

File Number: PD09-0005/Macaulay
Date Received: July 25, 2013

Receipt No.: 28491
Amount: 200.00

APPEAL FORM

(For more information, see Section 17.22.220 of the Zoning Ordinance)

Appeals must be submitted to the Planning Department with appropriate appeal fee. Please see fee schedule or contact the Planning Department for appeal fee information.

APPELLANT Carol Louis
ADDRESS 4161 Greenstone Rd Placerville
DAYTIME TELEPHONE 530 622-6763

A letter from the Appellant authorizing the Agent to act in his/her behalf must be submitted with this appeal.

AGENT _____
ADDRESS _____
DAYTIME TELEPHONE _____

APPEAL BEING MADE TO: Board of Supervisors Planning Commission

ACTION BEING APPEALED (Please specify the action being appealed, i.e., approval of an application, denial of an application, conditions of approval, etc., and specific reasons for appeal. If appealing conditions of approval, please attach copy of conditions and specify appeal.)

Denial of application as approved by Planning Commission
Denial of conditions of approval
Attached - Conditions of Approval APN-319-260-51
Staff Report - missing page 1 and 2 supplied
by county at Planning Commission Hearing July 11
Planning Commission Staff Report from
EPC Development Services
Negative Declaration Report

DATE OF ACTION BEING APPEALED July 11 2013

Signature Carol Louis Date 7/25/13

thirty pages included in document.

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COUNTY OF EL DORADO DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT



Agenda of: July 11, 2013

Item No.: 8.b

Staff: Aaron Mount

PLANNED DEVELOPMENT

FILE NUMBER: PD09-0005/Macauley Construction Headquarters

APPLICANT: Richard Macauley

AGENT: BT Consulting-Peter Thorne

REQUEST: Phased development plan for a construction company headquarters and facility consisting of a 1,680 square foot office building, 616 square foot caretaker's residence, 1,817 square foot storage and maintenance shop, storage and material yard, parking, landscaping, and two portable storage containers as Phase 1. Phase 2 would allow construction of 4 additional industrial-use buildings totaling 30,057 square feet, parking, and landscaping. Signage includes three 80 square foot monument signs located at the three entrances to the proposed development.

Deny Phase 2 until all permits and infrastructure is completed. County has no time line for Phase 2.

Deny 3 entrances and 3 80sq ft. signs, this does not fall under county sign cod

LOCATION: North side of Greenstone Cutoff Road, at the intersection with Greenstone Road in the El Dorado area, Supervisorial District 3. (Exhibit A)

APN: 319-260-51 (Exhibit B)

ACREAGE: 6.00 acres

GENERAL PLAN: Industrial (I) (Exhibit C)

ZONING: Industrial-Planned Development (I-PD) (Exhibit E)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

- Repeal items 1 and 3*
- ① Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
 2. Adopt the Mitigation Monitoring Program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the Conditions of Approval and Mitigation Measures in Attachment 1; and
 - ③ Approve Planned Development PD09-0005, based on the Findings in Attachment 2 and subject to the Conditions of Approval in Attachment 1.

STAFF ANALYSIS

Project Description: Development Plan to allow construction of the following:

- a. 1,680 square construction office;
- b. 1,817 square foot maintenance shop;
- c. 616 square foot caretaker's residence;
- d. 9,734 square foot industrial building A;
- e. 10,984 square foot industrial building B;
- f. 4,929 square foot industrial building C;
- g. 4,410 square foot industrial building D;
- ⑧ h. 3 monument signs each 80 square feet; and — *Repeal signs as proposed.*
- i. An above-ground fueling station.

Waivers could be repealed The project also includes requests for waivers for the following requirements:

- ① To connect to public sewer;

The project includes requests for exceptions to the standard requirements of the zone regulations for the following requirements as allowed by the Planned Development ordinance:

- ② Two signs not exceeding fifty square feet in total area of any one display surface; and
- ③ The paving of the interior roadways and parking lot areas for the equipment yard only.

All surface areas must be paved on Phase 1 and 2

Site Description: The 6-acre parcel is located between 1,450 and 1,530 feet elevation above sea level with an average slope of ten percent. Vegetation on the property consists of savannah grassland and oak woodland. The site was previously developed without approval of a discretionary application or building and grading permits. Improvements include an existing construction maintenance and storage yard consisting of 1,817 square foot shop building, two portable office structures, and two storage containers. The site is bordered by Greenstone Road to the west and Greenstone Cutoff Road to the south. The site contains an existing encroachment onto Greenstone Cutoff Road.

There is no time line for phase 2. Macauley has demonstrated that he will not follow county, state or Federal codes or laws.



EL DORADO COUNTY PLANNING SERVICES
2850 FAIRLANE COURT
PLACERVILLE, CA 95667

INITIAL STUDY
ENVIRONMENTAL CHECKLIST

Project Title: S11-0009/PD11-0005/Macauley Construction Headquarters

Lead Agency Name and Address: El Dorado County, 2850 Fairlane Court, Placerville, CA 95667

Contact Person: Aaron Mount

Phone Number: (530) 621-5355

Applicant's Name and Address: Richard Macauley, 2500 Running Deer Road, Shingle Springs, CA 95682

Project Agent's Name and Address: BT Consulting, Peter Thorne, PO Box 304, Shingle Springs, CA 95682

Project Architect/Engineer's Name and Address: BT Consulting, Peter Thorne, PO Box 304, Shingle Springs, CA 95682

Project Location: The property is located on the north side of Greenstone Cutoff Road at the intersection with Greenstone Road in the El Dorado area.

Assessor's Parcel Number: 319-260-51 **Acres:** 6.00 acres

Zoning: Industrial-Planned Development (C-PD)

Sections: 33 **T:** 10N **R:** 10E

General Plan Designation: Industrial (I)

Description of Project: Phased development plan for a construction company headquarters and facility consisting of a 1,680 square foot office building, 616 square foot caretakers residence, 1,817 square foot storage and maintenance shop, storage yard, parking, landscaping, and two portable storage containers as phase 1. Phase 2 would allow construction of 4 additional industrial use buildings totaling 30,057 square feet, parking, and landscaping.

* The site was previously developed without the approval of this discretionary application.

Surrounding Land Uses and Setting:

	Zoning	General Plan	Land Use/Improvements
Site	I-PD	I	Industrial/Construction yard and office structures.
North	I-PD	I	Industrial/American Legion Post 119 Hall
South	I	I	Industrial/Single Family Residence
East	I-PD	I	Industrial/Single Family Residence
West	I	I	Industrial/Auto Repair Facility

Briefly describe the environmental setting: The 6-acre parcel is located between 1,450 and 1,530 feet elevation above sea level with an average slope of ten percent. Vegetation on the property consists of savannah grassland and oak woodland. Improvements include an existing construction maintenance and storage yard consisting of 1,817 square foot shop building, two portable office structures, and two storage containers.

Macauley has for 7.5 years consistently not applied for county permits and has not adhered to code enforcement.

- Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement)
1. Department of Transportation
 2. Environmental Health Division
 3. Air Quality Management District
 5. Building Services
 6. El Dorado/Diamond Springs Fire Protection District
 7. El Dorado County Resource Conservation District
 8. EID

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED


The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Agriculture and Forestry Resources	X	Air Quality
X	Biological Resources		Cultural Resources	X	Geology / Soils
	Greenhouse Gas Emissions	X	Hazards & Hazardous Materials	X	Hydrology / Water Quality
X	Land Use / Planning		Mineral Resources	X	Noise
	Population / Housing		Public Services		Recreation
X	Transportation/Traffic		Utilities / Service Systems	X	Mandatory Findings of Significance

DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by Mitigation Measures based on the earlier analysis as described in attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION**, pursuant to applicable standards; and b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or Mitigation Measures that are imposed upon the proposed project, nothing further is required.

Signature:  Date: 6-7-2013

Printed Name: Aaron Mount, Project Planner For: El Dorado County

This project has already had a significant impact on the environment.

Signature: Peter N. Maurer Date: 7 June 2013

Printed Name: Peter N. Maurer, Principal Planner For: El Dorado County

PROJECT DESCRIPTION

Introduction

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts resulting from the proposed park project.

Project Description

Phased development plan for a construction company headquarters and facility consisting of a 1,680 square foot office building, 616 square foot caretakers residence, 1,817 square foot storage and maintenance shop, storage yard, parking, landscaping, and two portable storage containers as phase 1. Phase 2 would allow construction of 4 additional industrial use buildings totaling 30,057 square feet, parking, and landscaping.

Project Location and Surrounding Land Uses

The 6-acre site is located on the southeast corner of the intersection of Greenstone Road and Greenstone Cutoff Road in the El Dorado area. The surrounding land uses include a residence to the south, a veteran's organization meeting hall to the north, an auto repair facility to the west, and a residence adjoining the east boundary.

Project Characteristics

1. Transportation/Circulation/Parking

The project currently has one encroachment onto a County maintained road, Greenstone Cutoff Road, and plans to utilize it and a proposed encroachment onto Greenstone Road. A Phase I Initial Determination - Traffic Impact Study form was reviewed. The project does not exceed any of the thresholds to require any further traffic studies. Frontage and encroachment improvements would be required.

is substantial for Industrial Traffic the concrete bridge will not accommodate this type of traffic under Measure Y - no traffic study was done

2. Utilities and Infrastructure

There are existing electrical facilities which would be extended within the parcel to the project. Water service is available at the site and would be upgraded as required by the EID. There is an existing well currently utilized for water service. The applicants would be required to connect to public sewer or a septic system. A septic evaluation has been approved by Environmental Health.

Applicant has used unpermitted septic since 2005. Well is unpermitted and not inspected.

3. Construction Considerations

DOT would require encroachment and frontage improvements. Building Services would require an "as built" building permit for the existing structures and any proposed structures would require standard permits. If the requirement to connect to public sewer is waived, the applicants would be required to construct a septic system. The parking lot would be required to be paved unless waived in lieu of utilizing the existing graveled surface.

This was vacant land when purchased.
3. FOM should not be waived. Project should adhere to industrial standards,

Project Schedule and Approvals

This Initial Study is being circulated for public and agency review for a 30-day period. Written comments on the Initial Study should be submitted to the project planner indicated in the Summary section, above.

Following the close of the written comment period, the Initial Study will be considered by the Lead Agency in a public meeting and will be certified if it is determined to be in compliance with CEQA. The Lead Agency will also determine whether to approve the project.

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of Mitigation Measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the Mitigation Measures, and briefly explain how they reduce the effect to a less than significant level.
5. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<p>II. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by California Department of forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forrest Protocols adopted by the California Air Resources Board. Would the project:</p>			
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Locally Important Farmland (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?			X
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			X
d. Result in the loss of forest land or conversion of forest land to non-forest use?			X
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X

Discussion: A substantial adverse effect to Agricultural Resources would occur if:

- There is a conversion of choice agricultural land to nonagricultural use, or impairment of the agricultural productivity of agricultural land;
 - The amount of agricultural land in the County is substantially reduced; or
 - Agricultural uses are subjected to impacts from adjacent incompatible land uses.
- a. **Farmland Mapping and Monitoring Program:** Review of the Important Farmland GIS map layer for El Dorado County developed under the Farmland Mapping and Monitoring Program indicates that the project site contains AxD, (Auburn very rocky silt loam with 2 to 30 percent slopes). AxD soils are not classified as unique and soils of local importance or as statewide important farmland or prime farmland. The project site is designated for industrial and commercial uses, and is not located within or adjacent to lands designated with the Agricultural Districts (A) General Plan Land Use Overlay. As such, there would be no impacts.
- b. **Williamson Act Contract:** The property is not located within a Williamson Act Contract and the project would not conflict with existing zoning for agricultural use, and would not affect any properties under a Williamson Act Contract. There would be no impact.
- c. **Conflicts with Zoning for Forest/timber Lands:** No conversion of timber or forest lands would occur as a result of the project. There would be no impact.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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ENVIRONMENTAL IMPACTS

I. AESTHETICS. <i>Would the project:</i>				
a. Have a substantial adverse effect on a scenic vista?				X
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	X			X
c. Substantially degrade the existing visual character quality of the site and its surroundings?	X		X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	X		X	

Discussion: A substantial adverse effect to Visual Resources would result in the introduction of physical features that are not characteristic of the surrounding development, substantially change the natural landscape, or obstruct an identified public scenic vista.

- a. **Scenic Vista:** The project site and vicinity is not identified by the County as a scenic view or resource (El Dorado County Planning Services, El Dorado County General Plan Draft EIR (SCH #2001082030), May 2003, Exhibit 5.3-1 and Table 5.3-1). There would be no impacts.
- b. **Scenic Resources:** The project site is not located near any roadway that is classified as a State Scenic Highway (California Department of Transportation, California Scenic Highway Program, Officially Designated State Scenic Highways, (http://www.dot.ca.gov/hq/LandArch/scenic_highways/scenic_hwy.htm)). There were no trees or historic buildings found that have been identified by submitted biological report or cultural resources study as contributing to exceptional aesthetic value at the project site. There would be no impacts.
- c. **Visual Character:** The proposed project would not degrade the visual character or quality of the site and its surroundings in ways not anticipated for lands designated by the General Plan for Industrial land uses. As mitigated for oak tree retention, the property would provide enhanced natural visual character and quality that currently exist by improving the scenic areas of the property. Impacts would be less than significant.
- d. **Light and Glare:** The project does include exterior lighting. The use of pole lighting, security lighting and spot lighting for buildings would be required to meet the County lighting ordinance and must be shielded to avoid potential glare affecting day or nighttime views for those that live or travel through the area. If the development plan is approved, any future lighting would at a minimum require Development Services review prior to installation. Impacts would be less than significant.

FINDING: For the "Aesthetics" category, the thresholds of significance have not been exceeded. As conditioned, mitigated, and with adherence to County Code, no significant environmental impacts would result from the project.

The project removed 40% of the oak canopy before applying for permits. 1a and 1b do apply - significant impact. 1d would have significant impact to the neighboring homes.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- d. **Loss of Forest land or Conversion of Forest land:** Neither the General Plan nor the Zoning Ordinance designate the site as an important Timberland Preserve Zone and the underlying soil types and elevation are not those known to support timber production. There would be no impact.
- e. **Conversion of Prime Farmland or Forest Land:** The project would not result in conversion of existing lands designated by the General Plan and zoned for agricultural uses. The project site is designated for industrial uses by the General Plan and is zoned for industrial development with a development plan. The existing use while unpermitted, is consistent with the intent of the land use for the parcel. There would be no impact.

FINDING: This project would have no significant impact on agricultural lands, would not convert agricultural lands to non-agricultural uses, and would not affect properties subject to a Williamson Act Contract. For the "Agriculture" category, the thresholds of significance have not been exceeded. For this "Agriculture" category, impacts would be less than significant.

