

1.0 CEQA FINDINGS

- 1.1 This project has been found to be Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines, which says that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Rationale: Staff recommends that the Planning Commission find that there is no possibility that the activity in question may have a significant effect on the environment. The project proposes to split a 21.94-acre property into four parcels ranging in size from 1.4 to 17.5 acres. The site is developed as a business park with three existing buildings, one of which will remain on each new Parcel 1 through 3. The fourth parcel, Parcel A, is proposed as the common lot, which would contain the existing parking lots, Business Park Drive, and landscaping. The use of the site is not proposed to change. The Rezone to add the –PD overlay, the Planned Development Permit, and the parcel map would serve to divide the parcel into the proposed configuration for the purposes of ownership and maintenance of the site. No new or expanded structures are proposed, there will be no additional earthwork or grading of the site, and the Zoning ordinance along with the Planned Development Plan would restrict the use of the property to that currently in operation at the site. A \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption.

- 1.2 The documents and other materials that constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Division at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

- 2.1 **The project is consistent with General Plan Policy 2.2.1.2.**

Policy 2.2.1.2 identifies Research & Development (R&D) as areas for the location of high technology, nonpolluting manufacturing plants, research and development facilities, corporate/industrial offices, and support service facilities in a rural or campus-like setting which ensures a high quality, aesthetic environment. This designation is highly appropriate for the business park/employment center concept. Lands designated as R&D can be located in Community Regions and in Rural Centers.

Rationale: The project proposes to split a 21.94-acre property into four parcels ranging in size from 1.4 to 17.5 acres. The site is developed as a business

park with three existing buildings, one of which will remain on each new Parcel 1 through 3. The fourth parcel, Parcel A, is proposed as the common lot, which would contain the existing parking lots, Business Park Drive, and landscaping. The use of the site is not proposed to change, and the rezone would add the –PD combining zone, but not affect the underlying R&D zone. The proposed project is compatible with the land use designation.

2.2 The project is consistent with General Plan Policy 2.2.3.1.

General Plan Policy 2.2.3.1 describes the requirements for the Planned Development (-PD) Combining Zone District. Primary emphasis is to be placed on furthering uses and/or design that (1) provide a public or common benefit on- or off-site, (2) cluster intensive land uses or lots to conform to the natural topography, (3) minimize impacts on various natural and agricultural resources, (4) avoid cultural resources where feasible, (5) minimize public health concerns, (6) minimize aesthetic concerns, and (7) promote the public health, safety, and welfare. A goal statement shall accompany each application specifically stating how the proposed project meets these criteria.

Rationale: The project proposes to amend the existing zone and add the Planned Development combining zone. The site is currently developed as a business park with three existing buildings, one of which will remain on each new Parcel 1 through 3. The fourth parcel, Parcel A, is proposed as the common lot, which would contain the existing parking lots, Business Park Drive, and landscaping. The common lot would be maintained by the owners of each Parcel 1 through 3 and would be used for common benefit. The use of the site is not proposed to change, and no construction activities that would affect natural resources, health, safety, or aesthetics is proposed.

2.3 The project is consistent with General Plan Policy 2.2.5.2.

All applications for discretionary projects or permits including, but not limited to, General Plan amendments, zoning boundary amendments, tentative maps for major and minor land divisions, and special use permits shall be reviewed to determine consistency with the policies of the General Plan. No approvals shall be granted unless a finding is made that the project or permit is consistent with the General Plan. In the case of General Plan amendments, such amendments can be rendered consistent with the General Plan by modifying or deleting the General Plan provisions, including both the land use map and any relevant textual policies, with which the proposed amendments would be inconsistent.

Rationale: The project has been reviewed in accordance with General Plan Policy 2.2.5.2 and has been found to be consistent with all applicable policies of

the General Plan. As conditioned, the proposal is consistent with the intent of the General Plan, as determined within the General Plan Findings.

