

Findings

1.0 CEQA FINDING

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received during the public review process. 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.
- 1.2 Through feasible conditions and mitigation placed upon the project, significant impacts on the environment relating to Biological Resources, Cultural Resources, Noise, and Transportation/Circulation have been eliminated or reduced to less than significant.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department-Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.
- 1.4 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 their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 ADMINISTRATIVE FINDINGS

2.1 General Plan

The proposed commercial development is in conformance with the commercial land use designation of the site as specified on the General Plan Land Use Map. The project has been designed in compliance with land use policies of the General Plan including Biological Resources, Commercial Development Standards, Circulation /Transportation, Air Quality, Noise, and Public Utilities, and the Draft Missouri Flat Design Guidelines.

2.2 Zoning Code

The project would conform to the underlying Commercial Zone District. The proposed retail facilities meet the applicable development standards including, building setbacks, parking, and lighting requirements. A condition of approval has been added to ensure compliance with signage standards.

2.3 Development Plan

The proposed commercial retail facility has been reviewed pursuant to Chapter 17.02 of the El Dorado Zoning Code (Planned Development) and verified conformance to applicable standards of the zoning code and General Plan policies. In accordance with Section 17.04.030 of the County Code, a Development Plan cannot be approved unless the Planning Commission and Board of Supervisors can make the following findings:

2.3.1 The Planned Development request is consistent with the General Plan.

The proposed project conforms to the standards of the El Dorado County Zoning Code regarding use, parking, building setbacks, landscaping, and, as discussed in the staff report, is consistent with applicable General Plan policies including the Draft Missouri Flat Guidelines.

2.3.2 The proposed development is so designed to provide a desirable environment within its own boundaries.

The proposed commercial facility has been designed to provide adequate parking, landscaping, accessibility, circulation, and on-site utilities. The proposed development has been reviewed by staff for conformance with the Draft Missouri Flat Design Guidelines and been found to be in conformance with said guidelines.

2.3.3 The exceptions to the standard requirements of the zone regulations are justified by the design and existing topography.

The proposed development has been reviewed and verified for conformance with applicable standards in the El Dorado County Zoning Code. The applicant has requested an exception to the signage requirement to allow for additional signage and increased sign size. Justification is as follows based on the design of the project and circulation patterns:

- a) It is appropriate to maintain a directory sign on Missouri Flat Road to allow eastbound traffic on Missouri Flat Road to identify the shopping center.
- b) It is appropriate to allow for two directory signs on Forni Road, one at each entrance, as traffic traveling northbound on Forni Road, particularly from the Walmart, will be able to identify the shopping center in time to utilize the southerly entrance, preventing longer queues at the intersection. Traffic traveling southbound on Forni Road will be able to identify the northerly entrance, thus potentially avoiding congestion and queues at the southerly entrance.
- c) It is appropriate to allow for the monument sign at the corner of the project site to identify the anchor tenant and establish the presence of the shopping center and give it some identity as an individual retail center.
- d) The additional size would not be out of character with the scale of the shopping center, especially given the fact that the signs will be multi-tenant signs and are

setback from the edge of the street. Grade changes and landscaping will partially screen these signs, and thus they will not be obtrusive in nature.

2.3.4 The site is physically suited for the proposed uses.

The proposed retail facility conforms to the commercial land use designation for the site. It has been designed in conformance to with the applicable standards of the zoning designation and General Plan policies.

Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities. Water and sewer services would be provided by the El Dorado Irrigation District, subject to utility upgrades and connections to the existing lines. The project has been designed to construct and connect to the existing drainage system provided by the County. Roads contiguous to the site would be improved in order to accommodate the project generated traffic and minimize impacts.

2.3.5 The proposed uses do not significantly detract from the natural land and scenic values of the site.

The proposed retail facilities would conform to the existing commercial nature of the immediate commercial corridor of Missouri Flat Road and Forni Road. There is no natural land and scenic values on-site that would be affected.

2.4 Subdivision Ordinance (Parcel Map)

2.4.1 That the proposed map is consistent with applicable general and specific plans;

The amendment to the approved commercial tentative Parcel Map would merge the subject parcels in order to create lots that would accommodate the proposed commercial development and is consistent with the General Plan.

