

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: December 10, 2009
Item No.: 9
Staff: Jonathan Fong

REZONE

FILE NUMBER: Z09-0007

APPLICANT/AGENT: Charles and Kyleen Cornell

REQUEST: Zone Change from Estate Residential Five-Acre (RE-5) to Select Agricultural (SA-10).

LOCATION: On the west side of Greenwood Road, approximately 0.7 miles north of the intersection with Marshall Road in the Garden Valley area, Supervisorial District IV. (Exhibit A).

APN: 060-190-41 (Exhibit B)

ACREAGE: 13.53 acres

GENERAL PLAN: Rural Residential- Agricultural District- Important Biological Corridor- Mineral Resources (RR-A-IBC-MR) (Exhibit C)

ZONING: Estate Residential Five-Acre District (RE-5) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Negative Declaration

RECOMMENDATION: Planning Services recommends the Planning Commission forward the following recommendation to the Board of Supervisors:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff;
2. Approve Rezone application Z09-0007 based on the findings in Attachment 1; and

3. In accordance with Board of Supervisors Resolution 079-2007, reduce the 200-foot agricultural setback one hundred percent (100%) (not less than 30 feet) for the following parcels:

APN: 060-190-31
APN: 060-190-42
APN: 060-190-21
APN: 060-170-27

APN: 060-170-28
APN: 060-180-04
APN: 060-180-11

BACKGROUND: The proposed Rezone from RE-5 to SA-10 would allow an expanded range of agricultural uses allowed by right on the project parcel. As discussed in the Zoning section below, the Agricultural Commission has reviewed the project and has recommended approval of the Rezone (Exhibit H).

STAFF ANALYSIS: Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the proposal and issues for Planning Commission consideration are provided in the following sections.

Project Description: The request would rezone the project site from Estate Residential Five-Acre (RE-5) to Select Agricultural (SA-10). The Rezone would bring the parcel zoning into conformance with the Rural Residential (RR) General Plan Land use designation. As shown on the Site Plan (Exhibit E), the Rezone would allow for future expansions of the existing goat farming operation to occur as a use permitted by right. Future agricultural operations would utilize the existing permitted encroachment onto Greenwood Road.

Site Description: The project site is located within the Garden Valley Agricultural District. Topography on the site is relatively flat with elevations ranging from 1,450 to 1,550 feet above sea level. Existing improvements on the site includes residential development in the northeastern portion of the property. The existing residence and garage are accessed via Marigold Mine Way which is a privately maintained road. Marigold Mine Way provides access to five parcels to the west of the project site. The site is currently served by Georgetown Divide Public Utilities District (GDPUD) public water and a private on-site septic system.

The applicant currently keeps approximately 24 goats for milking, breeding and meat. Associated shelters and pens are located south of the residence. Approximately 200 feet south of the intersection with Marigold Mine Way and Greenwood Road is a permitted encroachment which provides access to a permitted inspection-exempt barn. The proposed cheese making facility would be accessed via the existing driveway to the barn. Vegetation on-site is dense consisting of pines, mixed oaks, and native grasslands.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	RE-5	RR-A-IBC-MR	Residential/ agricultural
North	RE-5	RR/I-A-IBC-MR	Residential
South	RE-5	RR-A-IBC-MR	Residential/Single-family residences
East	RE-10	RR-A-MR	Residential/Single-family residences
West	RE-5/ RE-10	RR-AL-A-IBC-MR	Residential/ Single-family residences

The subject site is located in a Rural Region adjacent to low-density residential and undeveloped lands. The proposed Rezone to SA-10 would allow for agricultural uses that would be consistent within the Garden Valley Agricultural District and the Rural Residential land use designation.

General Plan: The General Plan designates the subject site as Rural Residential (RR) The land use designation includes the following General Plan Overlays: Agricultural District (A), Mineral Resources (MR), and Important Biological Corridor (IBC).

The General Plan establishes that lands within the RR designation have the potential for residential and agricultural operations. Table 2-4 of the General Plan indicates that the current RE-5 zoning district for the project site is inconsistent with the Rural Residential General Plan land use designation. The proposed SA-10 Zone District would bring the parcel zoning into conformance with the RR land use designation pursuant to Table 2-4.

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

1. *Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;*
2. *Availability and capacity of public treated water system;*
3. *Availability and capacity of public waste water treatment system;*

The project site is located within the Georgetown Divide Public Utilities District (GDPUD) and is currently served by public water. The existing residence on the site is served by an existing septic system for wastewater disposal. Any future expansion for a cheese making facility or other agricultural expansion that would require water or sewage disposal would require a new septic system and extension of water services. All septic systems would be reviewed by Environmental Management for consistency with County standards. The increased demand on GDPUD would be minimal and would not exceed typical water service demand for a residential parcel and accessory agricultural uses.