2.4 The project is consistent with General Plan Policy 2.2.5.3.

Policy 2.2.5.3 requires that the County evaluate future rezoning: (1) To be based on the General Plan's general direction as to minimum parcel size or maximum allowable density; and (2) To assess whether changes in conditions that would support a higher density or intensity zoning district. The specific criteria to be considered include, but are not limited to, the following nineteen criteria:

1. Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;

Rationale: The project would not involve new development. The site is currently connected to EID water supply for irrigation and potable water.
2. Availability and capacity of public treated water system;

Rationale: The project would not involve new development. The site is currently connected to EID sewer.
3. Availability and capacity of public waste water treatment system;

Rationale: The project is currently connected to an EID sewer connection. There is no proposed additional development at the site.
4. Distance to and capacity of the serving elementary and high school;

Rationale: The project involves R&D uses in a business park. The project would not affect school capacity.
5. Response time from nearest fire station handling structure fires;

Rationale: The nearest fire station is located approximately 1 mile from the site. There is no proposed additional development at the site, so the project would not affect acceptable fire service ratios, response times, or other performance objectives.
6. Distance to nearest Community Region or Rural Center;

Rationale: The project is within a Community Region.

7. Erosion hazard;

Rationale: There is no proposed additional development at the site, so no erosion is anticipated.
8. Septic and leach field capability;

Rationale: No septic systems are proposed.
9. Groundwater capability to support wells;

Rationale: No wells are proposed, and the development would not impact groundwater supply.
10. Critical flora and fauna habitat areas;

Rationale: There is no proposed additional development at the site, so no disturbance of critical biological resources is anticipated.
11. Important timber production areas;

Rationale: The project is not located near and would not adversely affect timber resource areas.
12. Important agricultural areas;

Rationale: The project is not located near and would not adversely affect agricultural areas.
13. Important mineral resource areas;

Rationale: The project is not located near and would not adversely affect mineral resource areas.
14. Capacity of the transportation system serving the area;

Rationale: The project does not include any additional development and would not affect transportation system capacity.
15. Existing land use pattern;

Rationale: The project would be consistent with the adjacent existing R&D uses in the El Dorado Hills Business Park.

16. Proximity to perennial water course;

Rationale: The site is not near any perennial water courses, and would not affect any water courses, as there is no proposed additional development at the site.

17. Important historical/archeological sites; and

Rationale: There is no proposed additional development at the site. There are no known historic/archaeological sites that would be affected by the project.

18. Seismic hazards and present of active faults.

Rationale: There are no active faults or extraordinary seismic hazards in the vicinity of the project.

19. Consistency with existing Conditions, Covenants, and Restrictions.

Rationale: The property is governed by the CC&Rs for the El Dorado Hills Business Park. The project would not result in any physical changes to the site, and each parcel would continue to be restricted by development and maintenance standards of the existing CC&Rs.

2.5 The project is consistent with General Plan Policy 2.2.5.21.

General Plan Policy 2.2.5.21 requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses.

Rationale: The project site is surrounded by other R&D uses of a similar size and physical scale. The site is currently developed as a business park with three existing buildings, one of which will remain on each new Parcel 1 through 3. The fourth parcel, Parcel A, is proposed as the common lot, which would contain the existing parking lots, Business Park Drive, and landscaping. The use of the site is not proposed to change, and no construction activities that would affect natural resources, health, safety, or aesthetics are proposed. The project is consistent and compatible with the development pattern in the immediate surroundings.

2.6 The project is consistent with General Plan Policy 5.2.1.2.

General Plan Policy 5.2.1.2 requires that adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development.

Rationale: The project was reviewed by the County Transportation Division, El Dorado Hills Fire Department, and the El Dorado Irrigation District for

adequate public services capacity. The site is currently served by existing water and sewer service from EID. The El Dorado Hills Fire Department had no comments on the proposed project. The project, as conditioned, is consistent with this policy.