2.4.2 That the design or improvement of the proposed division is consistent with applicable general and specific plans;

The existing legal lots subject to the merger would result in a commercial project site consistent with the General Plan.

2.4.3 That the site is physically suitable for the type of development;

The project site is physically suitable for the type of commercial retail development. The size of site would accommodate the necessary amenities (i.e. off-street parking, drive-through, landscaping) serving the project. The site is relatively flat (the development is terraced to essentially create two separate building pads), which would accommodate the pads for the proposed facilities.

2.4.4 That the site is physically suitable for the proposed density of development;

The project site is relatively level and has been developed in the past with residential development. Initial grading has occurred on the northernmost parcels. The project will require oak tree canopy removal, but will mitigate this impact through payment of fees to the County's INMRP. The site is physically suitable for the proposed commercial development.

2.4.5 That the design of the division or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;

As evaluated, the proposed development poses less than significant environmental effects with incorporation of specific mitigation measures.

2.4.6 That the design of the division or the type of improvements is not likely to cause serious public health hazards;

The proposed development has been reviewed for conformance with the specific development standards and is subject to applicable project conditions of approval that would ensure safe and orderly development.

2.4.7 That the design of the division or the improvements is suitable to allow for compliance of the requirements of section 4291 of the Public Resources Code;

Given its urbanized location, the project site is not susceptible to wild brush fire. Nevertheless, the proposed commercial development shall be constructed and served by an on-site fire suppression system in accordance to the Diamond Springs/El Dorado County Fire Protection District standards.

2.4.8 That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection the approving authority may approve a map if it finds that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision. (Ord. 3805 §15, 1988: prior code §9702)

The requisite easements have been, or will be acquired in order to accommodate the required facilities serving the project site.

Conditions of Approval

1. The project, as approved, consists of the following:

Rezone

The proposed rezone would change the existing Residential One-Acre (R1A) zoning to a General Commercial – Planned Development (CG-PD) zoning. This zoning is consistent with the underlying General Plan Commercial land use designation.

Planned Development

The planned development project includes the construction and operation of a 14,820 square foot drugstore with drive-thru pharmacy, a 6,000 square foot bank with drive-thru capability, and specialty retail comprising about 15,400 square feet in two buildings (6,800 square feet and 8,225 square feet). Exhibits F-R. The development plan includes on-site landscaping, lighting, loading, drainage, signs, parking, retaining walls, and a private lift station. The facility would have three points of access: a right-in, right-out on Missouri Flat Road, a right-in, right-out on Forni Road near the intersection, and a full access driveway on Forni Road. A monument sign is proposed at the corner of Missouri Flat Road and Forni Road, and two directory signs at the Forni Road access driveways, and one directory sign at the Missouri Flat access driveway.

Parcel Map

The parcel map consists of the merging of three existing Assessor's Parcels (327-213-10, -11, and -12) and the creation of four new parcels ranging in size from 0.67 acres to 1.72 acres. Existing parcel sizes are 1.244, 1.0, and 1.834 acres. The parcel map would result in four commercial parcels of 1.72 acres (Parcel 1), 0.86 acres (Parcel 2), 0.83 acres (Parcel 3), and 0.67 acres (Parcel 4). Total project site size is 4.08 acres.

2. All site improvements shall conform to Exhibits F-R.

Incorporated as Conditions of Approval, the following are specific Mitigation Measures as identified in the Initial Study/Mitigated Negative Declaration for the project

3. **MM BIO-1:** If construction activities are scheduled to occur within the typical breeding season for raptors (March 1 through August 31), on-site pre-construction surveys for raptors and their nests shall be conducted by a qualified biologist no more than 30 days prior to initiation of the proposed development activities. The survey results shall be submitted to the California Department of Fish and Game (CDFG) and Planning Services prior to issuance of a grading permit. If active raptor nests are found on or immediately adjacent to the site, consultation must be initiated with CDFG to determine appropriate avoidance measures. The applicant shall follow the appropriate avoidance measures issued by CDFG, and no construction activities shall occur on the project site until the avoidance measures are issued and implemented. If no active nests are found, then no further action is required, and construction activities may proceed upon approval by Planning Services.