4. *Distance to and capacity of the serving elementary and high school;*

The project is located within the Black Oak Mine Unified School District. The proposed Rezone would allow an increased range of agricultural uses permitted by right and would not allow additional residential density that would increase the existing demand on the public school system.

5. *Response time from nearest fire station handling structure fires;*

The project parcel is located within the Garden Valley Fire Protection District. The nearest station is approximately 2,800 feet south of the site at the intersection of Greenwood Road and Marshall Road. Any future development would be reviewed by the District during the building permitting process to ensure compliance with the Fire Safe Regulations.

6. *Distance to nearest Community Region or Rural Center;*

The project parcel is located 2,500 feet north of the Garden Valley Rural Center.

7. *Erosion hazard;*

Potential erosion hazards are unlikely. No grading is proposed with the Rezone application. Future development must adhere to the County's grading and erosion control requirements. The site is relatively flat with no steep slopes or riparian areas on-site. The likelihood of severe erosion hazards due to expanded agricultural uses on the site would be low.

8. *Septic and leach field capability;*

9. *Groundwater capability to support wells;*

The project parcels would continue to be served by a private septic and GDPUD public water as discussed under criteria 1 through 3 above.

10. *Critical flora and fauna habitat areas;*

The project site is located within an Important Biological Corridor (IBC). General Plan Policy 7.4.2.9 establishes that the IBC overlay is to be applied to lands having high wildlife habitat values. Policy 7.4.2.9 establishes that additional restrictions that may be applicable to parcels within the IBC. These restrictions are to be implemented in the Zoning Ordinance. These restrictions would potentially include the following:

- *Increased minimum parcel size;*

The proposed Rezone to SA-10 would establish a minimum parcel size of 10-acres. The site is 13.5-acres and could not be further subdivided based on the minimum parcel size within the RR land use designation.

- *Higher canopy-retention standards and/or different mitigation standards/thresholds for oak woodlands;*

Oak woodland mitigation is implemented through the Oak Woodlands Management Plan (OWMP) and Chapter 17.73 of the County Code. No provisions are included in the OWMP or the County Code that would require a higher level of mitigation for projects within the IBC. Any development of the site would be required to comply with Chapter 17.73 of the County Code and the OWMP.

- *Lower thresholds for grading permits;*

The adopted Grading, Erosion and Sedimentation Ordinance does not include different thresholds for grading within the IBC. All development of the site would be done in conformance with the adopted County standards.

- *Higher wetlands/riparian retention standards and/or more stringent mitigation requirements for wetland/riparian habitat loss;*
- *Increased riparian corridor and wetland setbacks;*

The project site does not contain wetlands, riparian areas, or associated riparian habitat. The nearest riparian feature is the Coloma Canyon which is located approximately 500 feet to the west of the project site. No additional mitigation requirements or increased setbacks for wetlands or riparian areas would be applicable to the site.

- *Greater protection for rare plants (e.g., no disturbance at all or disturbance only as recommended by U.S. Fish and Wildlife Service/California Department of Fish and Game);*

The project site is not located within the Rare Plant Mitigation Areas.

- *Standards for retention of contiguous areas/large expanses of other (non-oak or non-sensitive) plant communities;*

The Zoning Ordinance currently does not have retention standards for non-oak or non-sensitive plant species. The site has been previously disturbed with grazing areas for goats, building sites for barns and future expansion for a cheese making facility. It is unlikely that expansion of the on-site agricultural operations would result in removal of all vegetation on-site. The primary areas of disturbance for the agricultural operations are along Greenwood Road. Due to the topography of the site in the western portions of the site, these areas would likely remain undisturbed.

- *Building permits discretionary or some other type of "site review" to ensure that canopy is retained;*

The Zoning Ordinance does not require any discretionary review of ministerial building permits within the IBC. However, General Plan Policy 2.2.5.20 requires submittal of a General Plan

Consistency Checklist as part of any building permit submittal. The Checklist would require that development would be consistent with applicable General Plan policies including the oak canopy retention requirements established by General Policy 7.4.4.4 and the OWMP.

- *More stringent standards for lot coverage, floor area ratio (FAR), and building height; and*

The Zoning Ordinance does not require modified standards for parcels within the IBC and defers to the development standards of the zone district. As discussed in the Zoning section below, the proposed SA-10 Zone District would limit the residential coverage of the site to 15,000 square feet.