III. AIR QUALITY. <i>Would the project:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	X		X	
d. Expose sensitive receptors to substantial pollutant concentrations?				X
e. Create objectionable odors affecting a substantial number of people?			X	

Discussion: A substantial adverse effect on Air Quality would occur if:

- Emissions of ROG and No_x, will result in construction or operation emissions greater than 82lbs/day (See Table 5.2, of the El Dorado County Air Pollution Control District – CEQA Guide);
 - Emissions of PM₁₀, CO, SO₂ and No_x, as a result of construction or operation emissions, will result in ambient pollutant concentrations in excess of the applicable National or State Ambient Air Quality Standard (AAQS). Special standards for ozone, CO, and visibility apply in the Lake Tahoe Air Basin portion of the County; or
 - Emissions of toxic air contaminants cause cancer risk greater than 1 in 1 million (10 in 1 million if best available control technology for toxics is used) or a non-cancer Hazard Index greater than 1. In addition, the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.
- a. **Air Quality Plan:** El Dorado County has adopted the *Rules and Regulations of the El Dorado County Air Pollution Control District*, (February 15, 2000), establishing rules and standards for the reduction of stationary source air pollutants (ROG/VOC, NO_x, and O₃). Any activities associated with the grading and construction of this project would pose a less than significant impact on air quality because the El Dorado County Air Quality Management District (AQMD) would require that the project implement a Fugitive Dust Plan if deemed applicable during grading

III air quality no study was done Phase 2 of project is unknown. Grading was done prior to permit process.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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activities. Such a plan would address grading measures and operation of equipment to minimize and reduce the level of defined particulate matter exposure and/or emissions below a level of significance.

(b) Air Quality Standards: The project would potentially create air quality impacts which may contribute to an existing or projected air quality violation during grading and construction. Construction activities, project related and those anticipated in the future, include grading and site improvements, for roadway expansion, utilities, driveway, and associated on-site activities. These activities are typically intermittent and for short time frames in days. Construction related activities would generate PM10 dust emissions that would exceed either the state or federal ambient air quality standards for PM10. This is a temporary but potentially significant effect. The AQMD reviewed the project and determined that with the implementation of standard County measures, including requiring a Fugitive Dust Plan during grading and construction activities, the project would have a less than significant impact on the air quality.

Violated air quality standards. No water trucks were used during grading. For dust control.

Operational air quality impacts would be minor, and would cause an insignificant contribution to existing or projected air quality violations. Source emissions would be from vehicle trip emissions, landscape equipment, and consumer products. Those effects would be typical of public facility uses. Impacts would be less than significant as measured with current air quality standards.

c. Cumulative Impacts: The AQMD reviewed the project and determined that with the implementation of standard conditions of approval for air quality should it be determined the grading or encroachment permits require it, the project would have a less than significant cumulative impact. *Violated AQMD review. - did not secure grading permits*

d. Sensitive Receptors: The AQMD reviewed the project and did not respond that sensitive receptors exist in the area. There would be no impacts anticipated.

e. Objectionable Odors: The proposed project would not be anticipated to create significant levels of odors as measured with current standards. Impacts would be less than significant.

FINDING: The proposed project would not significantly affect the implementation of regional air quality regulations or management plans. The project would result in increased emissions due to grading and operation; however existing regulations would reduce these impacts to a less-than-significant level. The proposed project would not cause substantial adverse effects to air quality, nor exceed established significance thresholds for air quality impacts.

(iv) BIOLOGICAL RESOURCES. Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	X	X		
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	X		X	

Applicant destroyed all riparian habitat which included a historic pond and vernal pool violating CEQA.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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Ⓒ Applicant destroyed vernal pool and pond. Ⓓ Interfered with movement of native residents.

IV. BIOLOGICAL RESOURCES. <i>Would the project:</i>				
Ⓒ	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	X		X
Ⓓ	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	X		X
c.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X	
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X

Discussion: A substantial adverse effect on Biological Resources would occur if the implementation of the project would:

- Substantially reduce or diminish habitat for native fish, wildlife or plants;
- Cause a fish or wildlife population to drop below self-sustaining levels;
- Threaten to eliminate a native plant or animal community;
- Reduce the number or restrict the range of a rare or endangered plant or animal;
- Substantially affect a rare or endangered species of animal or plant or the habitat of the species; or
- Interfere substantially with the movement of any resident or migratory fish or wildlife species.

a-b. **Special Status Species:** Ruth A. Wilson, consulting botanist, prepared a botanical survey report for the site dated May 19th 2003. The botanical report identified two elderberry shrubs near the center of APN 319-260-51. The shrubs were reported to be each about ten feet tall and fifteen feet wide. A subsequent site evaluation prepared by Sycamore Environmental Consultants dated November 2, 2010 identified the location of the two elderberry shrubs and confirmed that they no longer existed. The location of the shrubs was within the area of the site that was developed without approval of discretionary, building, or grading permit approval. While the elderberry shrub has no special status listing, it is the host plant for the Valley elderberry longhorn beetle (VELB) which is listed as threatened by the United States Federal Government (45 FR 52807). If Planning Services had been consulted prior to disturbance of the parcel the owner could have been advised of where the shrubs were located and that avoidance was necessary. The shrubs had the potential to be VELB habitat and removal of the elderberry shrubs resulted in a potentially significant impact as it cannot be definitively ascertained whether the shrubs were occupied by the beetle or not because of their removal. The shrubs are within the range of the species and would be considered likely to contain the beetle according to the US Fish and Wildlife Service. The lack of documentation on the presence of exit holes does not mean that the removal of the shrubs is not likely to result in take of the beetle, as often beetle larvae within the shrub will not emerge for several years.

Impact: The project has affected habitat of the VELB. This impact is considered significant.

The following measure is proposed to mitigate impacts to a less-than-significant level the removal of the two identified elderberry shrubs:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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VELB Credits should be purchased before occupancy and final permit of Phase I

BIO-1: Valley elderberry longhorn beetle: A botanical report dated May 19th, 2003 identified the presence of two elderberry shrubs on the project site and a subsequent study dated November 2, 2010 confirmed the removal of the elderberry shrubs. To mitigate the loss of VELB habitat the applicant shall purchase VELB credits equivalent to the loss of the two elderberry shrubs from a conservation bank authorized to sell credits by either the USFWS or the CDFW.

Monitoring Responsibility: Planning Services

Monitoring Requirement: The applicant shall provide proof of the purchase of VELB credits, or if the USFWS concurs that no take occurred, the applicants shall provide to Planning Services a no-effect letter from the USFWS or CDFW prior to issuance of a grading permit for the project. Alternatively, if the VELB is delisted prior to issuance of a grading permit this mitigation shall be null and void.

Riparian Habitat, Wetlands: An initial jurisdictional delineation report for the site was completed on March 24, 2003 by Sycamore. The report identified a portion of a seasonal pond and a seasonal wetland on the site. It was concluded that the pond was manmade and was created by construction of an earthen berm across a natural swale. A subsequent report prepared by Sycamore on November 2, 2010 determined development of the adjacent parcel to the north created a driveway that was built through a portion of the pond and impounding berm. A culvert was installed under the driveway to drain the low point in the landscape that contained the pond and seasonal wetland. The culvert has sufficiently drained the area over the course of the past six years to the point where the wetland criteria no longer exists. Therefore, there would be a less than significant impact.

destroyed by Applicant

- d. **Migration Corridors:** Review of the California Department of Fish and Wildlife California Wildlife Habitat Relationship System indicates that there are no mapped critical deer migration corridors on the project site. Impacts would be less than significant.
- e. **Local Policies:** El Dorado County Code and General Plan Policies pertaining to the protection of biological resources would include protection of rare plants, setbacks to riparian areas, and mitigation of impacted oak woodlands. Rare plants were discussed above in the Special Status Species section.

Policy 7.4.4.4 establishes the native oak tree canopy retention and replacement standards. On May 6, 2008 the Board of Supervisors adopted the Oak Woodland Management Plan (OWMP) and its implementing ordinance, to be codified as Chapter 17.73 of the County Code (Ord. 4771, May 6, 2008.). The primary purpose of this plan is to implement the Option B provisions of Policy 7.4.4.4 and Measure CO-P. These provisions establish an Oak Conservation In-Lieu Fee for the purchase of conservation easements for oak woodland in areas identified as Priority Conservation Areas.

A lawsuit was filed in El Dorado Superior Court on June 6, 2008 against the Oak Woodland Management Plan. On February 2, 2010, the Court ruled to uphold the Board's action to adopt the Plan. However, on appeal, the Appellate Court over-ruled that decision, remanding the case back to Superior Court, with the direction to require the County to prepare an Environmental Impact Report for the OWMP. The OWMP was rescinded on September 4, 2012 (Resolution 123-2012) and its implementing ordinance was rescinded on September 11, 2012 (Ord. No. 4892). For the time being, only Option A of Policy 7.4.4.4 is available to mitigate impacts to oak woodlands.

Oak tree canopy beyond the allowable retention value was removed from the project parcel when the site was developed by the current owner. Predevelopment the site contained 63,507 square feet of native oak canopy. 26,017 square feet was removed which is excess of the required retention requirement of 85 percent of the existing canopy. This equates to a loss of 40 percent of the existing oak canopy.

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* Impact: The project has affected native oak habitat. This impact is considered significant.

The following measure is proposed to mitigate impacts to a less-than-significant level the removal of native oak trees:

BIO-2: Oak Woodlands: A 1:1 replacement of the removed 26,017 square feet of native oak canopy is required. Prior to finaling of any building permits 119 native oak trees shall be planted consistent with the Arborist Report completed by Chad Dykstra and dated September 21, 2012. The 119 trees shall include five (5) 24" box blue oaks, five (5) 24" box black oaks, seventy-five (75) 15 gallon blue oaks, and thirty-four (34) 15 gallon black oaks. The size of the designated replacement area shall equal at a minimum the total area of the oak canopy cover proposed to be removed.

Monitoring Responsibility: Planning Services

Monitoring Requirement: The applicant shall provide proof of the replanting prior to finaling of any building permits. Replacement trees are to be planted on-site to the satisfaction of the Development Services Director. An agreement to the satisfaction of County Counsel and the Director shall be required to ensure the long term maintenance and preservation of any on or off-site replacement trees planted. Maintenance and monitoring shall be required for a minimum of 10 years after planting. Any trees that do not survive during this period of time shall be replaced by the property owner.

f. **Adopted Plans:** This project, as designed, would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. There would be a less than significant impact in this category.

FINDING: Mitigation measures have been included to reduce potentially significant impacts to a less than significant level. For the "Biological Resources" category, the thresholds of significance have not been exceeded and no significant environmental impacts would result from the project.

V. CULTURAL RESOURCES. <i>Would the project:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X	
b. Cause a substantial adverse change in the significance of archaeological resource pursuant to Section 15064.5?			X	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d. Disturb any human remains, including those interred outside of formal cemeteries?			X	

Discussion: In general, significant impacts are those that diminish the integrity, research potential, or other characteristics that make a historical or cultural resource significant or important. A substantial adverse effect on Cultural Resources would occur if the implementation of the project would:

- Disrupt, alter, or adversely affect a prehistoric or historic archaeological site or a property or historic or cultural significant to a community or ethnic or social group; or a paleontological site except as a part of a scientific study;
- Affect a landmark of cultural/historical importance;

a-b The county should monitor the site when further ground work is done.

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- Conflict with established recreational, educational, religious or scientific uses of the area; or
- Conflict with adopted environmental plans and goals of the community where it is located.

- * a-b. **Historic Resources:** A known cultural resource site was removed by development of the parcel prior to approval of any discretionary or building permits. A cultural resource study dated February, 2003 was completed for the parcel previous to development due to a rezone and it recorded two cultural resource sites on the project parcel. A final cultural resource study dated October, 2011 made the following conclusion, "Subsequent ground disturbance has covered and/or removed the principal features of two historic sites. However, it is the present consultant's opinion that the ground disturbance did not affect historical resources as defined under CEQA statutes, guidelines and advisories". All necessary agencies and applicable Tribal Governments were notified of the disturbance and provided all cultural resource studies. After review of the cultural resource studies none of the agencies or groups notified had significant concerns about the resource that was impacted. In the event sub-surface historical, cultural, or archeological sites or materials are disturbed during earth disturbances and grading activities on the site, standard Based on the conclusion of the final cultural resource assessment, impacts would be less than significant.
- c. **Paleontological Resource:** The project site is not in an area identified as containing any known paleontological sites or known fossil strata/locales. There would be no impact.
- d. **Human Remains:** There is a small likelihood of human remain discovery on the project site. During all grading activities, standard Conditions of Approval would be required that address accidental discovery of human remains. Impacts would be less than significant.

FINDING: No significant cultural resources were identified on the project site. Standard Conditions of Approval would be required with requirements for accidental discovery during project construction. This project would have a less than significant impact within the Cultural Resources category.

VI. GEOLOGY AND SOILS. <i>Would the project:</i>			
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X
ii) Strong seismic ground shaking?			X
iii) Seismic-related ground failure, including liquefaction?			X
iv) Landslides?			X
b. Result in substantial soil erosion or the loss of topsoil?			X
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial risks to life or property?			X

c-d no compaction report available.
 e. General Plan requires project to be connected to Public sewer on Phase 1

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BMPs are required to be consistent with the County's California Stormwater Pollution Prevention Plan issued by the State Water Resources Control Board to eliminate run-off and erosion and sediment controls. Implementation of these BMPs would reduce potential significant impacts of soil erosion or the loss of topsoil to a less than significant level.

c-d. **Geologic Hazards, Expansive Soils:** As stated above, the project site contains Auburn very rocky silt loam soils. The Soil Survey for El Dorado County lists this type as having low shrink-swell potential. There are no excessively steep slopes on the surrounding parcels entering into the subject parcel. The site would not be anticipated to be subject to off-site landslide, lateral spreading, subsidence, liquefaction or collapse, nor does it have expansive soils. The project would be required to comply with the El Dorado County Grading, Erosion and Sediment Control Ordinance and the development plans for the proposed buildings would be required to implement the Uniform Building Code Seismic construction standards. As such, impacts would be reduced to a less than significant level.

e. **Septic Capability:** The project is required by the General Plan to connect to public sewer unless it is proven that this is unfeasible. If the project is not required to connect to public sewer, the project septic system design would be reviewed and approved by the Environmental Health Division. The 6-acre size would be anticipated to allow sufficient area for an adequate septic system as indicated by a soil mantle and percolation test that was conducted and approved by Environmental Health. Impacts would be less than significant.

FINDING: All grading activities would be required to comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance which would address potential impacts related to soil erosion, landslides and other geologic impacts. Future development would be required to comply with the Uniform Building Code which would address potential seismic related impacts. For this 'Geology and Soils' category impacts would be less than significant.

VII. GREENHOUSE GAS EMISSIONS. <i>Would the project:</i>				
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X
b.	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X

a-b. **Generate Greenhouse Gas Emissions and Policy.** The prominent GHGs contributing to the greenhouse effect as specifically listed in Assembly Bill AB 32, the California Global Warming Solutions Act of 2006, are carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors; in California, the transportation sector is the largest emitter of GHGs, followed by electricity generation. California Energy Commission. 2006. Inventory of California Greenhouse Gas Emissions and Sinks: 1990 to 2004. (Staff Final Report). Publication CEC-600-2006-013-SF.

GHGs are a global pollutants, unlike criteria for air pollutants and toxic air contaminants, which are pollutants of regional and local concern. Carbon dioxide equivalents are a measurement used to account for the fact that different GHGs have different potential to retain infrared radiation in the atmosphere and contribute to the greenhouse effect.

Emitting CO2 into the atmosphere is not itself an adverse environmental affect. It is the increased concentration of CO2 in the atmosphere potentially resulting in global climate change and the associated consequences of such climate change that results in adverse environmental affects (e.g., sea level rise, loss of snowpack, severe weather events). Although it is possible to generally estimate a project's incremental contribution of CO2 into the

VII No study has been done Phase 2 has potential of emitting Greenhouse Gas Emissions.