Timing/Implementation: Prior to issuance of grading and building permits

Enforcement/Monitoring: El Dorado County Planning Services shall verify that the above measure has been incorporated on the plans prior to issuance of a grading permit. The Division shall coordinate with the applicant and/or biologist, assess the pertinent surveys/studies, and conduct on-site verification for conformance with this measure.

4. ~~**MM BIO-2:** Any oak trees removed from the site shall be mitigated as specified in the Oak Woodland Management Plan for El Dorado County as adopted by the County on May 6, 2008. Mitigation for loss of tree canopy shall be implemented to reduce impacts from oak tree loss. As it is infeasible to implement Option A of the Oak Woodland Management Plan (as described below), the applicant shall be required to implement Option B (as described below):~~
- a. ~~For tree replacement under Policy 7.4.4.4 of the General Plan, oak trees shall be replanted at a rate of 200 tree saplings per acre, or 600 acorns per acre, whether on-site or off-site. A tree planting and preservation plan is required prior to issuance of a grading permit. If the applicant chooses to replace removed trees off-site, an easement for off-site replacement must be obtained prior to the recordation of the tentative map. A letter from the certified project arborist or qualified biologist verifying the replacement of trees and a contract for intensive to moderate maintenance and monitoring shall be required for a minimum of 15 years after planting. The survival rate shall be 90 percent. Any trees that do not survive during this period of time shall be replaced by the property owner. The arborist or biologist contract, planting and maintenance plan, and all compliance documents necessary to meet the Oak Woodlands Management Plan shall be provided to Planning Services prior to issuance of a grading permit.~~
 - b. ~~The project applicant shall provide sufficient funding to the County's INRMP conservation fund, described in General Plan Policy 7.4.2.8 to fully compensate for the impact to oak woodland habitat. To compensate for fragmentation as well as habitat loss, the preservation ratio shall be 2:1 and based on the total woodland acreage onsite directly impacted by habitat loss and indirectly impacted by habitat fragmentation. The costs associated with acquisition, restoration, and management of the habitat protected shall be included in the mitigation fee. Impacts on woodland habitat and mitigation requirements shall be addressed in a Biological Resources Study and Important Habitat Mitigation Plan as described in General Plan Policy 7.4.2.8.~~

~~*Timing/Implementation: Prior to issuance of grading and building permits*~~

~~*Enforcement/Monitoring: El Dorado County Planning Services*~~

5. ~~**MM BIO-3:** The applicant shall prepare a Biological Resources Study and Important Habitat Mitigation Plan to determine impacts on woodland habitat and determine appropriate mitigation fees to be submitted consistent with Option B described above.~~

~~Timing/Implementation: Prior to issuance of grading and building permits~~

~~Enforcement/Monitoring: El Dorado County Planning Services~~

4. The applicant shall submit an oak canopy survey consistent with General Plan Policy 7.4.4.4 and the El Dorado County Oak Woodland Management Plan. The survey shall be prepared by a qualified professional utilizing an onsite survey, aerial photography, or other means acceptable to the County to determine total oak canopy area and the area proposed to be removed as part of the project. The applicant shall mitigate the loss of oak canopy consistent with mitigation strategies contained in the Oak Woodland Management Plan.

Timing: Prior to the issuance of grading permits, the applicant shall submit the survey to Planning Services for review and approval. Mitigation recommended as a result of that survey, shall be implemented prior to the issuance of grading permits.

Enforcement: El Dorado County Planning Services

65. **MM CUL-1:** During preliminary site grading, a cultural resources specialist shall be present on site in the event that subsurface artifacts are uncovered. Work in the area of the discovery shall be halted until artifacts can be evaluated in accordance with state and federal regulations regarding cultural resources. If a deposit is found to be significant, data shall be collected and consultation shall be initiated with appropriate agencies. The cultural resource specialist, in coordination with appropriate agencies, shall provide recommendations on the disposition of the resource that retains its cultural value. Recommendations may include, but are not limited to, excavation of the resource or covering of the resource by pavement. These recommendations shall be implemented by the contractor working at the project site. A contract demonstrating that a cultural resources specialist has been retained for site grading activity shall be submitted to Planning Services for review prior to issuance of a grading permit.