- *No hindrances to wildlife movement (e.g., no fences that would restrict wildlife movement).*

Review of the Important Biological Resources Maps in the area indicates that the project site is not in a deer migratory corridor or near or adjacent to any known wildlife habitat corridors.

The site is currently in use for raising goats and associated fencing to contain the animals is located through the site. The Zoning Code does not include restrictions prohibiting the installation of fencing that would restrict wildlife movement. Under the current RE-5 Zoning, the entire 13-acre site could be fenced by right. Currently, the only portions of the site that are fenced are the goat pens and portions of the residential areas. These areas are limited to the disturbed areas along Marigold Mine Way and Greenwood Road.

11. Important timber production areas;

The project site does not contain nor is located adjacent to designated important timber areas.

12. Important agricultural areas;

The project parcel is located within the Garden Valley Agricultural District and is currently in use for raising goats. General Plan Objective 8.1.1 states that the purpose of establishing Agricultural Districts is to identify important agricultural lands including crop and grazing lands. This objective is enacted through General Plan Policies 8.1.1.1 through 8.1.1.3 which establish criteria for establishing and expanding Agricultural Districts. The project site is currently located within the Garden Valley Agricultural District. The proposed Rezone to SA-10 would allow an expanded range of agricultural uses to be permitted by right on the site. The proposed Rezone would be consistent with the Objectives and Policies of the General Plan in allowing for an increased range of agricultural uses to occur on-site.

General Plan Policy 8.1.4.1 requires a recommendation from the Agricultural Commission for all discretionary project which have the potential to impact agricultural lands. As previously stated, the Ag Commission recommended approval of the proposed Rezone based on findings that the proposed Rezone to SA-10 would allow for expanded agricultural use of the site and would not negatively impact the surrounding property owners.

13. *Important mineral resource areas;*

General Plan Policy 7.2.2.2 identifies a range of General Plan land use designations which are determined to be compatible with the MR overlay and are capable of surface mining operations. The RR land use designation has been determined to be compatible with surface mining and mineral extraction. Planning Services has reviewed County data related to active surface mining operations and found multiple historical mines in the project area that have been abandoned. The proposed SA-10 zoning would allow mineral extraction through approval of a Special Use Permit and therefore would be consistent with the objectives of the MR overlay in promoting mining operations within the RR land use designation.

14. *Capacity of the transportation system serving the area;*

The project site is accessed via Marigold Mine Way and Greenwood Road. The proposed goat cheese making expansion would be accessed via an existing encroachment onto Greenwood Road which is a County Maintained Road. Greenwood Road operates at a level of service (LOS) which is within the thresholds established by the General Plan. Any proposed agricultural activities on the site would not exceed the LOS thresholds established by the General Plan.

15. *Existing land use pattern;*

The surrounding parcels are also located within the Garden Valley Agricultural District. As shown on the Zoning Map (Exhibit D), the parcels are zoned RE-5 and RE-10. In accordance with General Plan Policy 8.1.3.2, the proposed SA-10 zoning would be considered an agricultural zoning and therefore would impose a 200-foot setback on the surrounding parcels.

As determined in the "Agriculture and Timberland Setbacks Application Questionnaire" which was included in the adoption of the "Interim Interpretative Guidelines for El Dorado County General Plan Policies 8.1.3.2. and 8.4.1.2", because the surrounding parcels would be adjacent to agriculturally zoned lands within an Ag District, the proposed Rezone would impose a 200-foot setback on the surrounding parcels. As shown in Exhibit G of the Staff Report, the project site is bounded to the North and South by smaller parcels which would be entirely within the 200-foot setback area. In accordance with Board of Supervisors Resolution 079-2007, the Board of Supervisors in reviewing a Rezone to an agricultural zone may reduce the Ag setback to not less than 30 feet (Fire Safe Regulations minimum) for parcels affected by the proposed Rezone.

Planning Services has recommended the Ag Setback be reduced for those parcels which would be entirely located or nearly entirely located within the proposed setback. The "Criteria for Administrative Relief from Agricultural Setbacks" would authorize the Development Services Director upon concurrence from the Agricultural Commissioner to reduce the Ag setback by up to 75 percent (150 feet). However, as shown the Exhibit G, a 75 percent reduction would still render the affected parcels completely encumbered by the Ag Setback. Planning Services has recommended the Board waive the Ag setback requirement for the listed properties to avoid the requirement for

subsequent Ag Commission hearings which would be required for future residential development on the affected parcels.