Property contains Serpentine Rock
 known to contain Asbestos.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS. <i>Would the project:</i>			
c. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X

Discussion: A substantial adverse effect on Geologic Resources would occur if the implementation of the project would:

- Allow substantial development of structures or features in areas susceptible to seismically induced hazards such as groundshaking, liquefaction, seiche, and/or slope failure where the risk to people and property resulting from earthquakes could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards;
- Allow substantial development in areas subject to landslides, slope failure, erosion, subsidence, settlement, and/or expansive soils where the risk to people and property resulting from such geologic hazards could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards; or
- Allow substantial grading and construction activities in areas of known soil instability, steep slopes, or shallow depth to bedrock where such activities could result in accelerated erosion and sedimentation or exposure of people, property, and/or wildlife to hazardous conditions (e.g., blasting) that could not be mitigated through engineering and construction measures in accordance with regulations, codes, and professional standards.

a. Seismic Hazards:

- i) According to the California Department of Conservation, Division of Mines and Geology, there are no Alquist-Priolo fault zones within El Dorado County. The nearest such faults are located in Alpine and Butte Counties. There would be no impact.
- ii) The potential for seismic ground shaking in the project area is considered less than significant. Any potential impacts due to seismic impacts would be addressed through compliance with the Uniform Building Code. All structures would be built to meet the construction standards of the UBC for the appropriate seismic zone. Impacts would be less than significant.
- iii) El Dorado County is considered an area with low potential for seismic activity. The potential areas for liquefaction on the project site would be the wetlands which would be filled as part of the project. Impacts would be less than significant.
- iv) All grading activities onsite would be required to comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance. Compliance with the Ordinance would reduce potential landslide impacts to less than significant.

b.

Soil Erosion: All grading activities exceeding 250 cubic yards of graded material or grading completed for the purpose of supporting a structure must meet the provisions contained in the *County of El Dorado - Grading, Erosion, and Sediment Control Ordinance* Adopted by the County of El Dorado Board of Supervisors, August 10, 2010 (Ordinance #4949). According to the Soil Survey for El Dorado County, the project site contains AxD, (Auburn very rocky silt loam with 2 to 30 percent slopes) with slight to moderate erosion hazard. All grading activities onsite would comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance including the implementation of pre- and post-construction Best Management Practices (BMPs). The implemented Applicant exceeded 250 yards of graded material without permits. There is not a engineering report for compaction or soil erosion on file with the county. There is a creek, slate creek, north of the property where sediment could occur.

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atmosphere, it is typically not possible to determine whether or how an individual project's relatively small incremental contribution might translate into physical effects on the environment.

In June 2008, the Office of Planning and Research's (OPR) issued a technical advisory (CEQA and Climate Change) to provide interim guidance regarding the basis for determining the proposed project's contribution of greenhouse gas emissions and the project's contribution to global climate change. In the absence of adopted local or statewide thresholds, OPR recommends the following approach for analyzing greenhouse gas emissions: Identify and quantify the project's greenhouse gas emissions; Assess the significance of the impact on climate change; and if the impact is found to be significant, identify alternatives and/or Mitigation Measures that would reduce the impact to less-than-significant levels.

The project proposes an industrial business with features and intermittent uses similar to other existing similar facilities within the County and it would be required to incorporate modern construction and design features that reduce energy consumption to the extent feasible during the grading and building permit processes. Implementation of these requirements required by the Air Quality Management District Rules would help reduce potential GHG emissions resulting from the development of the proposed project. In light of these factors, impacts related to the project's expected contribution to GHG emissions would not be considered significant, either on a project-level or cumulative basis. Impacts would be anticipated to be less than significant.

FINDING: The project would result in less than significant impacts to greenhouse gas emissions because of the project's size and inclusion of design features to address the emissions of greenhouse gases.

VIII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h. Expose people or structures to a significant risk of loss, injury or death			X	

VII Hazards and Hazardous Materials are unknown. Applicant and future tenants may create these elements unless county has or will implement restrictions and monitor applicant.

VIII Applicant has more than one above ground fuel tanks, stores asphalt on premises is not connected to public water incase of fire.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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VIII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>			
involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	X		

Discussion: A substantial adverse effect due to Hazards or Hazardous Materials would occur if implementation of the project would:

- ⊙ Expose people and property to hazards associated with the use, storage, transport, and disposal of hazardous materials where the risk of such exposure could not be reduced through implementation of Federal, State, and local laws and regulations;
 - Expose people and property to risks associated with wildland fires where such risks could not be reduced through implementation of proper fuel management techniques, buffers and landscape setbacks, structural design features, and emergency access; or
 - Expose people to safety hazards as a result of former on-site mining operations.
- a-b. **Hazardous Materials:** The project may involve transportation, use, and disposal of hazardous materials such as construction materials, paints, fuels, and landscaping materials. The majority of the use of these hazardous materials would occur primarily during construction and/or routine intermittent maintenance. The project currently contains a fueling station that would require a permit. Any uses of hazardous materials would be required to comply with all applicable federal, state, and local standards associated with the handling and storage of hazardous materials. Prior to any use of any excessive amounts of hazardous materials, the project would be required to obtain a Hazardous Materials Business Plan through the Environmental Management-Hazardous Materials and Solid Waste Division of El Dorado County. With adherence to County Code, impacts would be a less than significant.
- c. **Hazardous Materials Near Schools:** The project parcel is not located within 0.25 mile from a school. There would be no impacts.
- d. **Hazardous Sites:** Prior to the current development on the parcel, the area was undeveloped. Additionally, no parcels within El Dorado County are included on the Cortese List which lists known hazardous sites in California. Impacts would be anticipated to be less than significant.
- e-f. **Aircraft Hazards, Private Airstrips:** The project is not located in the vicinity of a public or private airstrip. As such, the project would not be subject to any land use limitations contained within any adopted Comprehensive Land Use Plan and there would be no immediate hazard for people residing or working in the project area or safety hazard resulting from airport operations and aircraft over-flights in the vicinity of the project site. No impacts would be anticipated to occur within these categories.
- g. **Emergency Plan:** The industrial business would not be anticipated to increase the impacts to the existing road systems. As conditioned, neither DOT nor El Dorado/Diamond Springs Fire protection District responded with any concern that the emergency plan would be affected by the current proposal. Impacts would be less than significant.
- h. **Wildfire Hazards:** The degree of hazard in wildland areas depends on weather variables like temperature, wind, and moisture, the amount of dryness and arrangement of vegetation, slope steepness, and accessibility to human activities, accessibility of firefighting equipment, and fuel clearance around structures. The El Dorado/Diamond

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The area had a wildfire the beginning of July - less than 1/2 mile from this project site.

* Springs Fire protection District has reviewed the project and did not identify wildfire hazards particular to this site. Impacts would be anticipated to be less than significant level.

FINDING: The proposed project is not anticipated to expose the area to hazards relating to the use, storage, transport, or disposal of hazardous materials. Any proposed use of excessive amounts of hazardous materials would be subject to review and approval of a Hazardous Materials Business Plan issued by the Hazardous Materials and Solid Waste Division. For this 'Hazards and Hazardous Materials' category, impacts would be less than significant.

IX. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>				
a. Violate any water quality standards or waste discharge requirements?			X	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or -off-site?	X		X	
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f. Otherwise substantially degrade water quality?	X		X	
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j. Inundation by seiche, tsunami, or mudflow?			X	

Discussion: A substantial adverse effect on Hydrology and Water Quality would occur if the implementation of the project would:

* There is no drainage or erosion control plan submitted to the county. Slate Creek runs through the back North area of Project - 2 parcels over. Property drains in that direction. Applicant changed the drainage of the project before submitting for permits. County ^{APPEAL FORM} 988 A 21 of 60 law violation

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- Expose residents to flood hazards by being located within the 100-year floodplain as defined by the Federal Emergency Management Agency;
- Cause substantial change in the rate and amount of surface runoff leaving the project site ultimately causing a substantial change in the amount of water in a stream, river or other waterway;
- Substantially interfere with groundwater recharge;
- Cause degradation of water quality (temperature, dissolved oxygen, turbidity and/or other typical stormwater pollutants) in the project area; or
- Cause degradation of groundwater quality in the vicinity of the project site.

- a. **Water Quality Standards:** Any grading, encroachment, and improvement plans required by the DOT and Development Services would be required to be prepared and designed to meet the County of El Dorado Grading, Erosion, and Sediment Control Ordinance. These standards require that erosion and sediment control be implemented into the design of the project. If the project is not required to connect to public sewer, the project septic system design would be reviewed and approved by the Environmental Health Division. An initial septic analysis has been approved for the site. Project related construction activities would be required to adhere to the El Dorado County Grading, Erosion Control and Sediment Ordinance which would require the implementation and execution of Best Management Practices (BMPs) to minimize degradation of water quality during implementation of the Best Management Practices and potential parking lot paving. As conditioned, impacts would be anticipated to be less than significant.
- b. **Groundwater Supplies:** The Environmental Health Division reviewed the project proposal and did not report evidence that the project would substantially reduce or alter the quantity of groundwater in the vicinity, or materially interfere with groundwater recharge as the project proposes to connect to public water. Impacts would be less than significant.
- c-f. **Drainage Patterns:** With implementation of Best Management Practices during the grading permit, no adverse increase in the overall runoff and flows are expected. The project would be required to conform to the El Dorado County Grading, Erosion Control and Sediment Ordinance. Impacts would be less than significant.
- g-h. **Flood-related Hazards:** The project site is not located within any mapped 100-year flood areas as shown on Firm Panel Number 06017C0750E, revised September 26, 2008. The project would not result in the construction of any structures that would impede or redirect flood flows any more than they have for the past 20 years. Impacts would be less than significant.
- i. **Dam or Levee Failure:** The project parcel is not located within a defined dam inundation area. There would be no impacts.
- j. **Inundation by Seiche, Tsunami, or Mudflow:** The proposed project is not located near a coastal area or adjacent to a large body of water such as a bay, or estuary, volcanoes, or other volcanic features. As discussed above, due to the project location, there is no potential for impacts from seiche or tsunami, and less than significant impacts anticipated from mudflow potentially coming from a dam failure.

FINDING: The proposed project would require an encroachment permit through the DOT and grading permit through Building Services that would address erosion and sediment control. As conditioned and with adherence to County Code, no significant hydrological impacts are expected with the development of the project either directly or indirectly.

X - General Plan conflicts with Zoning. Existing Residential Homes in an Industrial Zone

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X LAND USE PLANNING. Would the project:				
a. Physically divide an established community?	X		X	
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	X		X	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Discussion: A substantial adverse effect on Land Use would occur if the implementation of the project would:

- Result in the conversion of Prime Farmland as defined by the State Department of Conservation;
- Result in conversion of land that either contains choice soils or which the County Agricultural Commission has identified as suitable for sustained grazing, provided that such lands were not assigned urban or other nonagricultural use in the Land Use Map;
- Result in conversion of undeveloped open space to more intensive land uses;
- Result in a use substantially incompatible with the existing surrounding land uses; or
- Conflict with adopted environmental plans, policies, and goals of the community.

- a. **Established Community:** The project would be compatible with the surrounding residential, commercial and open space land uses and would not be anticipated to create land use conflicts. With an approved development plan, the project would be compatible with the Industrial land use designation and with the I-PD zoning designation. Impacts would be anticipated to be less than significant. *Project conflicts with residential Homes*
- b. **Land Use Consistency:** As conditioned, the proposed project would be consistent with the specific, fundamental, and mandatory land use development goals, objectives, and policies of the 2004 General Plan, and would be consistent with the development standards contained within the El Dorado County Zoning Ordinance. With an approved development plan, the project would be consistent with the project site's General Plan I land use designation, and the I-PD Zone District. Impacts would be anticipated to be less than significant. *This HAS significant impact to existing Homes,*
- c. **Habitat Conservation Plan:** The project site is not within the boundaries of an adopted Habitat Conservation Plan (HCCP), or a Natural Community Conservation Plan (NCCP), or any other conservation plan. As such, the proposed project would not conflict with an adopted conservation plan. There would be no impact.

FINDING: With an approved special use permit and development plan, the proposed uses of the land would be consistent with the zoning and the General Plan land use designation. There would be no significant impact from the project due to a conflict with the General Plan or zoning designations for use of the property. No significant impacts are expected.

XI. MINERAL RESOURCES. Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use				X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XI. MINERAL RESOURCES. <i>Would the project:</i>				
plan?				

Discussion: A substantial adverse effect on Mineral Resources would occur if the implementation of the project would:

- Result in obstruction of access to, and extraction of mineral resources classified MRZ-2x, or result in land use compatibility conflicts with mineral extraction operations.
- a. **Mineral Resource Loss-Region, State:** The project site is not mapped as being within a Mineral Resource Zone (MRZ) by the State of California Division of Mines and Geology or in the El Dorado County General Plan. No impacts would occur.
- b. **Mineral Resource Loss-Locally:** The Western portion of El Dorado county is divided into four, 15 minute quadrangles (Folsom, Placerville, Georgetown, and Auburn) mapped by the State of California Division of Mines and Geology showing the location of Mineral and Resource Zones (MRZ). Those areas which are designated MRZ-2a contain discovered mineral deposits that have been measured or indicate reserves calculated. Land in this category is considered to contain mineral resources of known economic importance to the County and/or State. Review of the mapped areas of the County indicates that this site does not contain any mineral resources of known local or statewide economic value. No impacts would occur.

FINDING: No impacts to any known mineral resources would occur as a result of the project. Therefore, no mitigation is required. For the 'Mineral Resources' category, the project would not exceed the identified thresholds of significance.

XII.NOISE. <i>Would the project result in:</i>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	X		X	
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X		X	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X		X	
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise level?			X	
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			X	

Discussion: A substantial adverse effect due to Noise would occur if the implementation of the project would:

Construction noise, everyday, will cause significant impact to residence.

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- Result in short-term construction noise that creates noise exposures to surrounding noise sensitive land uses in excess of 60dBA CNEL;
 - Result in long-term operational noise that creates noise exposures in excess of 60 dBA CNEL at the adjoining property line of a noise sensitive land use and the background noise level is increased by 3dBA, or more; or
 - Results in noise levels inconsistent with the performance standards contained in Table 6-1 and Table 6-2 in the El Dorado County General Plan.
- a. Noise Exposures: The project would not be anticipated to cause the significant exposure of persons to, or cause the generation of noise levels in excess of standards established in the General Plan Noise Section from transportation or non-transportation sources because of the location, parcel size, and nature of the industrial business. There would be no significant impacts.
- b. Ground Borne Shaking: The project may generate intermittent ground borne vibration or shaking events during project construction. These potential impacts would be limited to project construction and grading. Adherence to the time limitations of construction activities to 7:00am to 7:00pm Monday through Friday and 8:00am to 5:00pm on weekends and federally recognized holidays would limit the ground shaking effects in the project area. Impacts would be anticipated to be less than significant.
- c. Short-term Noise Increases: The project would include construction activities for the implementation of Best Management Practices and construction of the proposed structures. The short-term noise increases would potentially exceed the thresholds established by the General Plan. Standard Conditions of Approval would limit the hours of construction activities to 7:00am to 7:00pm Monday through Friday and 8:00am to 5:00pm on weekends and federally recognized holidays. Adherence to the limitations of construction would be anticipated to reduce potentially significant impacts to a less than significant level.
- d. Long-term Noise Increases: The project would not be anticipated increase the ambient noise levels in the area in excess of the established noise thresholds. No additional development is proposed as part of the project but an approval would require the existing building and graded areas to be brought into compliance with County Code. Impacts would be anticipated to be less than significant.
- e-f. Aircraft Noise: The project site is not located within an airport land use plan or is it within two miles of a public airport or public use airport. There would be no significant impacts.