Timing/Implementation: During grading, building services representative shall ensure that a cultural resource specialist is on site.

Enforcement/Monitoring: El Dorado County Planning Services

76. **MM TRANS-1:** The project should contribute its fair share to the cost of regional circulation improvements via the existing countywide traffic impact mitigation (TIM) fee program.

Timing/Implementation: Prior to issuance of ~~grading and~~ building permits

Enforcement/Monitoring: El Dorado County Planning Services and El Dorado County DOT

87. **MM TRANS-2:** The sight distance at the projected driveway locations should be reviewed once engineered plans have been prepared for submittal approval to the County. The sight distances at each of the project driveway locations should meet the stopping

sight distance standards contained in the Caltrans Highway Design Manual based on the speed along Missouri Flat Road and Forni Road, and as required by the County Department of Transportation. A clear zone should be maintained along the line of sight to provide adequate sight lines. On-site landscaping along Forni Road should be limited to plants lower than 2 feet and tree canopies no lower than 10 feet.

Timing/Implementation: Prior to issuance of grading and building permits

Enforcement/Monitoring: El Dorado County Planning Services and El Dorado County DOT shall review final plans for conformance with this measure.

98. **MM TRANS-3:** In order to improve the level of service to acceptable LOS conditions at the South driveway, a continuous left turn lane (CLTL) should be constructed along Forni Road to provide a queue/storage location for vehicles entering or leaving the site. The CLTL should extend along the project frontage and tie into the northbound left turn lanes at the Missouri Flat Road intersection.

Timing/Implementation: Prior to issuance of grading and building permits

Enforcement/Monitoring: El Dorado County Planning Services and El Dorado County DOT shall review final improvement plans for conformance with this measure.

109. **MM TRANS-4:** Driveway locations shall be based on County Standard 109; this standard plan will set the minimum distances between the driveways and the Missouri Flat Road/Forni Road intersection.

Timing/Implementation: Prior to issuance of grading and building permits

Enforcement/Monitoring: El Dorado County Planning Services and El Dorado County DOT shall review final improvement plans for conformance with this measure.

110. **MM TRANS-5:** Curb and driveway radii should be verified on and off-site using Autoturn truck templates. This will define the radii required to avoid trucks from overtopping driveways and curbs.

Timing/Implementation: Prior to issuance of grading and building permits the applicant shall provide El Dorado DOT with evidence that all curb and driveway radii have been verified on and off-site.

Enforcement/Monitoring: El Dorado County DOT shall review final improvement plans for conformance with this measure.

Planning Services

1211. Prior to issuance of grading permit, the applicant shall remit payment of any outstanding fees as detailed and required in the *Agreement for Payment of Processing Fees* authorized for this project.

- ~~13~~12. The following shall be incorporated as note on grading/improvement plans: *In the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission.* Planning Services shall verify this notation on the grading plans prior to issuance of a grading permit.
- ~~14~~13. Prior to issuance building permit, the applicant shall pay the required in-lieu fee for mitigation of impacts on rare plant species in accordance with El Dorado County Zoning Ordinance Chapter 17.71.
- ~~15~~14. The development plan shall expire within two (2) years from the approval by the El Dorado County Planning Commission. Minor changes in the adopted planned development may be approved by the Planning Services provided that the changes:
- a) Do not change the boundaries of the subject project property;
 - b) Do not change any use as shown on the official development plan; and
 - c) Do not change the intent of the official development plan
- Major changes in the official development plan after it has been adopted may be approved by the Planning Commission and shall be made in accordance with the requirements of Section 17.04 of the County Code.
- ~~16~~15. 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, as provided in Section 66474.9(b) of the California Government Code.
- ~~17~~16. 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 of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37. County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.
- ~~18~~17. All employee break areas shall be sheltered from adjacent noise and traffic generation sources.
- ~~19~~18. All outdoor furniture and fixtures shall be consistent with project architecture.
- ~~20~~19. Exterior vending machines shall be prohibited throughout the project.
20. No signs with LED readerboard shall be allowed.