Exhibit G includes three (3) other parcels which Planning Services has not recommended a 100 percent reduction of the Ag setback. Review of these three parcels indicates property sizes ranging from 6.9-acres to over 40-acres. Planning Services has determined that sufficient building locations outside of the 200-foot setback would be available for future development on those parcels. Agriculture setback reduction findings have been included in Attachment 1 of the Staff Report.

16. Proximity to perennial water course;

The nearest water course would be 500 feet west of the project site. Impacts to the water course would be remote.

17. Important historical/archeological sites;

The Cultural Resource Study that was prepared for the site did not identify any sensitive resources on the site. Any development of the site would be subject to the requirements of the General Plan Consistency Checklist which would include standard protective measures to be implemented in the event historical or archeological features are discovered during project construction.

18. Seismic hazards and present of active faults.

The project site is not located in a seismic hazard area or in the proximity of any active faults.

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

The site does not have any CC&R's.

Conclusion: As discussed above, the proposed Rezone to SA-10 would be consistent with the objectives of the General Plan related to the encouragement of agricultural activities within Ag Districts. Planning Services has recommended that the required Ag Setback be waived for those parcels which would be most encumbered by the 200-foot setback. The proposed Rezone would not intensify any impacts to biological resources or negatively impact the area, therefore Planning Services staff finds the project would be consistent with the General Plan.

Zoning: In accordance with Section 17.36.250 of the County Code, a proposed Rezone to SA-10 would require a recommendation from the Agricultural Commission. The AG Commission reviewed the project on September 9, 2009 AG Commission Hearing and recommended approval of the proposed Rezone based on the suitable Choice soils on the project site and location within the Garden Valley Agricultural District.

The proposed Rezone from Estate Residential Five-Acre (RE-5) to Select Agricultural (SA-10) would allow for an expanded range of agricultural uses to be permitted by right.

Section 17.28.170 of the County establishes the purpose of the RE-5 Zone District is to allow residential development and accessory agricultural pursuits. Section 17.36.210 of the County Code establishes the purpose of the SA-10 Zone District is to promote the agricultural development of lands. In addition, the SA-10 District is to promote and encourage the sale, packing, and processing in order to increase the economic viability of agricultural uses.

Uses Permitted by Right: Both the RE-5 and the SA-10 Zone Districts permit one-single family detached dwellings and associated accessory structures. Barns and agricultural structures are also allowed by right. The RE-5 Zone District allows accessory agricultural operations which include raising and grazing of domestic animals and cultivation of crops. The RE-5 Zone District would allow the packing, processing and sale of such goods when the nature of the goods is not changed.

The SA-10 District would allow for packing, processing and sale for off-site goods when sold in conjunction with on-site products. In order to promote the viability of commercial agricultural pursuits, the SA-10 Zone District permits a 16 square foot unlit sign to advertise on-site activities rather than the six square foot sign which is permitted in the RE-5 Zone District. The SA-10 District would also allow Ranch Marketing and Winery activities as enumerated in the County Code. The Ranch Marketing and Winery uses are subject to minimum acreages of crops in production based on the acreage of the site. Because the project site is currently in use for the raising of domestic animals and no crops are currently in production, the site would not qualify for any provisions of Ranch Marketing or the Winery Ordinance.

Uses by Special Use Permit: The SA-10 Zone would permit Ranch Marketing and Winery activities by SUP which are enumerated in the Ranch Marketing and Winery Ordinances. Because the project site is less than 20-acres, any accessory buildings and the ability to pack, process or sell off-site goods would require approval of an SUP. The SA-10 Zone also permits agriculture labor housing through the SUP process.

Development Standards: The SA-10 Zone District would impose the same setback requirements as the existing RE-5 Zone District. All development would be required to maintain a 30 foot setback for residential development and 50 feet for agricultural uses. The SA-10 has a maximum building height of 45 feet for residential structures and has no maximum height for agricultural structures. Building coverage is limited to 15,000 square feet for residential development and has no coverage requirements for agricultural development.

Conclusion: The development standards of the SA-10 Zone District would allow a range of expanded agricultural activities on the site to be permitted by right. These uses would be more intensive than those allowed under the current RE-5 Zone District including more intensive processing and sales of goods on site, Ranch Marketing, and wineries. Due to the project site location within the Garden Valley Agricultural District and adjacent to a County Maintained Road, the proposed Rezone would be consistent in the project area and the range of expanded uses would not be detrimental to the surrounding area. For the adjacent properties that would be encumbered by the required 200-foot setback, Planning Services has recommended the properties be exempted from the setback to allow future development without requiring subsequent Ag Commission review.

