

ATTACHMENT 2 DESIGN REVIEW FINDINGS OF FACT

FILE NUMBER DR00-11

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 following findings can be made:

FINDINGS FOR APPROVAL

1. The proposed project, as mitigated and conditioned, will not have a significant effect on the environment and an EIR has been filed. Further, the project will not affect wetlands, watercourses, riparian lands, unique plant or animal life and habitats, or other terrestrial matters under the jurisdiction of the State Department of Fish and Game. Pursuant to Resolution No. 240-93, a \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Determination and Certificate of Fee Exemption with the State in accordance with State Legislation (California Fish and Game Code Section 711.4).

2. The proposed use and design conforms to the General Plan General Plan Policies 2.2.1.5, 2.4.1.4, 2.5.2.2, 2.8.1.1, TC-Xd, Xf and Xg, TC-4e, and 2.6.1.3 in that the site is located within the Community Region of Shingle Springs in an area of existing commercial facilities, proposed development falls well under the building intensity threshold for the site, the use is consistent with commercial development as defined under the Commercial land use designation, mitigation measures consisting of right-of-way dedications, roadway and frontage improvements and payment of TIM fees will reduce traffic impacts from both the design and use of the site to less than significant, and the subject application, DR00-11, complies with the requirement for discretionary review.

Further, the proposed use and design, as mitigated and conditioned, conforms to the Zoning Ordinance by being a use allowed by right within the Commercial Zone that is consistent with development standards of setbacks, minimum lot area and width, and maximum building coverage and height. Further, in compliance with the requirements for a design review due to its visibility from U.S. 50, the proposed site design conforms to signage, parking, lighting and landscaping requirements.

3. The proposed use and design will not be detrimental to the public health, safety, and welfare, or injurious to the neighborhood, as the potential impacts were analyzed and found to be less than significant, as discussed under the CEQA Findings in Attachment 3, subject to the mitigation measures and required monitoring program, conditions of approval and compliance with all applicable provisions under the County Code.