JULY 26, 2016**

STAFF REPORT

**#16-08 –MINOR MODIFICATION OF MAJOR SUBDIVISION
SIERRA COLLEGE ESTATES (APPLICATION #14-09)
APN: 030-100-017**

RECOMMENDATION

Approve *Resolution #16-06* approving **Minor Modification #16-08** to allow the use of private wells rather than public water for a previously approved seven lot subdivision Sierra College Estates (Application #14-09), subject to the findings and the recommended conditions of approval.

REQUEST

The applicant Ron Smith, requests to allow the private wells instead of public water for the Sierra College Estates Subdivision (Application #14-09) previously approved by the Planning Commission on January 27, 2015 subject to 49 conditions of approval.

PROJECT DESCRIPTION

Location: Northwest of the intersection of Sierra College Blvd. and Bankhead Road.
APN: 030-100-017

Size: 19.5 acres

General Plan, Zoning, and Existing Land Uses

	GENERAL PLAN	ZONING	CURRENT LAND USE
ON SITE	RESIDENTIAL ESTATE	RE	SINGLE FAMILY RESIDENTIAL
NORTH	RESIDENTIAL ESTATE	RE	SINGLE FAMILY RESIDENTIAL
EAST	RESIDENTIAL ESTATE	RE	SINGLE FAMILY RESIDENTIAL
SOUTH	RESIDENTIAL ESTATE	RE	SINGLE FAMILY RESIDENTIAL
WEST	RESIDENTIAL ESTATE	RE	SINGLE FAMILY RESIDENTIAL

BACKGROUND

The Sierra College Estates Subdivision was approved by the Town of Loomis subject to 49 conditions of approval with a Mitigated Negative Declaration (MND) as per the California Environmental Quality Act (CEQA) on January 27, 2015.

The applicant has submitted a modification to allow the use of private wells instead of public water, due to the high cost of connections fees required by the Placer County Water Agency (PCWA), distance from the existing water mains, and conflict with an existing sewer line. Aside from the change to private wells, no other changes are proposed to the previous approved tentative subdivision map other than showing the location of the drafting underground water storage tank and hydrant requested by the Loomis Fire Protection District.

As there are no substantial environmental changes brought about by the proposed modification, the Town of Loomis proposes to use the previously adopted Mitigated Negative Declaration (MND) with an Addendum as per Section 15164 of the CEQA Guidelines.

ISSUES

The subdivision itself is not under consideration as it has already been approved on January 27, 2015. Only the proposed modification of it, specifically condition of approval #46, which states:

46._____ "The owner shall install water service per Placer County Water Agency requirements prior to occupancy."

The proposed modification would now read:

"The seven residential lots may be served by private well rather than public water subject to the revised conditions of approval."

There are no specific requirements of the Town of Loomis requiring public water as the area is not yet served by public water. The nearest treated water is an 8" main approximately 1500 feet north of the Sierra College Estates Subdivision at Bankhead Road and Del Road according to the Placer County Water Agency (PCWA) in their response to comments dated June 29, 2016. (Attachment 3).

Except for the concerns expressed by the Loomis Fire District, and the Placer County Environmental Health Division and discussed below, there are no other significant issues due to the proposed modification. To address those issues, four additional conditions of approval have been recommended and discussed below. In addition to the proposed modification of Condition #46 to allow private wells, additional wording has also been added to Condition #43 to provide clarification should residual pesticides be found on site, and discussed below.

Fire Protection

The most acute impact of the proposed modification would be upon fire services. Water for hydrants, and home fire sprinklers would now need to be supplied other than through public water mains. In memos dated April 26, 2016, and June 30, 2016 the Loomis Fire Protection District provided the Preliminary Requirements should the subdivision use private wells rather than public water (attached). Based on these comments, two new conditions of approval have been added to the previous conditions of approval.

47._____ *The property owner\applicant shall provide fire protection water supply as per the requirements of the Loomis Fire District, in their memo dated April 26, 2016, and June 30, 2016 or as otherwise modified by them.*

48._____ *A note shall be made on the final map that each homeowner shall be required to have a water storage tank to service fire sprinklers, as may be required by the Loomis Fire District, and for other domestic uses.*

Utilities – Water Quality

With the proposed modification well permits will need to be obtained from the Placer County Division of Health who in their response to comments dated June 30, 2016 (attached) provided their requirements for approval of domestic wells. In response the following has been added to the previous conditions of approval.