ENVIRONMENTAL REVIEW

Staff has prepared a Negative Declaration (Exhibit I) to determine if the project may have a significant effect on the environment. It has been determined that the project would avoid any potentially significant environmental effects as the land use designation has been fully analyzed in the General Plan EIR. Staff has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment.

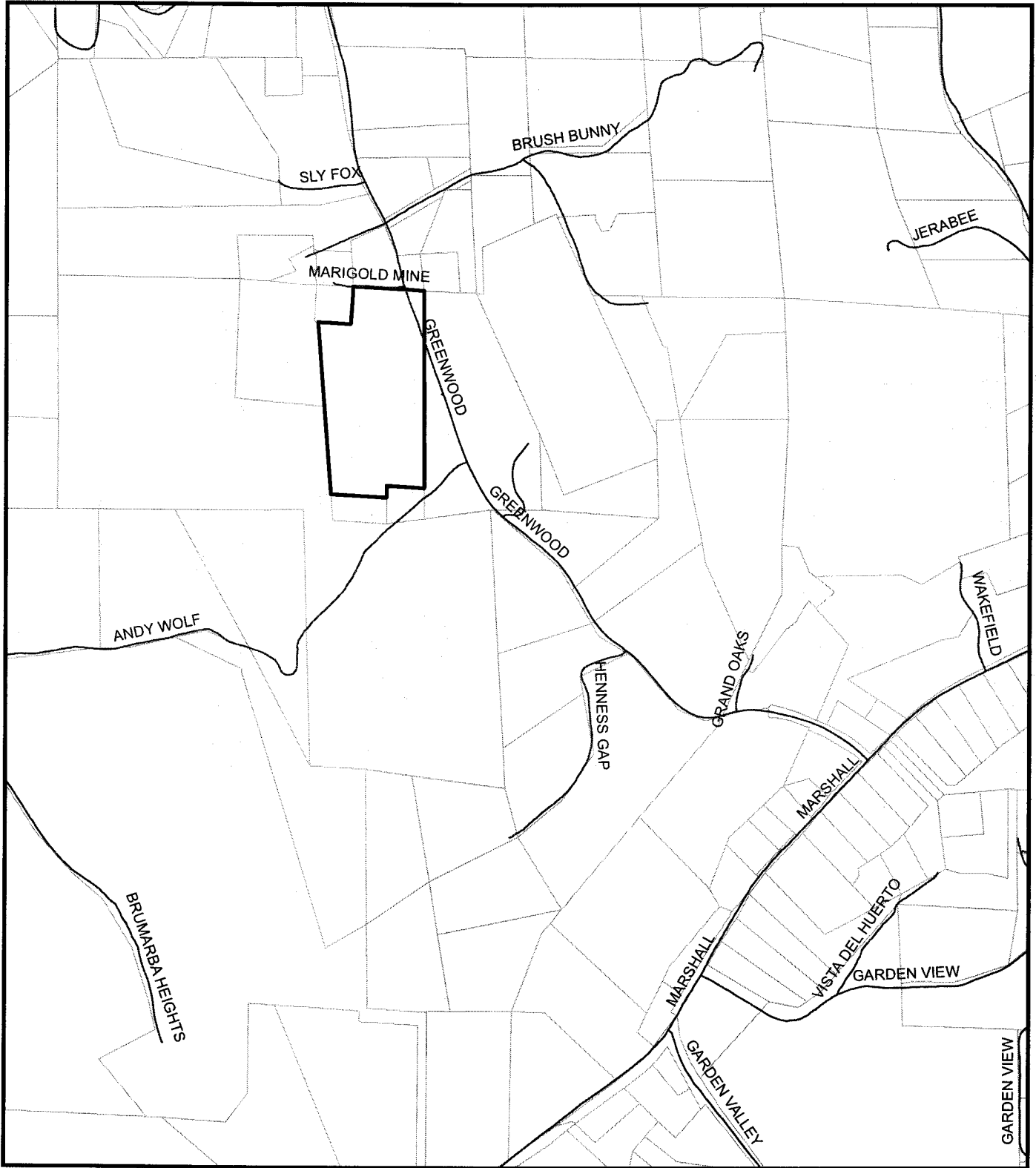
In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,993.00 after approval, but prior to the County filing the Notice of Determination on the project. This fee, plus a \$50.00 recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$1,993.00 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the States fish and wildlife resources.