El Dorado County Department of Transportation (DOT)

Project Specific Conditions

21. Missouri Flat Road has been designated to receive a raised median in this area. Therefore, the proposed driveway on Missouri Flat Road shall be signed and striped as “Right in, Right-Out” turns only. A “pork chop” directional striping pattern shall be included at the driveway entrance.
22. The northerly driveway on Forni Road shall be signed and striped as “Right-In, Right-Out” turns only.
23. The engineer shall demonstrate that the location of the proposed southerly driveway does not conflict with the turning movements with the Wal-Mart driveway.
24. The applicant shall construct a continuous left turn lane (CLTL) along Forni Road to provide a queue/storage location for vehicles entering or leaving the site. The CLTL should extend along the project frontage and tie into the westbound left turn lanes at the Missouri Flat intersection. A striping plan, prepared by a California Registered Civil Engineer in conformance with Caltrans Manual of Uniform Traffic Control Devices (MUTCD) standards shall be submitted to DOT for review and approval.
25. Curb returns, on-site isle widths and traffic patterns and driveway radii shall be verified on and off site using *Autoturn* or Caltrans truck turning templates for compliance of turning movements.
26. All curb returns, at pedestrian crossings, shall include a pedestrian ramp with truncated domes per Caltrans Standard A88A.
27. The owner shall enter into an agreement in recordable form with the County that obligates the property to participate in and annex into the Community Facilities District No. 2002-01 (Missouri Flat Area) (CFD), which is the financing district approved by the El Dorado County Board of Supervisors for the Missouri Flat Area, at such time in the future that the County processes an annexation of territory into the CFD. The agreement shall be executed by the property owner and approved by the County prior to the issuance of any building permits. The financing obligation shall run with the property’s title and bind all future assignees and/or successors in interest in the subject property.
28. Should timing of building permit review process coincide with an annexation process underway by the County, the applicant may participate in said process in lieu of entering into an agreement, provided the annexation election has been held, the property owner, for subject application, voted in favor of being annexed, and the annexation election is successful.

29. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department for review and approval. The plan shall be in conformance with the County of El Dorado “*Design and Improvement Standards Manual*”, the “*Grading, Erosion and Sediment Control Ordinance*”, the “*Drainage Manual*”, the “*Storm Water Management Plan*”, the “*Off-Street Parking and Loading Ordinance*”, and the State of California Handicapped Accessibility Standards. Commercial permits are required for both the on-site and off-site improvements.
30. The applicant shall construct type 2 curb and gutter in conformance with standard plan 104 of the Design and Improvement Standards Manual (DISM) and 6 foot wide concrete sidewalk along the project’s westerly frontage of Forni Road ~~and southwesterly frontage of Missouri Flat Road~~. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
31. The applicant shall construct a six foot wide concrete sidewalk along Missouri Flat Road from the project boundary and extending to the northwest. The improvements shall be substantially complete to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
32. Handicapped access from the county maintained roadway to the proposed project shall be provided. All pedestrian ramps, landings, signing, handrails, etc., must be consistent with Caltrans, ADA and Cal UBC requirements.
33. The applicant shall construct the driveway encroachments onto Forni Road and Missouri Flat road to the provisions of DISM Standard Plan 103G (modified). The improvements shall be substantially complete to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map. An encroachment permit must be obtained from DOT prior to any work within County R/W.
34. The applicant shall provide a reciprocal access agreement, guaranteeing access to the adjoining parcels for the purpose of providing full access for all parcels within this project prior to the filing of the map.
35. All on and off-site road improvement requirements required as conditions of approval and/or mitigation measures shall be analyzed in the environmental document for this development project to the appropriate extent under CEQA . Any improvements that are not thoroughly analyzed shall include a discussion and justification under that particular impact analysis within the CEQA document as to the circumstances preventing such analysis along with a method and time frame for any future analysis. Mitigation measures that are included in the 5 year CIP must have the CEQA processing completed to fulfill this condition as funded and programmed per the 2004 General Plan Policy TC-Xf.
36. The applicant shall construct a transit stop/unloading area adjacent to the Walgreens building as close as practical to the entrance outside of the parking lot travel way.