2.7 The project is consistent with General Plan Policy 5.2.1.4.

This policy requires that rezoning and subdivision approvals in Community Regions or other areas dependent on public water supply shall be subject to the availability of a permanent and reliable water supply.

Rationale: The site is currently served by existing water and sewer service from EID.

2.8 The project is consistent with General Plan Policy 6.2.3.2.

Policy 6.2.3.2, Adequate Access for Emergencies, requires that the applicant demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Rationale: El Dorado Hills Fire reviewed the application materials and would not require additional site access or improvement to the existing roads. The Transportation Division reviewed the application and determined that no new encroachments or other improvements would be required. The project is in compliance with this policy.

3.0 ZONING FINDINGS

3.1 The proposed use is consistent with Section 130.04.030.

Chapter 130.04.030 of the El Dorado County Zoning Ordinance requires that the Planning Commission shall not approve or conditionally approve a development plan nor recommend the establishment of a PD zone unless it makes the following findings:

1. That the -PD zone request is consistent with the general plan;

Rationale: As set forth in the Findings above, the tentative parcel map is consistent with the El Dorado County General Plan. The project is consistent with both the General Plan and zoning on the property. The purpose of the proposed rezone and development plan (Z16-0007, PD16-0002) is to allow the establishment of a common parcel for existing parking and landscaping, as shown on the site plan. The project meets the overall intent of the General plan and would serve to further many of the described goals and policies therein.

2. That the proposed development is so designed to provide a desirable environment within its own boundaries;

Rationale: The project would subdivide an existing R&D development into 4 lots. Sidewalks and landscaping are existing and would be maintained through Parcel A, which would surround the proposed Parcels 1, 2, and 3.

3. That any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography;

Rationale: Lot width in this zone is usually required to be a minimum of 60 feet, lot sizes must be a minimum of 10,000 square feet, and building setbacks must be at least 20 feet for front yards, 5 feet for sides, and 10-feet for rear yards. The maximum floor-area-ratio (FAR) is 0.50. Three lots, 1, 2, and 3, would contain one existing commercial building each and measure 1.4 acres (63,110 square feet), 1.5 acres (67,143 square feet), and 1.4 acres (63,168 square feet), respectively. The fourth lot would contain the existing shared parking, landscaping, and utility easements and would measure 17.5 acres. The property lines around the buildings provide a minimum 20-foot setback from the front and rear of each building and a 10-foot minimum setback from the sides of the building. Although the proposed lots meet the required dimensions, Parcels 1 through 3 would have a FAR higher than 0.50, as proposed with the Planned Development. FAR at parcels 1 through 3 would have a FAR of approximately 1.3. Other development standards for the R&D zone would be met. The reduction will allow for the creation of Parcel A for the common maintenance of the on-site parking and landscaping.

4. That the site is physically suited for the proposed uses;

Rationale: The site currently contains R&D-type development, which would continue with the approval of the project. Adequate access and utility-related infrastructure, as well as other services are located on site or in close proximity. The site is located appropriately for the development and physically suited for the proposed uses. The site is physically suitable for both the type and density of the development.

5. That adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities;

Rationale: The project has been reviewed by the County Transportation and Environmental Management Divisions, the El Dorado County Air

Quality Management District, and the El Dorado Hills Fire Department. Water, sewer, and other utilities currently serve the site.

6. The map does not conflict with any easement for public access through the property.

Rationale: The project has been reviewed by the County Surveyor and no easements exist that would conflict with the map. The project site includes an access road, Business Park Drive, as well as access from surrounding public roads.

3.2 **The proposed use is consistent with Chapter 130.23.**

The parcel is zoned Research and Development (R&D). The project has been analyzed in accordance with Zoning Ordinance Section 130.23.030 (Development Standards) for minimum lot size, widths and building setbacks.