49._____ *The following shall be submitted for review and approval by the Placer County Division of Environmental Health as per their Memo dated June 30, 2016:*

- a. *A yield report as per Placer County Code Section 19.334.*
- b. *Water Quality Analysis Report prepared by a State Certified laboratory and include a minimum Bacteriology, total coliform, fecal coliform, and chlorine residual, as well as Primary and Secondary Drinking Water Standards as defined in Title 22 of the California Code of Regulations.*
- c. *Proposed sewer line layouts be submitted prior to well permit approval to determine setback requirements.*

Hydrology\Wetlands

A possible issue of concern was the potential impact of wells on the project site's wetlands and hydrology. The concern was if the wells perforate the impermeable soil layer beneath a wetland, it could allow it to drain. The applicants engineer proposed measures to prevent the problem and have been added to the previous conditions of approval.

53._____ *To avoid potential impacts to wetlands wells shall be located and constructed as follows:*

- a. *Be drilled on established pads outside of the restricted area as shown on the revised Sierra College Estates Tentative Map.*
- b. *If perched water is present during well boring, top soil shall be mixed with 20% bentonite in the immediate vicinity of the well and compacted to prevent water*

- flow.*
- c. *Wells should be located on the higher ground away from possible perched water tables.*

Hazardous Materials

As the site may have been previously an orchard, there was concern in the previous approval as to possible contamination due to the use of pesticides. To address this issue Condition of Approval # 43 states:

"The applicant will provide evidence that the property was not historically maintained as an orchard. If such evidence does not exist, the applicant shall conduct a Phase 2 site assessment in order to determine if there is any residual contamination from the use of pesticides."

The Placer County Division of Environmental Health in their previously cited memo dated June 30, 2016 noted there was a 1938 aerial photograph of this area that could provide evidence as to it being previously an orchard. Subsequent evaluation of the photograph, (attached) suggests there may have been an orchard on this site at that time. To address this issue, Condition 43 has been revised to add language should a Phase 2 Site Assessment find residual pesticides that necessitate a clean up as required by the California EPA Department of Toxic Substances Control.

43._____ The applicant shall conduct a Phase 2 Site Assessment in order to determine if there is any residual contamination from the use of pesticides, unless the applicant provides substantial evidence that the property was not historically maintained as an orchard. Should a Phase 2 Site Assessment indicate the presence of residual pesticides the applicant\owner shall clean-up the site as per the requirement of the California EPA Department of Toxic Substance Control prior to the recordation of the final map.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Pursuant to CEQA Guidelines **Section 15164 Addendum to an EIR or Negative Declaration**, a previously adopted negative declaration may be used if only minor technical changes or additions are necessary, and there are no substantial changes to the project as per **Section 15162 Subsequent EIRs and Negative Declarations**. An addendum need not be circulated for public review, but must be considered by the decision-making body prior to making a decision on the project.

The Town of Loomis has prepared this addendum for **Minor Modification #16-08 (Attachment #4)** to allow the use of private wells rather than public water for a previously approved seven lot subdivision subject to the findings and the revised conditions of approval, previously approved by the Planning Commission on January 27, 2015.

A Notice of Determination including this Addendum will be filed with the Placer County Clerk upon approval of the project.

RECOMMENDATION

The Planning Commission approve Resolution #16-06 re-adopting the previously approved Mitigated Negative Declaration and Addendum approving **Minor Modification #16-08** to allow the use of private wells rather than public water for a previously approved seven lot subdivision Sierra College Estates (Application #14-09), subject to the recommended findings and conditions of approval.

ATTACHMENTS

1. Draft Resolution #16-06
 - Exhibit A: Recommended Findings
 - Exhibit B: Recommended Conditions of Approval
2. Revised Tentative Map Sierra College Estates
3. Agency Comments
4. Mitigated Negative Declaration and Addendum
5. Application and Supplemental Material
6. January 27, 2015 – Staff Report, Resolution, Findings, and Conditions of Approval

NOTE: Notice published in paper July 14, 2016, and mailed July 13, 2016.