SUPPORT INFORMATION

Attachments:

Attachment 1	Findings
Exhibit A	Location Map
Exhibit B	Assessor's Parcel Map
Exhibit C	General Plan Land Use Map
Exhibit D	Zoning Map
Exhibit E	Site Plan
Exhibit F	Aerial Photograph
Exhibit G	Ag Buffer Map
Exhibit H	Ag Commission Report
Exhibit I	Environmental Checklist Form

**Z09-0007
Cornell Rezone
Location Map**



Map prepared by:
Jonathan Fong
El Dorado County
Development Services

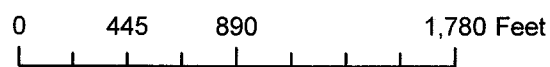


Exhibit A



POR. S 1/2 SEC. 28, T.12N., R.10E., M.D.M.

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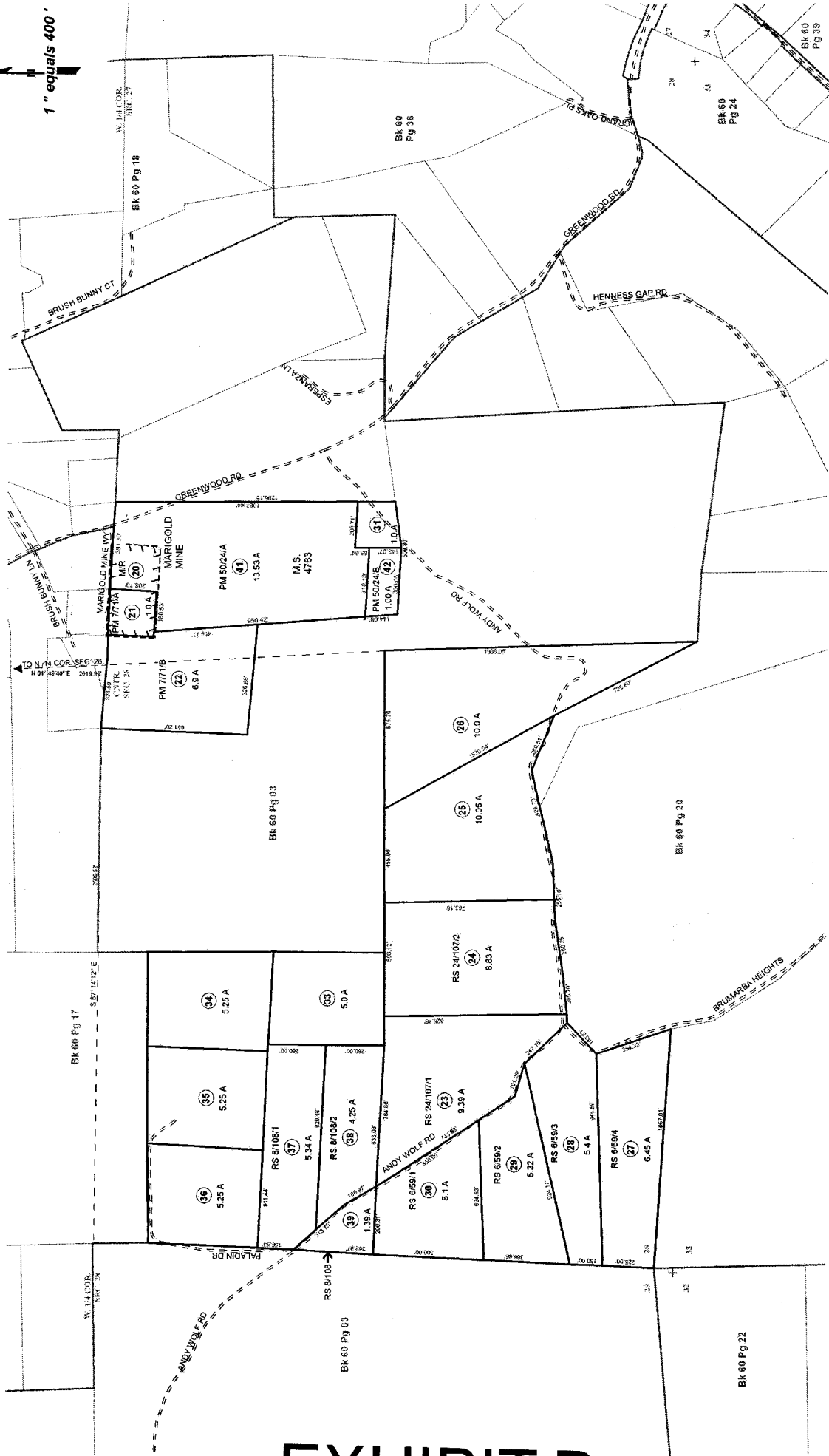


EXHIBIT B

THIS MAP IS NOT A SURVEY. It is prepared by the El Dorado Co. Assessor's Office. Dimensions and characteristics are not guaranteed. Users should verify items such as dimensions and acreage.