Rationale: Minimum lot size in this zone is 10,000 square feet, with a minimum width of 60 feet, and minimum setbacks of 20 feet for front yards, 5 feet for sides, and 10 feet for rear. The maximum floor-area-ratio (FAR) is 0.50. Three lots, 1, 2, and 3, would contain one existing commercial building each and measure 1.4 acres (63,110 square feet), 1.5 acres (67,143 square feet), and 1.4 acres (63,168 square feet), respectively. The fourth lot would contain the existing shared parking, landscaping, and utility easements and would measure 17.5 acres. The property lines around the buildings provide a minimum 20-foot setback from the front and rear of each building and 10-foot minimum setback from the sides of the building. Although the proposed lots meet the required dimensions, some lots would have a FAR of 1.3, as proposed with the Planned Development. Other development standards for the R&D zone would be met. The project, as proposed and conditioned, is consistent with the Zoning Ordinance because the parcels have been designed to comply with the R&D development standards as provided within Section 130.23.030 of the County Code and the provisions for the –PD combining zone.

3.3 **The proposed use is consistent with Section 130.27.050.**

The parcel is zoned Research and Development – Design Review – Community (R&D–DC). Section 130.27.050 establishes requirements for projects within the –DC combining zone.

According to subsection C, a Design Review permit is required for projects in this zone. Subsection C.2 specifies that if the development requires a discretionary permit, such as a Conditional Use or Development Plan Permit, said discretionary permit will satisfy the Design Review Permit requirement.

Rationale: According to Zoning Ordinance Section 130.27.050, Design Review - Community (-DC) Combining Zone, if the development requires a discretionary permit, such as a Conditional Use or Development Plan Permit, said discretionary permit will satisfy the Design Review Permit requirement. For this reason, the -PD combining zone is proposed to replace the existing -DC Combining Zone. Because the project requires a Development Plan Permit, which is included in this request, the Design Review requirement is satisfied and a Design Review permit is not needed (130.27.050(C)(2)). The project complies with all standards applicable to Planned Developments (see Finding 3.1)

According to subsection D, Exemptions, the following structures shall be exempt from the design review process required in this Section, but must still comply with all other applicable provisions of this Title and adopted community design guidelines and standards:

1. Structures and site development within a research and development zone that is combined with a -DC designation, if said base zone has been expanded to include architectural style and site design requirements which are more specific in nature and satisfy the intent of the design review concept.

Rationale: The parcel has an underlying base zone of Research and Development (R&D). No physical changes to the site which would affect the architectural style or site design are proposed. The proposal to divide the property into three parcels, each with one existing building, and a fourth parcel to contain existing landscaping, parking, and access and utility easements, would not result in changes to site design.

4.0 PARCEL MAP FINDINGS

4.1 The proposed tentative map, including design and improvements, is consistent with the General Plan.

Rationale: The proposed Parcel Map is consistent with the General Plan as set forth in Findings 2.1 through 2.8.

4.2 The proposed Parcel Map conforms to the applicable standards and requirements of the County zoning regulations and Minor Land Division Ordinance.

Rationale: The parcels have been analyzed in accordance with Section 130.23.210 (Development Standards) of the Zoning Ordinance and comply with the required minimum lot area and minimum lot width requirements. As proposed and conditioned, the Parcel Map conforms to the Minor Land Division Ordinance.

4.3 The site is physically suitable for the proposed type and density of development.

Rationale: The site is currently developed and is physically suitable for the proposed development. The use of the site is appropriate for the R&D land use designation and zone (See Finding 3.1 and 3.2). There are no density standards for the R&D zone district.

4.4 The proposed subdivision is not likely to cause substantial environmental damage.

Rationale: The project has been found to be Exempt from the requirements of CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines, which says that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The project proposes to split a 21.94-acre property into four parcels ranging in size from 1.4 to 17.5 acres. The site is developed as a business park with three existing buildings, one of which will remain on each new Parcel 1 through 3. The fourth parcel, Parcel A, is proposed as the common lot, which would contain the existing parking lots, Business Park Drive, and landscaping. The use of the site is not proposed to change and the project would not cause substantial environmental damage.