FINDING: For the 'Noise' category, impacts would be anticipated to be less than significant.

XIII. POPULATION AND HOUSING. <i>Would the project:</i>				
a. Induce substantial population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure)?				X
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Discussion: A substantial adverse effect on Population and Housing would occur if the implementation of the project would:

XIII This project has caused the foreclosure of one residence on Greenstone Cutoff. Lack of response of county for code enforcement plus the inability to sell the home because of this project led to foreclosure. 13-0988 A 25 of 00

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Create substantial growth or concentration in population;
- Create a more substantial imbalance in the County's current jobs to housing ratio; or
- Conflict with adopted goals and policies set forth in applicable planning documents.

a-c. Population Growth, Housing Displacement, and Replacement Housing: No housing or people would be displaced and development of the project parcel would not have a growth inducing effect. There would be no impacts anticipated. *Impacts have already occurred.*

FINDING: The project would not displace housing. There would be no potential for a significant impact due to substantial growth with the communications facility either directly or indirectly. For this "Population and Housing" category, the thresholds of significance would not be anticipated to be exceeded.

XIV. PUBLIC SERVICES. <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>				
a. Fire protection?	X		X	
b. Police protection?			X	
c. Schools?				X
d. Parks?				X
e. Other government services?			X	

Discussion: A substantial adverse effect on Public Services would occur if the implementation of the project would:

- Substantially increase or expand the demand for fire protection and emergency medical services without increasing staffing and equipment to meet the Department's/District's goal of 1.5 firefighters per 1,000 residents and 2 firefighters per 1,000 residents, respectively;
 - Substantially increase or expand the demand for public law enforcement protection without increasing staffing and equipment to maintain the Sheriff's Department goal of one sworn officer per 1,000 residents;
 - Substantially increase the public school student population exceeding current school capacity without also including provisions to adequately accommodate the increased demand in services;
 - Place a demand for library services in excess of available resources;
 - Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
 - Be inconsistent with County adopted goals, objectives or policies.
- a. **Fire Protection:** The El Dorado/Diamond Springs Fire Protection District currently provides fire protection services to the project area. Development of the project would not be anticipated to significantly increase the demand for fire protection services, and would not prevent the Department from meeting its response times for the project or its designated service area any more than exists today. Impacts would be less than significant.

a. Fire Protection - This project has 2 above ground fuel tanks, with NO potable water hookup for public water. This is a significant danger to the Greenstone Area.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- b. **Police Protection:** Police services would continue to be provided by the El Dorado County Sheriff's Department. Due to the size and scope of the project, the demand for additional police protection would not be anticipated. Impacts would be less than significant.
- c, d, e. **Schools, Parks, Government Services:** Project approval would not result in any permanent population-related increases that would substantially contribute to increased demand on schools, parks, or other governmental services that could, in turn, result in the significant need for new or expanded facilities. Impacts would be less than significant.

FINDING: Adequate public services are available to serve the project. There would be insignificant levels of increased demands to services anticipated as a result of the project. For this 'Public Services' category, impacts would be less than significant.

XV. RECREATION.				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Discussion: A substantial adverse effect on Recreational Resources would occur if the implementation of the project would:

- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
- Substantially increase the use of neighborhood or regional parks in the area such that substantial physical deterioration of the facility would occur.

- a, b. **Parks and Recreational Services:** The proposed project does not include any increase in permanent population that would contribute to increased demand on recreation facilities or contribute to increased use of existing facilities. There would be no impact.

FINDING: No impacts to recreation would be expected for this wireless telecommunications facility either directly or indirectly. For this "Recreation" category, the thresholds of significance have not been exceeded.

a-b
 arrow This project should be subject to Measure Y because of traffic generated, a substandard bridge. No adequate speed zone.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XVI. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>			
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	X		X
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	X		X
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	X		X
e. Result in inadequate emergency access?			X
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X

Discussion: A substantial adverse effect on Traffic would occur if the implementation of the project would:

- Result in an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system;
- Generate traffic volumes which cause violations of adopted level of service standards (project and cumulative); or
- Result in, or worsen, Level of Service "F" traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county as a result of a residential development project of 5 or more units.

a-b. **Traffic Increases, Levels of Service Standards:** The 2004 General Plan Policies TC-Xe and TX-Xf (which incorporate Measure Y) require that projects that "worsen" traffic by two percent, or 10 peak hour trips, or 100 average daily trips construct (or ensure funding and programming) of improvements to meet Level of Service standards in the General Plan Transportation and Circulation Element. DOT has reviewed the proposed project and determined that it would not trigger the threshold described above because of its limited size. Impacts would be less than significant. *This project will "worsen" traffic by 2.6.*

c. **Air Traffic:** The project would not result in a change in established air traffic patterns for publicly or privately operated airports or landing field in the project vicinity. No impacts would occur.

d. **Design Hazards:** The project site does have existing road design features that would increase hazards. DOT has conditioned the project with required road improvements on Greenstone Cutoff Road.

As proposed and conditioned for standard traffic safety improvements, impacts would be less than significant.

a-b This project is projecting 92 parking spaces in Phase 2 this does not include Phase 1. This is above 2% threshold. The county has NOT done a traffic study. *APPEAL FORM 13-0988 A 28 of 60* Bridge is NOT on CIP

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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c - Applicant is not required to pave areas with asphalt. Phase I does not have appropriate turn around area for fire equipment. The project surface material would not meet EDH Emergency Apparatus Standards.

Emergency Access: The project was reviewed by the Diamond Springs/El Dorado Fire Protection District for the adequacy of the interior project road circulation and availability of adequate emergency ingress and egress emergency access in the project design. Approved fire apparatus access roads are required to extend to within 150 feet of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility (in accordance with the El Dorado Hills Fire Department Emergency Apparatus Access Ways Standard B-003 and (per CFC Section 503.1.1). All fire apparatus access roads are required to be an asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 40,000 pounds. Alternative surfacing designs may be permitted from a Civil Engineer certifying the driveway will support a 40,000 pound load and be all-weather in accordance with State Fire Regulations. Additionally, each dead end fire apparatus access road greater than 150 feet shall have a turnaround constructed at its terminus (per CFC 503.2.5). All turn-a-rounds are required to meet the California Fire Code Appendix D. The Fire Department has recommended conditions of approval for these requirements. As conditioned, impacts would be less than significant.

f. **Alternative Transportation:** The project would not conflict with adopted plans, policies or programs relating to alternative transportation because a nursery business would not be anticipated to be a destination for bicyclists. The project would provide a sidewalk that would eventually help pedestrian traffic when other sidewalks eventually join the one recommended to be constructed by this applicant along the project frontage. There would be no negative impacts anticipated.

FINDING: For the "Transportation/Traffic" category, the identified thresholds of significance have not been exceeded and no significant environmental impacts would result from the project.

XVII. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>				
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	X		X
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X
c.	Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	X		X
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	X		X
g.	Comply with federal, state, and local statutes and regulations related to solid waste?	X		X

The projects Phase I will rely on a septic system which could pollute groundwater from hazardous chemical discharge.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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a. The applicant had no grading permit the job site was not inspected for drainage compaction or erosion. Impacts could be significant

Discussion: A substantial adverse effect on Utilities and Service Systems would occur if the implementation of the project would:

- Breach published national, state, or local standards relating to solid waste or litter control;
- Substantially increase the demand for potable water in excess of available supplies or distribution capacity without also including provisions to adequately accommodate the increased demand, or is unable to provide an adequate on-site water supply, including treatment, storage and distribution;
- Substantially increase the demand for the public collection, treatment, and disposal of wastewater without also including provisions to adequately accommodate the increased demand, or is unable to provide for adequate on-site wastewater system; or
- Result in demand for expansion of power or telecommunications service facilities without also including provisions to adequately accommodate the increased or expanded demand.

a. **Wastewater Requirements:** As conditioned for a grading permit to incorporate Best Management Practices within the graded areas, no significant wastewater discharge would be anticipated to occur as a result from the proposed project. The project requires compliance with the County's California Stormwater Pollution Prevention Plan issued by the State Water Resources Control Board, as well as any applicable requirements of the California Water Quality Control Board. Impacts would be less than significant.

b. **Construction of New Facilities:** The project proposes to use metered domestic water. Expansion to the existing EID system would be necessary to serve the project, but those extensions are not anticipated to result in a significant negative effect on the environment as there are existing facilities near by. The project parcel currently has one water meter for the uses that currently take place. As conditioned, impacts would be less than significant.

c. **New Stormwater Facilities:** All grading activities exceeding 250 cubic yards of graded material or grading completed for the purpose of supporting a structure must meet the provisions contained in the *County of El Dorado - Grading, Erosion, and Sediment Control Ordinance* adopted by the County of El Dorado Board of Supervisors, August 10, 2010 (Ordinance #4949). All drainage facilities would be required to be constructed in compliance with standards contained in the County of El Dorado Drainage Manual. As such, impacts would be less than significant.

d. **Sufficient Water Supply:** The project proposes to use metered domestic water. As proposed, impacts would be less than significant. *Metered water is only for Phase 2 not phase 1*

e. **Adequate Wastewater Capacity:** Wastewater disposal for the proposed project would be provided by either a septic disposal system or public sewer. The Environmental Health Division would analyze a proposed septic disposal system for the project to assure it is adequate. A site septic evaluation has been approved by the County Environmental Health department. As conditioned for either a septic system or an FIL to support a public sewer hookup, impacts would be anticipated to be less than significant. *Waste water thru a septic system could be significant*

f. **Solid Waste Disposal:** In December of 1996, direct public disposal into the Union Mine Disposal Site was discontinued and the Material Recovery Facility/Transfer Station was opened. Only certain inert waste materials (e.g., concrete, asphalt, etc.) may be dumped at the Union Mine Waste Disposal Site. All other materials that cannot be recycled are exported to the Lockwood Regional Landfill near Sparks, Nevada. In 1997, El Dorado County signed a 30-year contract with the Lockwood Landfill Facility for continued waste disposal services. The Lockwood Landfill has a remaining capacity of 43 million tons over the 655-acre site. Approximately six million tons of waste was deposited between 1979 and 1993. This equates to approximately 46,000 tons of waste per year for this period.

Applicant has dumped asphalt and concrete on site. It is in the view of a residence.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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After July of 2006, El Dorado Disposal began distributing municipal solid waste to Forward Landfill in Stockton and Kiefer Landfill in Sacramento. Pursuant to El Dorado County Environmental Management Solid Waste Division staff, both facilities have sufficient capacity to serve the County. Recyclable materials are distributed to a facility in Benicia and green wastes are sent to a processing facility in Sacramento. Impacts would be less than significant. County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient storing, collecting, and loading of solid waste and recyclables. On-site solid waste collection for the proposed lots would be handled through the local waste management contractor. Adequate space would be available at the site for solid waste collection. Impacts would be less than significant.

- g. **Solid Waste Requirements:** County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient storing, collecting and loading of solid waste and recyclables. Onsite solid waste collection would be handled through the local waste management contractor. There is an existing dumpster on site. Impacts would be less significant.

FINDING: As conditioned, adequate water, sewer/septic system, and solid waste disposal would be available to serve the project. For this 'Utilities and Service Systems' category, impacts would be less than significant.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:				
a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	X	X		
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion:

- a. No substantial evidence contained in the project record has been found that would indicate that this project would have the potential to significantly degrade the quality of the environment, with the exception of potential impacts on listed species and native oaks. As mitigated, conditioned, and with adherence to County permit requirements, this project and the typical industrial and commercial uses expected to follow, would not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of California history or pre-history. Any impacts from the project would be less than significant due to the design of the project and required standards that would be implemented with the grading and building permit processes and/or any required project specific improvements on or off the property.

XVIII
 a. This project had no permits prior to the destruction of wildlife and oak canopy. This project degrade the quality of the environment, and destroyed habitats of endangered species.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- b. Cumulative impacts are defined in Section 15355 of the California Environmental Quality Act (CEQA) Guidelines as two or more individual effects, which when considered together, would be considerable or which would compound or increase other environmental impacts.

The project would not involve development or changes in land use that would result in an excessive increase in population growth. Impacts due to increased demand for public services associated with the project would be offset by the payment of fees as required by service providers to extend the necessary infrastructure services. The project would not contribute substantially to increased traffic in the area and would not require a significant increase in the wastewater treatment capacity of the County.

The project would result in the generation of green house gasses, which could contribute to global climate change. However, the amount of greenhouse gases generated by the project would be negligible compared to global emissions or emissions in the county, so the project would not substantially contribute cumulatively to global climate change. Further, as discussed throughout this environmental document, as conditioned and mitigated, the project would not contribute to a substantial decline in water quality, air quality, noise, biological resources, agricultural resources, or cultural resources under cumulative conditions.

As outlined and discussed in this document, as conditioned, mitigated, and with compliance with County Codes, this project, as proposed, would have a less than significant chance of having project-related environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. Based on the analysis in this study, it has been determined that the project would have a less than significant impact based on the issue of cumulative impacts.

- c. All impacts identified in this Mitigated Negative Declaration would be either less than significant after mitigation or less than significant and do not require mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

FINDINGS: It has been determined that the proposed project would not result in significant environmental impacts. The above potentially significant impacts to biological resources have been identified within this document and, when appropriate, mitigation measures have been applied which reduce these impacts to less than significant. The project would not exceed applicable environmental standards, nor significantly contribute to cumulative environmental impacts.

The study done by the county is inadequate and does not fully mitigate impacts. Nor does it address Measure Y. This project will surpass the 200 threshold for Traffic Impacts. The applicant willfully and knowingly violated all county, state and Federal law, and codes. The county willfully and knowingly allowed the applicant to do business and occupy the property when code violation were submitted to the county by residence years ago.



**DIAMOND SPRINGS AND EL DORADO
COMMUNITY ADVISORY COMMITTEE**

*This report is 3 years old and should have been resubmitted
to the Diamond Springs and El Dorado Community Advisory Committee*

September 28, 2010

Roger Trout, Director
El Dorado County
Development Services
2850 Fairlane Court, Building C
Placerville, Ca 95667

RE: Application #PD 09-0005

Mr. Trout:

The Diamond Springs – El Dorado Community Advisory Committee met on September 28, 2010. During the course of this meeting, application # PD 09-0005 was considered under Agenda Item New Business #1. After examining this application, a motion was made to support both phases of the McCauley Construction yard Project as proposed. All members were in favor.

Sincerely,

Todd Cunningham
Secretary

Exhibit M

MITIGATED NEGATIVE DECLARATION

FILE: PD09-0005

PROJECT NAME: Macauley Construction Headquarters

NAME OF APPLICANT: Richard Macauley

ASSESSOR'S PARCEL NO.: 319-260-51

SECTION: 33 T: 10N R: 10E

LOCATION: North side of Greenstone Cutoff Road at the intersection with Greenstone Road in the El Dorado area

- GENERAL PLAN AMENDMENT: FROM: TO:
- REZONING: FROM: TO:
- TENTATIVE PARCEL MAP SUBDIVISION TO SPLIT ACRES INTO LOTS
SUBDIVISION (NAME):
- SPECIAL USE PERMIT TO ALLOW:

OTHER: Phased development plan for a construction company headquarters and facility consisting of a 1,680 square foot office building, 616 square foot caretaker's residence, 1,817 square foot storage and maintenance shop, storage and material yard, parking, landscaping, and two portable storage containers as phase 1. Phase 2 would allow construction of 4 additional industrial use buildings totaling 30,057 square feet, parking, and landscaping. Signage includes three 80 square foot monument signs located at the three entrances to the proposed development.