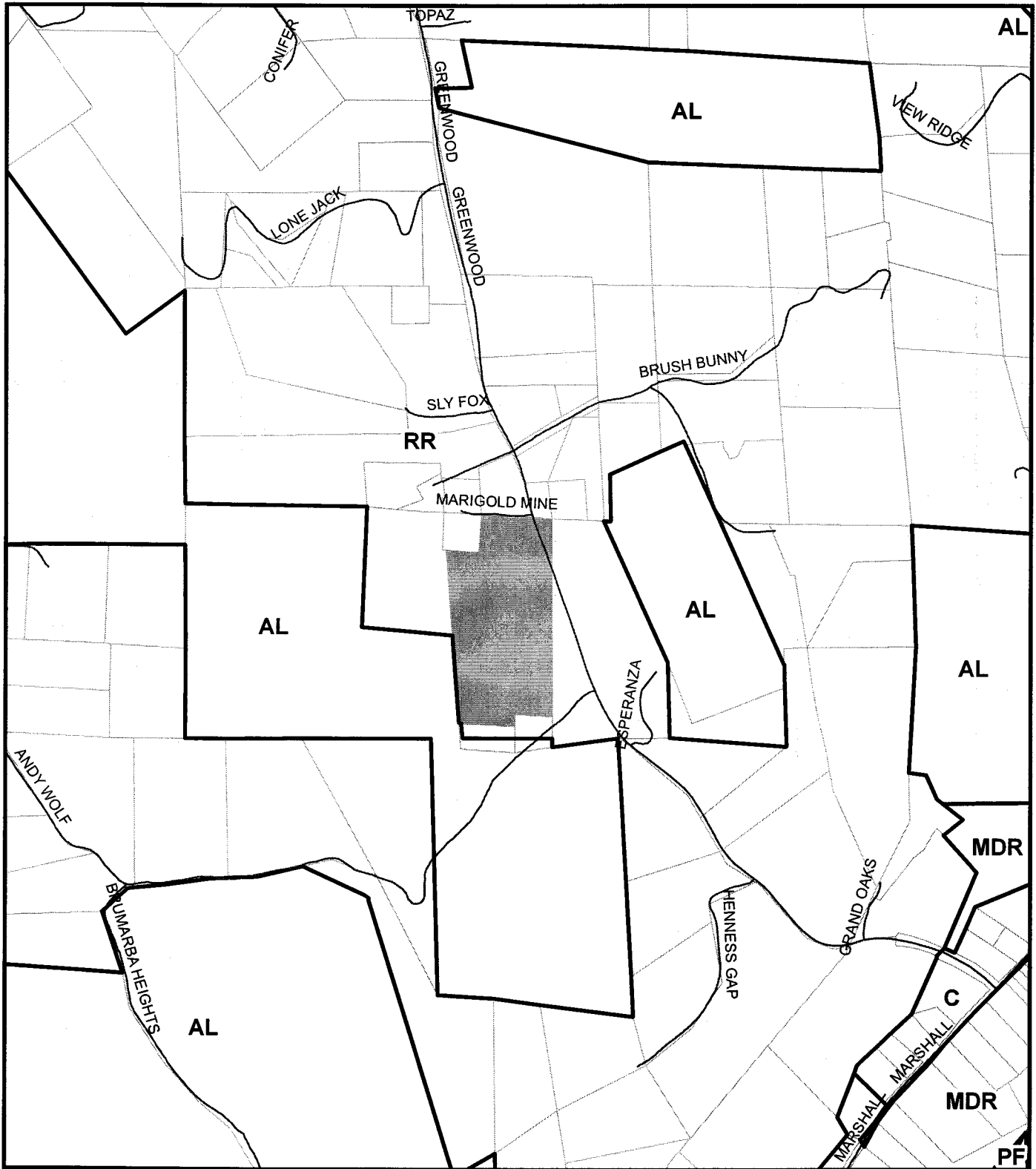
Adjacent Map Pages Shown in Grey Text
Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