37. As specified in the Conditions of Approval, the subdivider is required to perform off-site improvements. If it is determined that the subdivider does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the subdivider's expense and within 120 days of filing the Final Map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map or parcel map, the subdivider shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to *Government Code Section 66462.5* and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a twenty-percent (20%) contingency:
- a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
 - b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
 - c. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements
38. In addition to the agreement the subdivider shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of county counsel.

DOT Standard Conditions

39. All on and off-site road improvement requirements required as conditions of approval and/or mitigation measures shall be analyzed in the environmental document for this development project to the appropriate extent under CEQA . Any improvements that are not thoroughly analyzed shall include a discussion and justification under that particular impact analysis within the CEQA document as to the circumstances preventing such analysis along with a method and time frame for any future analysis.
40. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Subdivision Ordinance, prior to the recordation of the Parcel Map.
41. The applicant shall provide a soils report at time of improvement plan or grading permit application addressing, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
42. Any import, or export to be deposited within El Dorado County, shall require an additional grading permit for that offsite grading.
43. The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream

facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.

44. Projects that disturb more than one acre of land area (43,560 square feet). At the time that an application is submitted for improvement plans or a grading permit, the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the State of California. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the SWRCB, with a duplicate copy submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
45. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.
46. The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.

El Dorado County Environmental Management

Air Quality

47. The applicant shall adhere to all District rules during project construction, as specified by the District prior to issuance of any permits associated with this project.

Hazardous Materials

48. If this facility will store reportable quantities of hazardous materials (55 gallons) or generate hazardous waste (such as waste photographic solutions), prior to commencing operations the owner/operator must:
 - Prepare, submit and implement a hazardous materials business plan and pay appropriate fees.
 - Obtain a hazardous waste generator identification number from the California Department of Toxic Substances Control.
 - Train all employees to properly handle hazardous materials and wastes.
 - Implement proper hazardous materials and hazardous waste storage methods in accordance with the Uniform Fire Code and Uniform Building Code.
49. If any commercial, industrial, agricultural, mining or any other hazardous materials handling activities have taken place on the property in the past, the applicant must conduct a Phase I Environmental Site Assessment (ESA). The Phase I must be conducted in accordance with ASTM standard E 1527-00. All information developed in the Phase I process must be submitted to the Hazardous Materials Division (HMD) for

review. If upon review of the Phase I information, HMD determines the property is a potentially impacted site, the applicant must apply for a permit, submit a workplan and conduct a Phase II ESA and any required site remediation activities prior to developing property.

Diamond Springs/El Dorado Fire Protection District

50. Building and Fire Codes shall be adhered to.
51. Sprinkler systems may be installed as per Fire District requirements. Set of sprinkler plans shall be approved by the Fire District.
52. Minimum fire flow is 1500 GPM for a duration of 2 hours @ 20 psi and may be higher based on future development plans.
53. Knox Box shall be installed per District Requirements.
54. Fire hydrant placement shall be approved by the Fire District.
55. A fire apparatus access road shall be provided within 150 feet to all portions of the project.
56. Additional requirements may be necessary once a full set of plans are submitted to this District for review.
57. 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 services. 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 Sections 53311 et. Seq.) established by the Diamond Springs/El Dorado Fire Protection District (“District”) for the provision of public services permitted under Government Code Section 53313, including fire suppression services, emergency medical services, fire prevention activities and other services (collectively “Public Services”), 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.

County of El Dorado Office of County Surveyor

58. All survey monuments must be set prior to filing the Parcel Map.
59. Prior to filing the Parcel Map, a letter will be required from all agencies that have placed conditions on the map. The letter will state that **“all conditions placed on P 08-0001 by (that agency) have been satisfied.”** The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.
60. Situs addressing for the project shall be coordinated with the Diamond Springs - El Dorado Fire Department and the County Surveyors Office prior to filling the Final Map.

El Dorado Transit

61. The project should include a designated, on-site transit stop as close to the front entrance of the Walgreens building as possible. The transit stop should be located adjacent to the building, outside of the parking lot travel way. On-site traffic should not be impeded during the loading and off-loading of mobility-impaired passengers.