REASONS THE PROJECT WILL NOT HAVE A SIGNIFICANT ENVIRONMENTAL IMPACT:

- NO SIGNIFICANT ENVIRONMENTAL CONCERNS WERE IDENTIFIED DURING THE INITIAL STUDY.
- MITIGATION HAS BEEN IDENTIFIED WHICH WOULD REDUCE POTENTIALLY SIGNIFICANT IMPACTS.
- OTHER:

In accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), State Guidelines, and El Dorado County Guidelines for the Implementation of CEQA, the County Environmental Agent analyzed the project and determined that the project will not have a significant impact on the environment. Based on this finding, the Planning Department hereby prepares this MITIGATED NEGATIVE DECLARATION. A period of thirty (30) days from the date of filing this mitigated negative declaration will be provided to enable public review of the project specifications and this document prior to action on the project by COUNTY OF EL DORADO. A copy of the project specifications is on file at the County of El Dorado Planning Services, 2850 Fairlane Court, Placerville, CA 95667.

This Mitigated Negative Declaration was adopted by the Planning Commission on _____ (date).

Executive Secretary

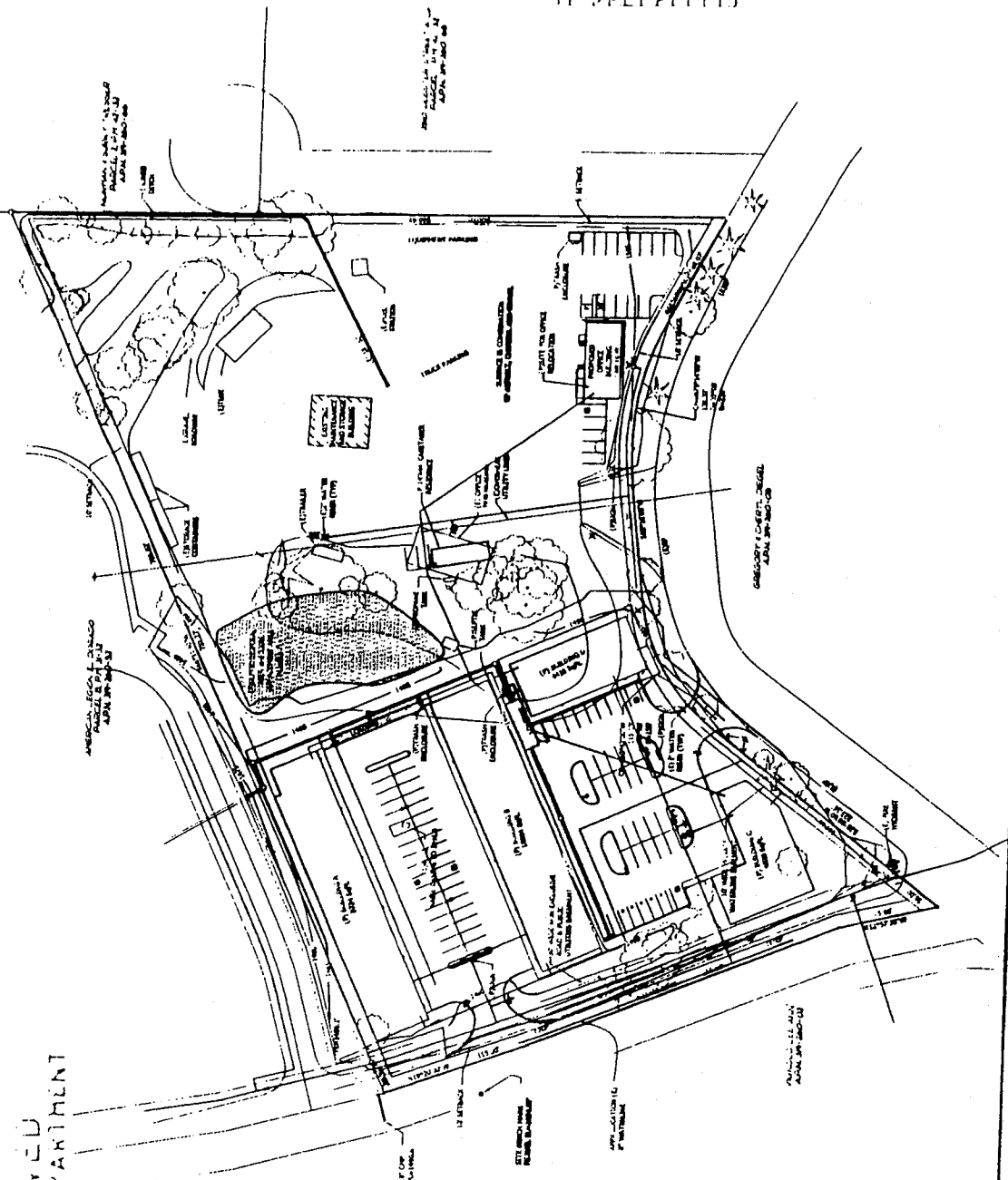
MACAULEY CONSTRUCTION HEADQUARTERS SITE PLAN

PREPARED BY
 PLANNING DEPARTMENT
 MAY 7, 1982

BTConsulting <small>INCORPORATED</small> 1000	SHEET NO. 1 OF 1	DATE ...	DRAWN BY ...	CHECKED BY ...	APPROVED BY ...
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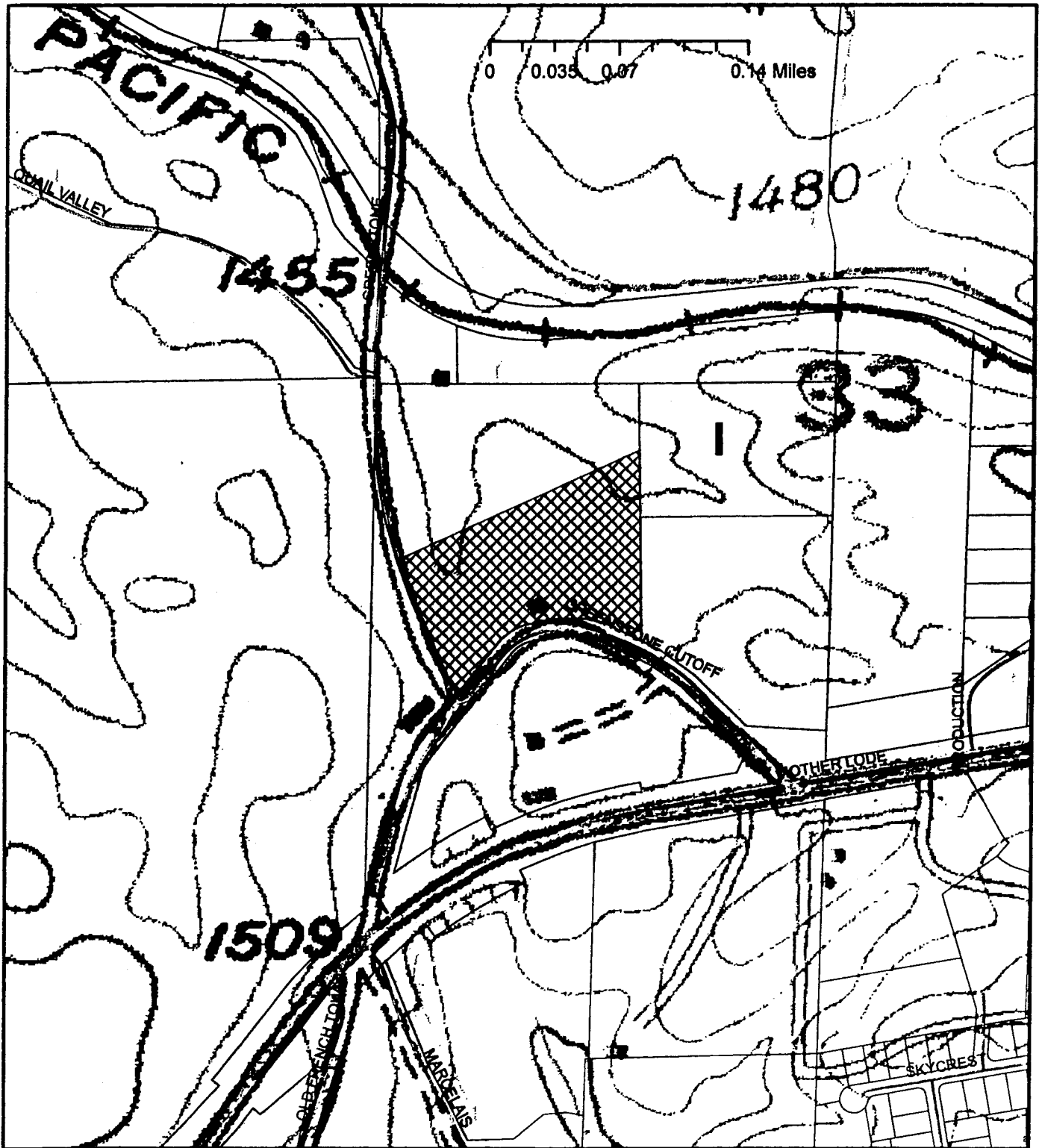


MATERIALS		QUANTITY		REMARKS	
NO.	DESCRIPTION	UNIT	AMOUNT	NO.	DESCRIPTION
1	1	...
2	2	...
3	3	...
4	4	...
5	5	...
6	6	...
7	7	...
8	8	...
9	9	...
10	10	...



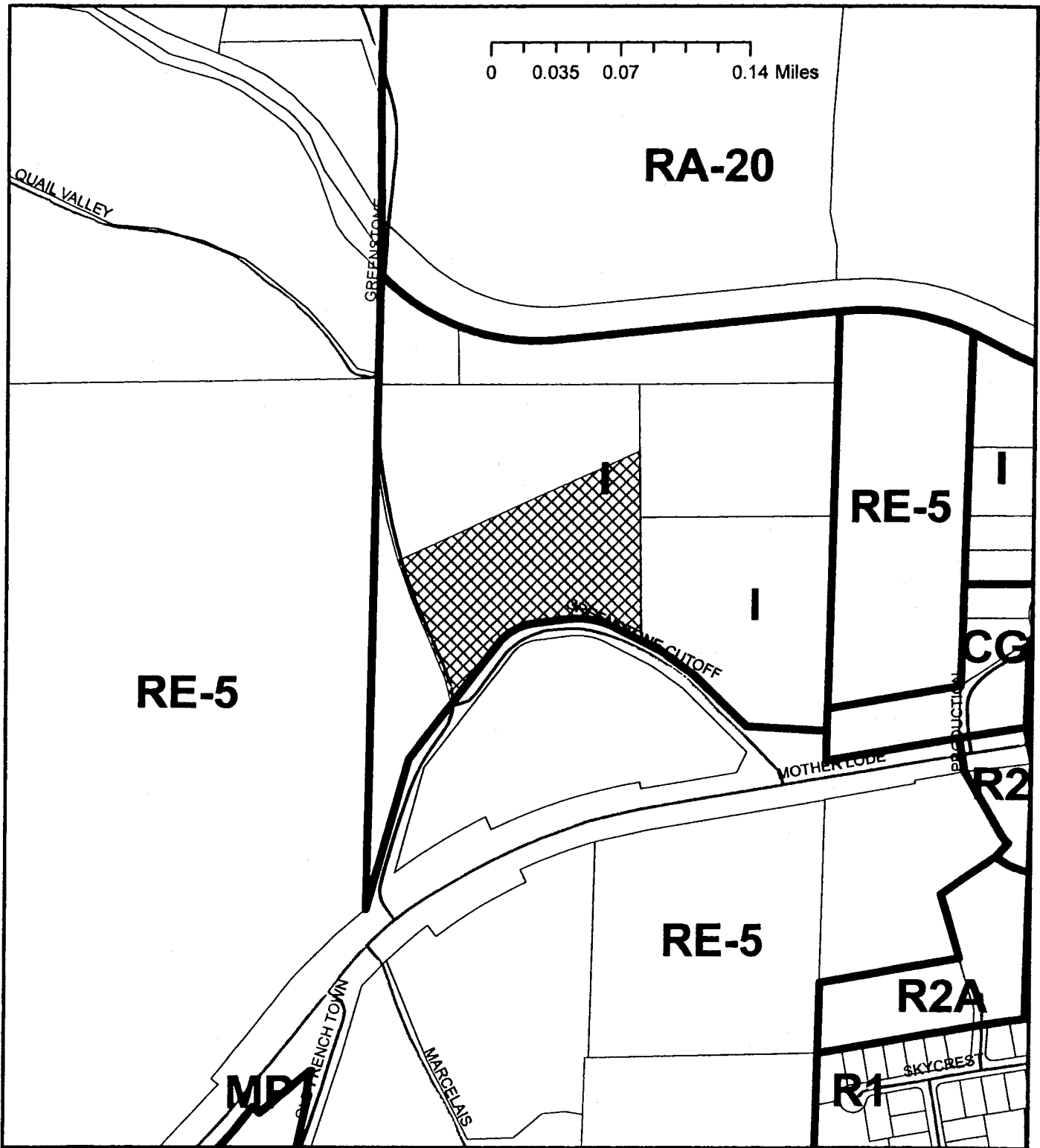
PD 09-0005

Attachment 2: USGS Quad



PD09-0005/Macauley Construction
Prepared By Aaron Mount

Exhibit D: ZONE DISTRICT MAP

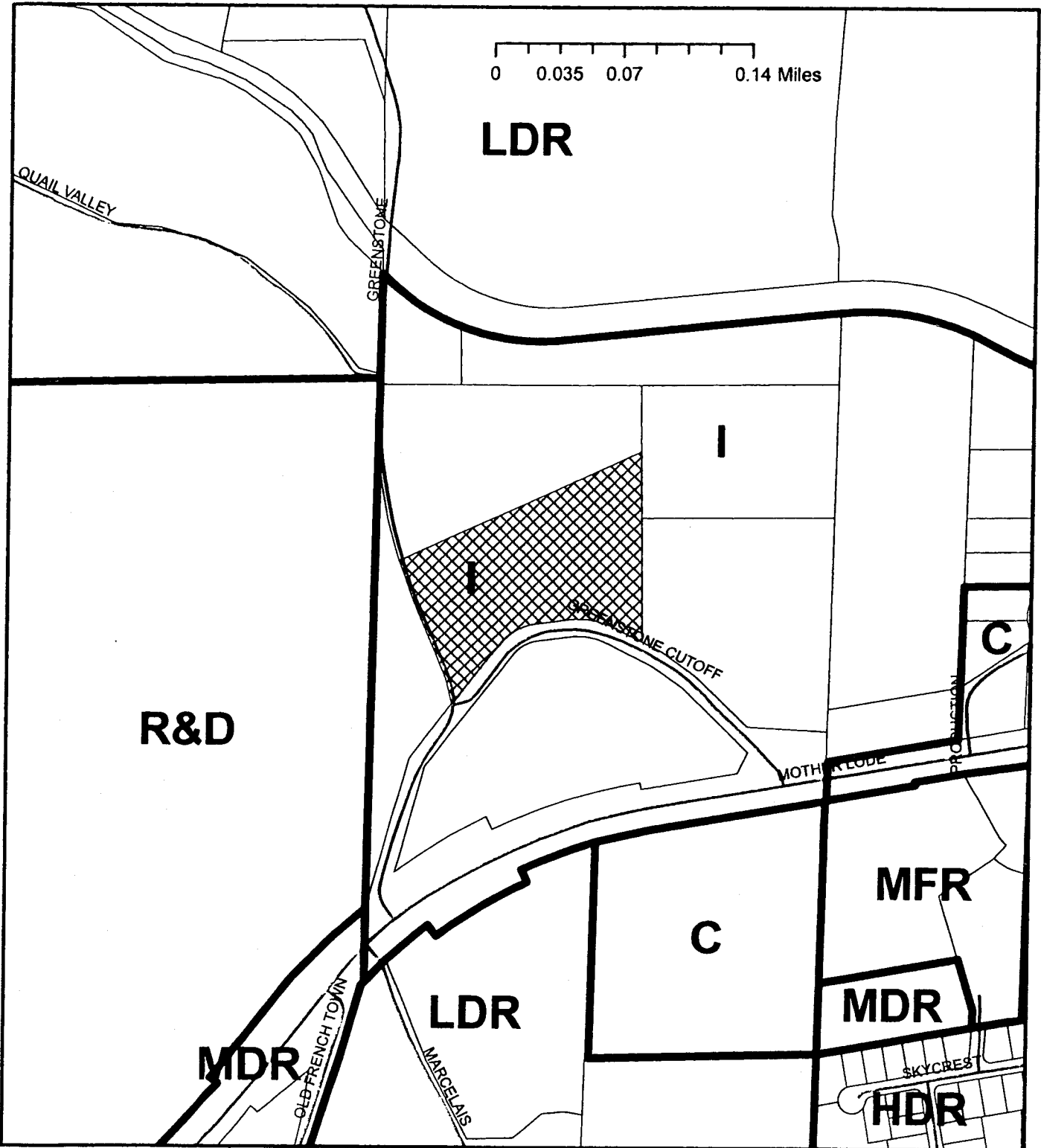





zoned
gpsroads
currprcl



PD09-0005/Macauley Construction
Prepared By Aaron Mount

Exhibit C: General Plan Map



 ludesign
 gpsroads
 currprcl



PD09-0005/Macauley Construction
Prepared By Aaron Mount

POR'S. N. 8 S1/2 SEC. 33 & N. 1/2 SEC. 34, T. 10 N, R. 10 E, M. D. M.

Tax Area Code

319:26

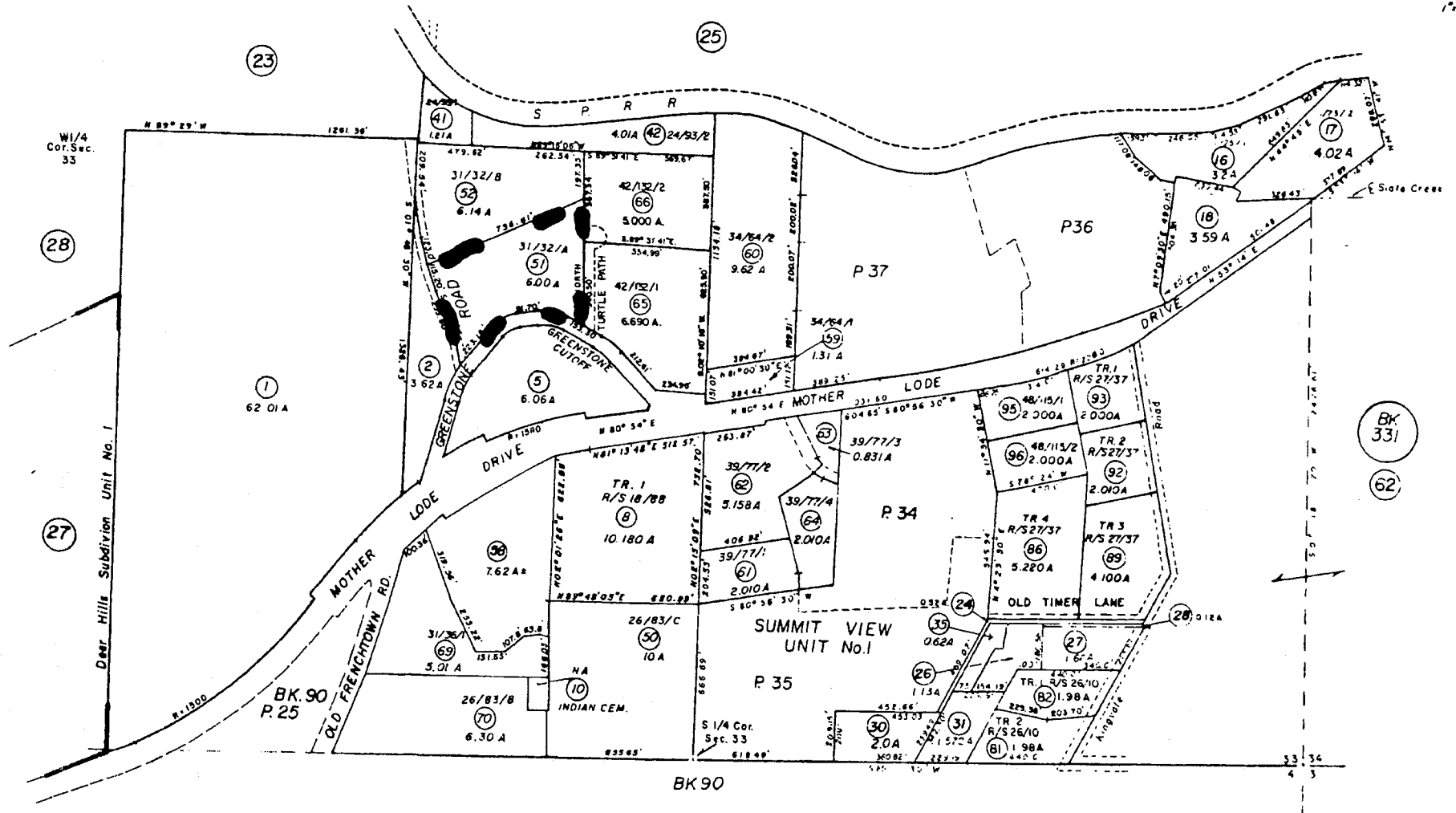


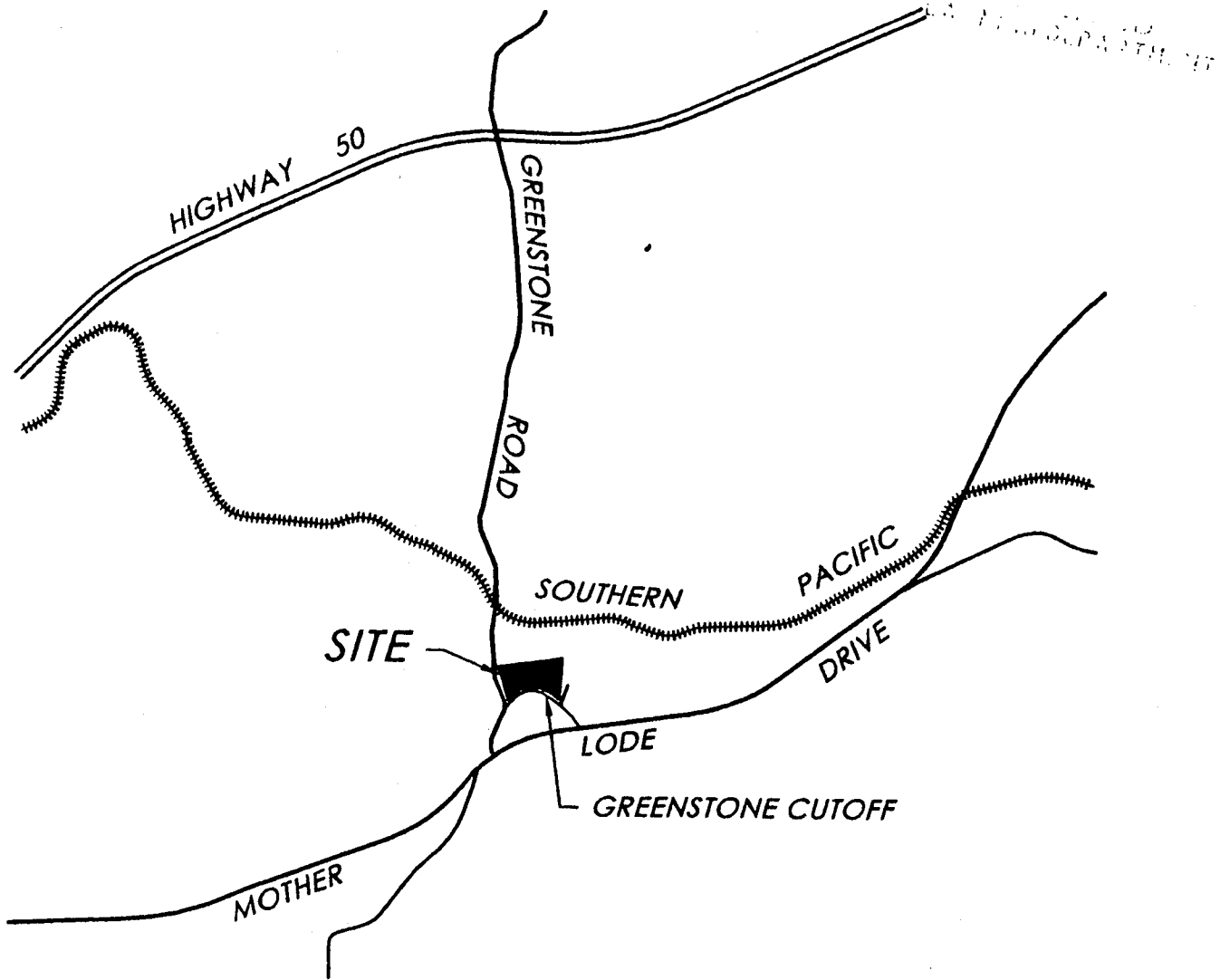
EXHIBIT B

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk 319 - Pg 26
County of El Dorado, California

OCT 25 2004
APPEAL FORM
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EXHIBIT A



PD 09-0005

VICINITY MAP

JULY 2009

**MACAULEY CONSTRUCTION
HEADQUARTERS**

1205 GREENSTONE CUTOFF, PLACERVILLE, CA



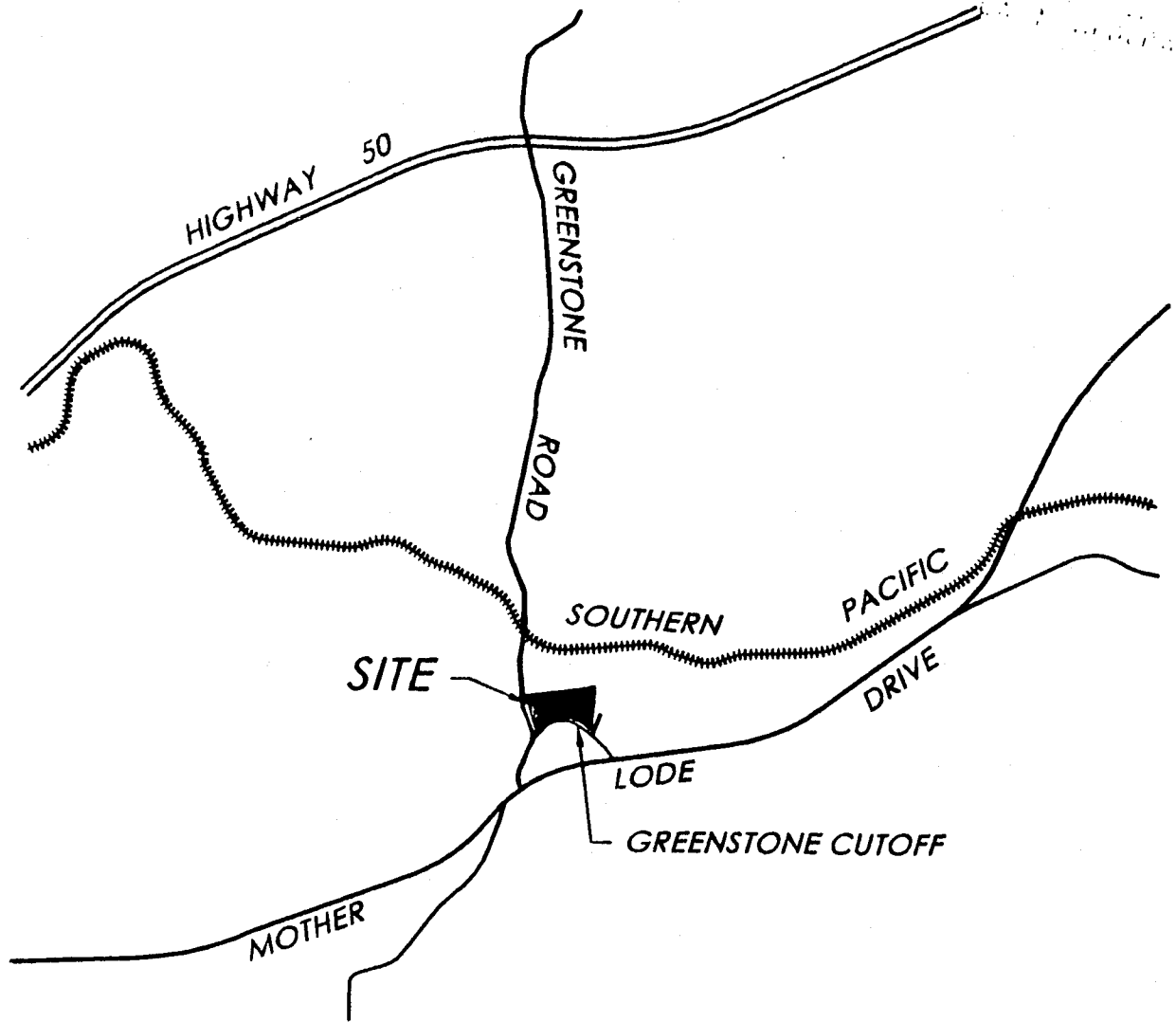
BT Consulting
a division of HydroCompliance, Inc.

APPEAL FORM

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phone: 530 405 4722
fax: 530 405 4722
P.O. Box 304
Shingler Springs, CA 95682
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Planning-Engineering
Construction-Inspection

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PD 09-0005

VICINITY MAP

JULY 2009

MACAULEY CONSTRUCTION HEADQUARTERS

1205 GREENSTONE CUTOFF, PLACERVILLE, CA



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a division of HydroCompliance, Inc.

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INITIAL STUDY ATTACHMENTS

- Attachment 1..... Vicinity Map
- Attachment 2..... U.S.G.S. 7.5 Minute Quadrangle
- Attachment 3..... Site Plan
- Attachment 4..... Sycamore Environmental Consultants, Inc. Letter-Response to Items 2 and 4 to Complete CEQA Analysis, dated November 2, 2010
- Attachment 5..... Jurisdictional Delineation Report dated March 24, 2003
- Attachment 6..... Botanical Survey Report dated May 19, 2003
- Attachment 7..... Arborist Report dated September 21, 2012
- Attachment 8..... 2011 Airphoto

SUPPORTING INFORMATION SOURCE LIST

The following documents are available at El Dorado County Planning Services in Placerville.

El Dorado County General Plan Draft Environmental Impact Report
Volume 1 of 3 – EIR Text, Chapter 1 through Section 5.6
Volume 2 of 3 – EIR Text, Section 5.7 through Chapter 9
Appendix A
Volume 3 of 3 – Technical Appendices B through H

El Dorado County General Plan – A Plan for Managed Growth and Open Roads; A Plan for Quality Neighborhoods and Traffic Relief (Adopted July 19, 2004)

Findings of Fact of the El Dorado County Board of Supervisors for the General Plan

El Dorado County Zoning Ordinance (Title 17 - County Code)

County of El Dorado Drainage Manual (Resolution No. 67-97, Adopted March 14, 1995)

County of El Dorado - Grading, Erosion, and Sediment Control Ordinance Adopted by the County of El Dorado Board of Supervisors, August 10, 2010 (Ordinance #4949).

El Dorado County Design and Improvement Standards Manual

El Dorado County Subdivision Ordinances (Title 16 - County Code)

Soil Survey of El Dorado Area, California

California Environmental Quality Act (CEQA) Statutes (Public Resources Code Section 21000, et seq.)

Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (Section 15000, et seq.)

ATTACHMENT 1

CONDITIONS OF APPROVAL

**Planned Development PD09-0005/Macauley Construction Headquarters
Planning Commission/July 11, 2013**

1. This Development Plan approval is based upon and limited to compliance with the approved project description, the following hearing exhibits:

Exhibit G.....Site Plan
Exhibit H.....Building Elevations
Exhibit I.....Preliminary Grading and Drainage Plan
Exhibit J.....Lighting Plan
Exhibit K.....Landscaping Plan
Exhibit L.....Sign Program (four pages)

Conditions of Approval set forth below. 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:

1. Development Plan to allow a phased construction of the following:
 - a. 1,680 square construction office;
 - b. 1,817 square foot maintenance shop;
 - c. 616 square foot caretaker's residence;
 - d. 9,734 square foot industrial building A;
 - e. 10,984 square foot industrial building B;
 - f. 4,929 square foot industrial building C;
 - g. 4,410 square foot industrial building D;
 - h. 3 monument signs each 50 square feet; and
 - i. An above-ground fueling station.

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 attached hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

Conditions 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:

- BIO-1: Valley elderberry longhorn beetle (VELB):** A botanical report dated May 19, 2003 identified the presence of two elderberry shrubs on the project site and a subsequent study dated November 2, 2010 confirmed the removal of the elderberry shrubs. To mitigate the loss of VELB habitat the applicant shall purchase VELB credits equivalent to the loss of the two elderberry shrubs from a conservation bank authorized to sell credits by either the U.S. Fish and Wildlife Service or the California Department of Fish and Wildlife. *Purchase of VELB Credit should be purchased before occupying property and final on permits phase 1*
Monitoring Responsibility: Planning Services

Monitoring Requirement: The applicant shall provide proof of the purchase of VELB credits, or if the USFWS concurs that no take occurred, the applicants shall provide to Planning Services a no-effect letter from the USFWS or CDFW prior to issuance of a grading permit for the project. Alternatively, if the VELB is delisted prior to issuance of a grading permit this mitigation shall be null and void.

- BIO-2: Oak Woodlands:** A 1:1 replacement of the removed 26,017 square feet of native oak canopy is required. Prior to finaling of any building permits 119 native oak trees shall be planted consistent with the Arborist Report completed by Chad Dykstra and dated September 21, 2012. The 119 trees shall include five (5) 24" box blue oaks, five (5) 24" box black oaks, seventy-five (75) 15 gallon blue oaks, and thirty-four (34) 15 gallon black oaks. The size of the designated replacement area shall equal at a minimum the total area of the oak canopy cover proposed to be removed.

Monitoring Responsibility: Planning Services *and Code enforcement.*

Monitoring Requirement: The applicant shall provide proof of the replanting prior to finaling of any building permits. Replacement trees are to be planted on-site to the satisfaction of the Development Services Director. An agreement to the satisfaction of County Counsel and the Director shall be required to ensure the long term maintenance and preservation of any on or off-site replacement trees planted. *Planting of trees should be required for phase 1*

monitoring shall be required for a minimum of 10 years after planting. Any trees that do not survive during this period of time shall be replaced by the property owner.

Development Services Department (Planning)

4. **Permit Implementation:** Implementation and approval of the project conditions must occur within 12 months of approval of this Development Plan or as otherwise required by the conditions of approval. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with conditions of approval. If all project related conditions are not completed within that time frame, the project will be scheduled for revocation and commencement of the Code Compliance action. *The county must monitor the time lines. Applicant has failed in ever being in compliance*
5. **Phase 2 Wastewater:** Phase 2, consisting of 30,057 square feet of structures, shall connect to a public wastewater system prior to finaling of any building permits for that phase. *Phase 1 should require public waste water. There is no time line for phase 2.*
6. **Condition Compliance:** Prior to issuance of certificate of occupancy 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 is occupying the project prior to all conditions*
7. **Processing Fees:** Prior to final approval of the grading and building permits, Development Services shall verify that all Development Services Department fees have been paid.
8. **Landscaping:** The final landscape plan shall be consistent with Exhibit K and comply with Zoning Code Chapter 17.18.090 and General Plan Policies 7.3.5.1 and 7.3.5.2; and be approved by Planning Services prior to issuance of a building permit. The following additional information shall be submitted prior to final inspection of installed landscaping:
 - a. Completed, signed Model Water Efficient Landscape documents consistent with the new County Model Water Efficient Landscape Ordinance.
 - b. A filed copy of an irrigation audit report or survey approved by El Dorado Irrigation District with the Certificate of Completion.

The applicant shall install and maintain the landscaping in accordance with the approved final landscaping plan in perpetuity.
9. **Lighting:** All outdoor lighting shall conform to the Exhibit I, and Section 17.14.170 of the Zoning Ordinance, and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Any light fixture shown on

Exhibit I that does not have a specification sheet submitted with the building permit that specifically states that fixture meets the full cutoff standards, shall require a fixture substitution that meets that requirement. In addition, the following apply:

- a. External lights used to illuminate a sign or side of a building or wall shall be shielded in order to prevent light from shining off the surface to be illuminated.
- b. Any lighting for outdoor display areas shall be turned off within 30 minutes after the closing of the business. No more than 50 percent of the parking lot lighting may remain on during hours of non-operation. Any security lighting on the buildings shall be designed with motion-sensor activation.
- c. No pole light shall exceed 16-feet in height measured from ground level.

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. *within 30 days*

10. **Signs:** All signage installed as part of the project shall be consistent with Exhibit L for location, materials, sizes and colors. Three monument signs are approved for 80 square feet each. The signs shall be located where it will not conflict with the required site distance for internal circulation and public roadways. *signs should comply to county code.*
11. **Parking:** Parking shall be improved consistent with Chapter 17.18 of the County Code, including the April 14, 1993 California Accessibility Regulations. Parking shall conform to the approved Site Plan (Exhibit G) and include 92 standard spaces and 4 accessible spaces that are constructed in accordance with Title 24 of the current Building Code.

⑫

strike

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 applicant 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 by El Dorado County. County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

13. **Fish and Game Fee:** The applicant shall submit to Planning Services a \$50.00 recording fee and a \$2,156.25 Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No permits shall be issued until said fees are paid.
14. **Archeological Resources:** The following shall be incorporated as a note on the grading/improvement plans:

12 The county has been derelict in their duties for oversight, The county knew of violations and did not protect the community and neighbors. 13-0988 A 46 of 60

In the event archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a "unique archaeological resource", contingency funding and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archaeological mitigation takes place.

If the find is determined to be a "unique archeological resource", the archaeologist shall determine the proper method(s) for handling the resource or item in accordance with Section 21083.2(b-k). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken or the site is determined a "nonunique archeological resource".

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

15. **Human Remains:** The following shall be incorporated as a note on the grading/improvement plans:

In the event of the discovery of human remains, all work shall cease and the County coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with

this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit

El Dorado County Transportation Division

16. **Greenstone Cutoff Improvements:** Greenstone Cutoff Road shall be constructed per El Dorado Design and Improvements Manual (DISM) 101B with a minimum 24-foot road and shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to issuance of any building permits.
17. **Greenstone Road Encroachment:** The applicant shall obtain an encroachment permit from the Transportation Division and shall construct the driveway encroachment onto Greenstone Road to the provisions of County Design Standard 103D. The improvement shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved improvement agreement with security, prior to issuance of any building permits. *Encroachment on Greenstone should be denied. Greenstone Cutoff is adequate.*
18. **Greenstone Cutoff Road Encroachments:** The applicant shall obtain an encroachment permit from the Transportation Division and shall construct the driveway encroachments onto Greenstone Cutoff Road to the provisions of County Design Standard 103C. The improvement shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved improvement agreement with security, prior to issuance of any building permits.
19. **Offer of Dedication (In Fee):** The applicant shall irrevocably offer to dedicate in fee, 30-foot right-of-way from centerline of roadway, along the entire frontage of Greenstone Cutoff Road as determined by the Transportation Division, prior issuance of any building permits. Slope easements shall be included as necessary. This offer will be accepted by the County.

Air Quality Management District

20. **New Point Source:** Prior to construction/installation of any new point source emissions units (i.e., gasoline dispensing facility, emergency standby engine, etc.), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors. (Rule 501 and 523)
21. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be under permit from the California Air Resources Board (CARB). A copy of the current portable equipment permit 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.

Diamond Springs/El Dorado Fire Protection District

22. **Fire Hydrants:** The applicant shall install fire hydrant(s) within 600 feet of all portions of each proposed building via an approved access route. One hydrant shall be located within 150 feet of the proposed building with the fire department connection (FDC) located between 30 and 50 feet from the hydrant prior to the issuance of a building permit. Site location shall be approved by the Fire District. *should be done in phase 1*
23. **Fire Flow:** The applicant shall submit documentation from the El Dorado Irrigation District to the Fire District indicating that a fire flow of 1500 gallons per minute at 20 psi for two hours is available at the site, prior to issuance of a building permit.
24. **Plan Review:** The applicant shall submit a minimum of 2 sets of building plans for Fire District review and approval prior to issuance of a building permit.
25. **Sprinkler Plans:** The applicant shall submit a minimum of 4 sets of sprinkler plans designed in accordance with NFPA 13 (Installation of Sprinkler Systems) for each building for Fire District review and approval. Installation and acceptance of the sprinkler system take place prior to the building permit being finalized.
26. **Community Facilities District:** Approval of subject project is conditioned on meeting the public safety and fire protection requirements of the County of El Dorado General Plan, which shall include provision of a financing mechanism for said services¹. The financing mechanism shall include inclusion within, or annexation into, a Community Facilities District (CFD) established under the Mello-Roos Community Facilities Act of 1982 (Government Code § 53311 et seq.), established by the Diamond Springs / El Dorado Fire Protection District (District) for the provision of public services permitted under Government Code § 53313, including fire suppression services, emergency medical services, fire prevention activities and other services (collectively Public Services), for which proceedings are under consideration, and as such, shall be subject to the special tax approved with the formation of such CFD with the Tract's inclusion or annexation into the CFD.

ATTACHMENT 2

FINDINGS

Planned Development PD09-0005/Macauley Construction Headquarters Planning Commission/July 11, 2013

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 pursuant to Section 66472.1 of the California Government Code:

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received during the public review process. The proposed project, as conditioned, will not have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal. *The Project has violated CEQA*
- 1.2 Through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with the corresponding permit monitoring requirement, is hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 1.4 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of the Development Services-Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 GENERAL PLAN FINDINGS

- 2.1 The project is consistent with the Industrial (I) land use designation of the subject site as defined by General Plan Policy 2.2.1.2. The project consists of a phased development plan for a construction company headquarters and facility, which is consistent with the allowed uses for the Industrial land use designation and the Industrial zone district with an approved Development Plan.
- 2.2 As conditioned, mitigated and with adherence to County Code, the project is consistent with all applicable Policies of the General Plan, including:

The project is in violation of county code

- 2.2.1 2.2.5.21 (compatibility with surroundings) because the project concentrates the industrial activities adjacent to a industrial parcel, and limits the traffic and interior circulation and potential noise within that area. *This project is not compatible to the surroundings East and south of project.*
- 2.2.2 5.1.2.1 (adequate utilities and public services), 5.2.1.2 (water for emergency), 5.2.1.4 (available domestic water), 5.7.1.1 (adequate emergency water and related facilities), because the project will connect to EID for water service. *Connect in Phase I*
- 2.2.3 5.3.1.7 (public wastewater treatment) because a septic evaluation has been approved by Environmental Management for Phase One as a transitional use. Phase Two will be required to connect to public sewer system as required by 5.3.1.1. *Phase I should require sewer connect according to county code for industrial use*
- 2.2.4 6.2.3.2 (adequate emergency vehicle ingress/egress) because conditions have been added as recommended by the Transportation Division to assure adequate emergency vehicle ingress/egress. *Ingress/Egress on Greenstone Rd should be denied.*
- 2.2.5 7.4.1.6 (loss of important habitat) because mitigation measures have been included to reduce impacts to habitat for listed species. *Violation of CEQA*
- 2.2.6 7.4.4.4 (impacts to oak woodlands) because mitigation measures have been included to reduce impacts to the removed oak woodland habitat. *Violation of Oak Tree Management code and CEQA*
- 3.0 ZONING FINDINGS**

- 3.1 With an approved Development Plan, the project is consistent with the El Dorado County Zoning Ordinance designation of Industrial-Planned Development because the proposed project provides areas for indoor and outdoor industrial uses and a dwelling for a caretaker pursuant to Section 17.34.202.A, .B, and .C of the Zoning Code. *Conflicts with the General Plan.*
- 3.2 The project is consistent with the El Dorado County Zoning Ordinance Development Standards because the existing and proposed buildings meet the development standards pursuant to Section 17.34.040 of County Code.

4.0 ADMINISTRATIVE FINDINGS

4.1 Planned Development Findings

- 4.1.1 The planned development request is consistent with the General Plan because the application is for an industrial development, being developed to allow uses that would be permitted include manufacturing, processing, distribution, and storage, consistent with the Industrial land use designation, and is consistent with applicable policies as outlined in Finding 2.2.
- 4.1.2 The proposed development is mitigated and conditioned to provide a desirable environment within its own boundaries. As conditioned, the proposed development

provides landscaping, lighting, parking and interior circulation, and design features which will fit adequately within the local commercial district.

- 4.1.3 The project is being developed or conditioned to comply with all County Code requirements. The proposed modifications to the Industrial zone district are justified by design of the project. The project will construct three monument signs in excess of the maximum sign area that will be low in profile and match the design of the proposed buildings. The proposed septic system for phase one is justified as phase one is a transitional use and future development will be required to connect to public sewer.
There is No time line for Phase 2,
- 4.1.4 The site is physically suited for the proposed uses since it is located within a business, commercial environment and the development area is concentrated along the existing roads, thereby reducing conflicts with nearby residential uses. *There is and has been a conflict with nearby residents*
- 4.1.5 As conditioned, adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities. All required utilities are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads, and utilities.
- 4.1.6 The proposed uses do not significantly detract from the natural land and scenic values of the site since it will provide the required landscaping and restore the riparian habitat, enhancing the natural environment.

Applicant should provide an acceptable & current compaction test for county records. All grading was done without permits and before all applications for permits. Applicant should provide information as to site preparation for grading.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	I-PD	I	Industrial/Construction Yard and Office Structures
North	I-PD	I	Industrial/American Legion Post 119 Hall
South	I	I	Industrial/Single Family Residence
East	I-PD	I	Industrial/Single Family Residence
West	I	I	Industrial/Auto Repair Facility

Project Issues: The primary issues with this project are code enforcement, access, sewage disposal and water supply, and requested waivers. Other discussion items include building elevations/materials, fire protection, grading and drainage; landscaping, land use compatibility, lighting, parking, and signs. *No waivers should be granted because of code and ordinance violations*

Code Enforcement: The site was developed prior to submittal and approval of any discretionary application or building and grading permits. As detailed in the CEQA Initial Study, the unapproved grading of the site resulted in the removal of two listed species, removal of native oaks beyond the required General Plan retention requirements, and destruction of a recorded cultural resource site. Mitigations have been proposed to reduce the impacts to the listed species and oak trees to less than a significant level. A subsequent cultural resource report concluded that disturbance of the recorded cultural resource at the site did not affect historical resources as defined under CEQA statutes, guidelines and advisories.

Access: This project lies northeast of the intersection of Greenstone Road and Greenstone Cutoff Road, both County maintained roads. The Transportation Division determined that the project does not trip the General Plan threshold to require a traffic analysis. In addition, the surrounding area has above a level of service B. Policy TC-Xf requires projects that "worsen" traffic levels of service on the County road system must either construct the improvements to lessen the impact or ensure that adequate funding exists to assure the improvements are completed. DOT has recommended conditions requiring frontage improvements and an offer of dedication to Greenstone Cutoff Road and well as encroachment permits for the three access driveways. *Project should require a Traffic Analysis plus bridge improvements. Deny encroachment on Greenstone Rd.*

Sewage Disposal and Water: The applicant proposes to connect to existing public water service from EID. A Facility Improvement Letter (FIL) from the El Dorado Irrigation District states that facilities exist for this connection. Sewage disposal is proposed to be individual septic systems and a preliminary analysis has been approved by Environmental Health. Phase 1 while not permitted, currently exists and is currently utilizing an existing septic system. General Plan Policy 5.3.1.1 requires all industrial development in a Community Region to connect to a public sewer system. The FIL from EID shows a sewer force main in Mother Lode Drive one parcel to the south of the site. A condition has been recommended requiring Phase 2, 30,000 square feet of

*All sewage and disposal, water be done in Phase 1
 Phase 2 has no time line*

proposed structures, to connect to this sewer system for consistency with General Plan Policy 5.3.1.1.

Building Elevations: The building elevations show well-designed commercial/industrial buildings that are consistent with the Community Design Guide. The proposed phase 2 would be the most visible of the proposed structures and are of a design that would have more varied architecture than a standard industrial building and would be an asset to the community.

Fire Protection: Policy 5.7.1.1 requires the applicant demonstrate that adequate emergency water supply, storage and conveyance facilities, and access for fire protection either are or would be provided concurrent with development.

The El Dorado/Diamond Springs Fire Protection District is recommending conditions of approval that would require connection to a potable water system with the purpose of fire protection for this industrial development. The system must provide a fire hydrant within 600 feet of all portions of each proposed building. *for phase 1 - project has 2 fuel service systems on site.*

Policy 6.2.3.2 directs the applicant to demonstrate that adequate access exists, or can be provided for emergency vehicles and private vehicles to access and evacuate the area. The Fire Department has reviewed the development plan and has stated that adequate access is proposed. *Adequate access should be reevaluated if one access is denied.*

Landscaping: County Code requires the use of landscaping to buffer commercial parking areas from adjoining streets and as screening from residential land uses. As shown on the landscaping plan in Exhibit K, the project would include landscaping buffers along the perimeters of parking areas and property boundaries. The majority of the proposed plants are listed in the El Dorado County Drought Resistant Plant List. *Required in Phase 1*

The following additional information would need to be submitted prior to final inspection of installed landscaping:

- a. Completed, signed Model Water Efficient Landscape documents consistent with the new County Model Water Efficient Landscape Ordinance.
- b. A filed copy of an irrigation audit report or survey approved by El Dorado Irrigation District with the Certificate of Completion.

Land Use Compatibility: Policy 2.2.5.21 directs that development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the project is proposed. The building's architecture and materials would be consistent with those of other commercial/industrial businesses in the area. There are adjacent residences to the site however they are located on parcels designated Industrial and are therefore non-conforming uses. There are no significant conflicts anticipated with any existing or proposed industrial uses. *Industrial - is incompatible zoning it has divided neighborhoods*

Lighting: Policy 2.8.1.1 directs that excess nighttime light and glare be limited from the parking area lighting, signage and buildings. The applicants are proposing to install pole lights 16-foot

Land Use Compatibility - The adjacent residence are not non-conforming the project is non-conforming due to a rezone. There is conflict with residence

tall or less and located as shown in Exhibit J. They are required to meet the IESNA full cutoff standards. The pole light fixture example shown is the "Classic Shoebox" design which is a full cut-off fixture. As proposed, the lighting plan would be compliant with this Policy. Any additional proposed exterior lighting would be required to meet IESNA full cutoff standards as well.

Parking: Zoning Ordinance Section 17.18.060 requires one space per 400 square feet devoted to light and limited industrial manufacturing. The applicants are proposing 92 standard spaces and three accessible spaces which Planning has determined would be adequate for the project. Additional accessible spaces would be required to comply with building codes.

As shown on Exhibit F the applicants have requested that the maintenance yard and equipment parking area be a combination of asphalt, chip seal, and gravel. No agency comments were received that had an issue with this request. *All surface areas of parking should be asphalt done in Phase 1 and Phase 2 to Fire code.*

Signage: The Industrial Zone District allows one 80 square-foot free-standing sign or two 50 square-foot signs. The applicant has proposed three monument signs, one for each entrance into the site. Each monument sign would be eight feet high by ten feet width and would be comprised of a concrete base, stucco finish face, caps, and trim, with colors and materials painted to match the buildings. The total square footage for the three monument signs is 240 square feet. The proposed monument signs and locations are shown in Exhibits G and L. The Planned Development application allows flexibility with a greater emphasis on design when the normal requirements of the zone district cannot be applied. The request for three monument signs is inconsistent with an industrial development in an isolated area that does not have adjacent high speed roads. Staff has recommended that the three monuments sign be reduced to 50 square feet each which is still in excess of the allowed sign area but would be less visually intrusive than the requested sizes. *deny entrance on Greenstone Rd reduce signage to code/ordinance. site does not require 3 signs*

Wall signs are permitted by Section 17.16.030 as long as the maximum allowable 20 percent of wall coverage is not exceeded. No wall signs are proposed and as they are allowed by right they can be submitted with the building permits for the structures or when a tenant improvement is applied for.

Caretaker Residence: The Industrial zone district allows by right a dwellings for the caretaker, watchman or persons primarily employed in the industrial use of the premises and their immediate family. *There is no permit for this structure.*

Agency and Public Comments: The Diamond Springs and El Dorado Community Advisory Committee reviewed the project and a motion was made to support both phases of the project. Their letter is included as Exhibit L. *This letter is date September 2010 and is not adequate and should be re issued.*

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Exhibit O) to determine if the project has a significant effect on the environment. Potentially significant effects of the project on the environment have been mitigated by recommended conditions that avoid or lessen the impacts to a point of

insignificance; therefore a Mitigated Negative Declaration has been prepared and a Notice of Determination (NOD) will be filed. A \$50.00 filing fee for the NOD is required and the NOD must be filed within five working days from the project approval.

The filing of the NOD begins the statute of limitations time period for when litigation may be filed against the County's action on the project. If the NOD is filed the statute of limitations ends 30 days from its filing. If no NOD is filed, it ends 180 days from the date of final action by the County.

In accordance with California Fish and Game Code Section 711.4, the project is subject to a fee of \$2,156.25 after approval, but prior to the County filing the Notice of Determination on the project. This fee plus the \$50.00 filing fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,156.25 is forwarded to the State Department of Fish and Wildlife and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Location Map
Exhibit B	Assessor's Map Bk. 319 Pg. 26
Exhibit C	General Plan Land Use Designations Map
Exhibit D	Zone District Map
Exhibit E	2011 Airphoto
Exhibit F	Site Plan
Exhibit G	Elevations Plan
Exhibit H	Preliminary Grading and Drainage Plan
Exhibit I	Preliminary Lighting Plan
Exhibit J	Preliminary Landscaping Plan
Exhibit K	Sign Program (four pages)
Exhibit L	Diamond Springs and El Dorado Community Advisory Committee Letter; September 28, 2010
Exhibit M	Proposed Mitigated Negative Declaration and Initial Study

signs should conform to
county code.

GENERAL CRITERIA

These guidelines are established to provide and sustain an effective and uniform standard for the signage at Macauley Construction Headquarters and Business Park. The guideline ensures that the desired visual character upholds a clean, uncluttered appearance for the property; is acceptable by the Owner and meets the requirements of the El Dorado County ordinance code.

Tenants must submit plans to the Owner for approval. All aspects that are applicable to the location of the sign, design, dimensions, colors, materials, fonts, size and spacing of lettering, copy areas, illumination and construction detailing must be accurately represented with plans, specifications, and color samples to be reviewed by the Owner, and a formal request for permit submittal to the El Dorado County Planning Department. Signed approval must be obtained by the Owner and El Dorado County prior to any fabrication, installation or alteration of signage.

SIGN TYPES

Main Monument Sign

Adjacent to each main entrance (3) there shall be a double faced primary identification sign to include tenant names and "Macauley Construction Headquarters" or "Macauley Business Center". These signs are fabricated with a concrete base, stucco finish face, caps and trim, with colors and materials painted to match the buildings. Applied externally illuminated (or back halo-lit) letters only are to be pin-mounted on face of the sign for tenant identification. The overall size is approximately 8' x 10' and includes space for up to twelve (12) tenant's names only. Refer to Sign Details, Sheet S1 and Sign Locations, Sheet S2 for details and locations.

Building Address Numbers

These signs are located directly above the main public entry door for each building, applied to the building surface. These Address Numbers are fabricated of vinyl film die-cut material, in black, placed on a white tile background. There shall be a continuously lit fixture illuminating each address number to ensure that the address number is visible at all times to comply with local fire codes.

Individual Tenant Logo or Logotype Letters

These are to identify the individual tenants within the building, utilizing their logo/logotype. The locations available for these are within the area of the glazing at the main entry to the building with vinyl die-cut letters or logo, directly applied to the glass.

TENANT ISSUES

Maintenance and Compliance with Codes

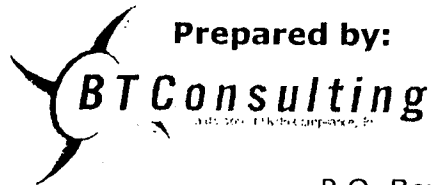
All signs must be applied, installed, and maintained in fully operational as-new condition at the tenant's expense. All current building and electrical codes must govern the construction and maintenance of each sign.

Electrical components must bear the seal of approval of a recognized testing Laboratory (UL Label). Periodic inspections and maintenance as recommended by the manufacturer must be provided by the tenant at the tenant's expense.

No manufacturer labels or fabricator advertisements to be applied on signs. Signs that are not properly maintained or located on a vacated tenant space must be removed at the expense of the tenant within 30 days of vacating premises. Upon termination of a lease, all tenant signs must be removed at the

Sign Program

Macauley Construction Headquarters and Business Center



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BT Consulting

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termination of a lease and the surfaces to which the signs were attached shall be repaired and cleaned and left as like new appearance, at the expense of the tenant.

Sample Typeface:

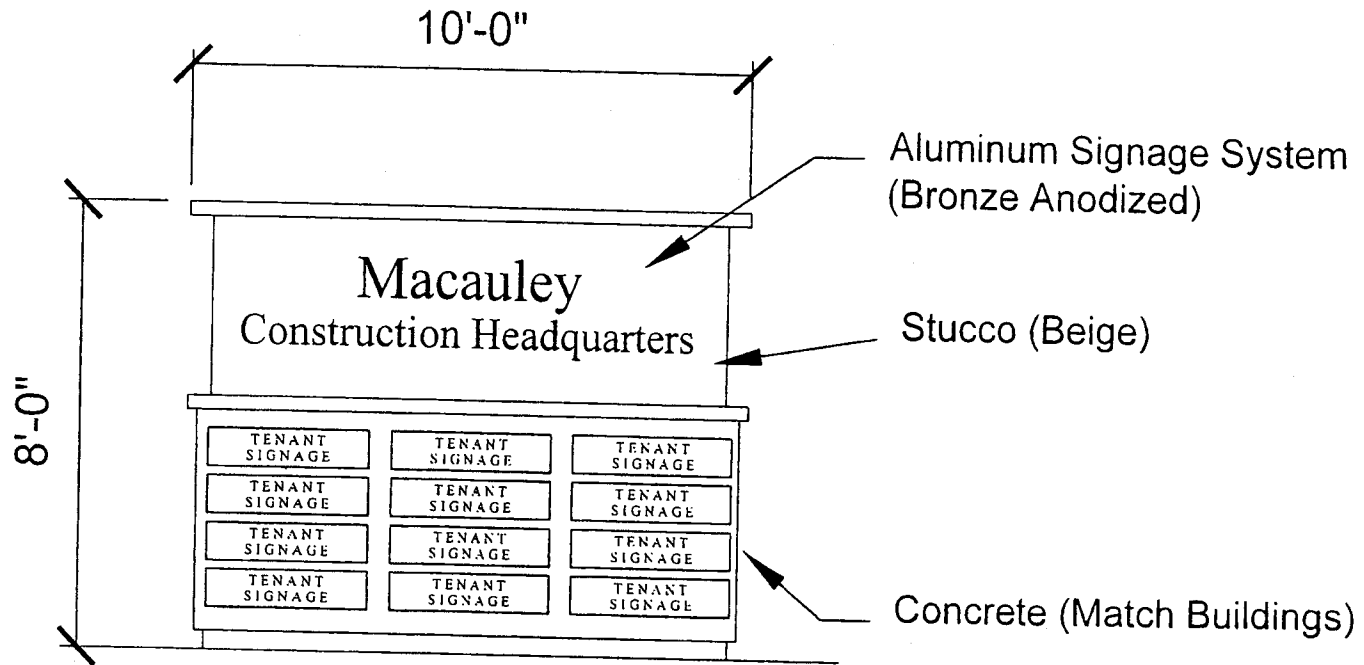
Serif style, demi-bold block type face ("Times New Roman" shown here).

Sign Fabricator shall conform to one typeface that is similar or resembles characteristics to this typeface, which shall be used as a standard for the Wild Chaparral Office Complex.

**ABCDEFGHIJKLM
NOPQRSTUVWXYZ**

**abcdefghijklm
nopqrstuvwxyz**

1234567890



Monument Sign

No Scale
Figure 1

SIGN DETAILS
MACAULEY CONSTRUCTION HEADQUARTERS
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