Acreages Are Estimates

Rev. Apr. 14, 2008

Assessor's Map Bk. 060, Pg. 19
County of El Dorado, CA

Z09-0007 Cornell Rezone General Plan Land Use Map



Map prepared by:
Jonathan Fong
El Dorado County
Development Services

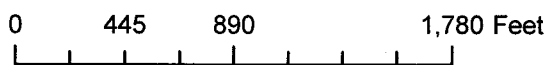
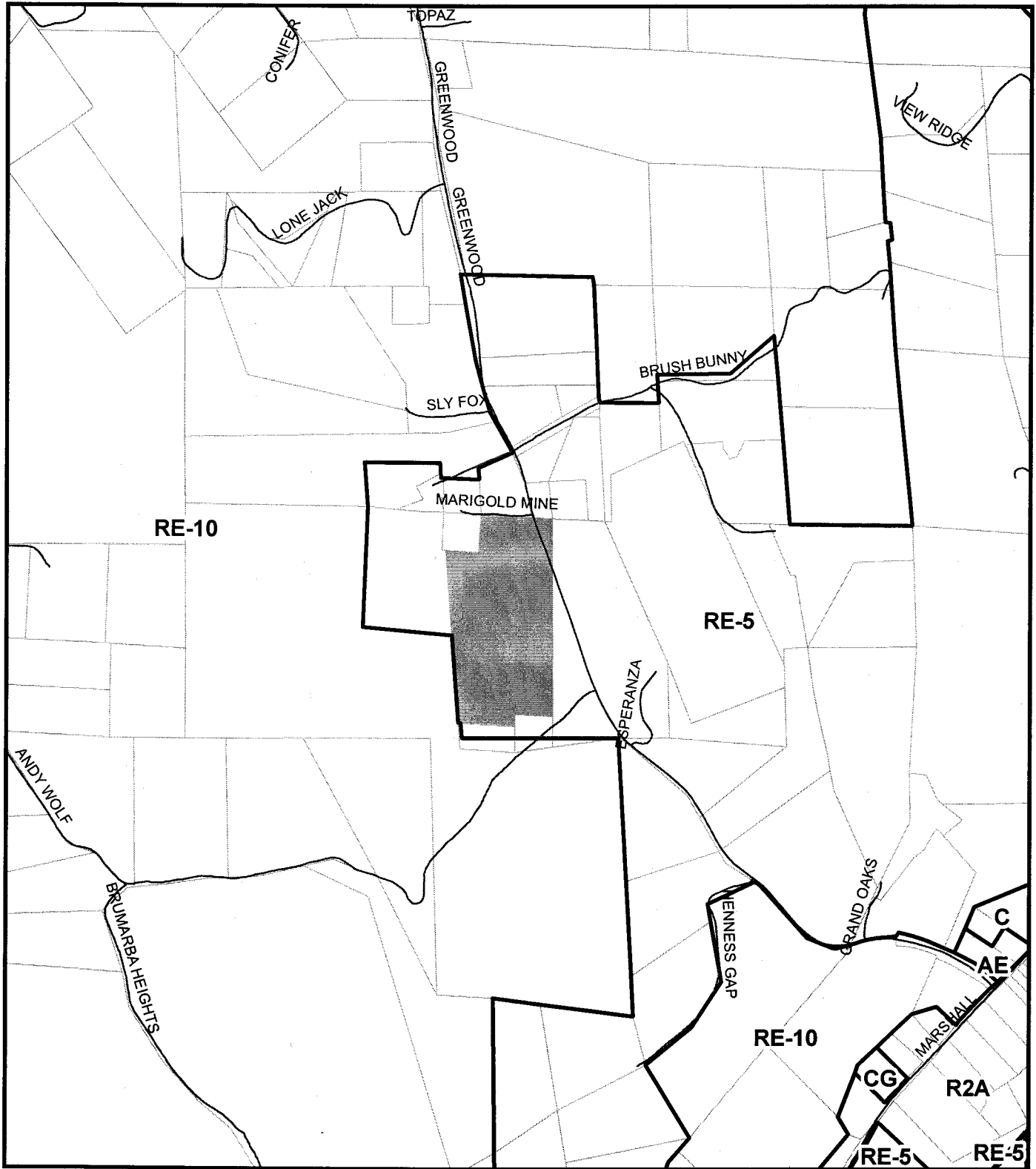


Exhibit C

Z09-0007 Cornell Rezone Zoning Map



Map prepared by:
Jonathan Fong
El Dorado County
Development Services

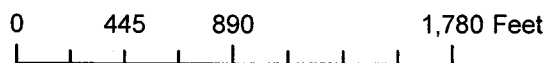
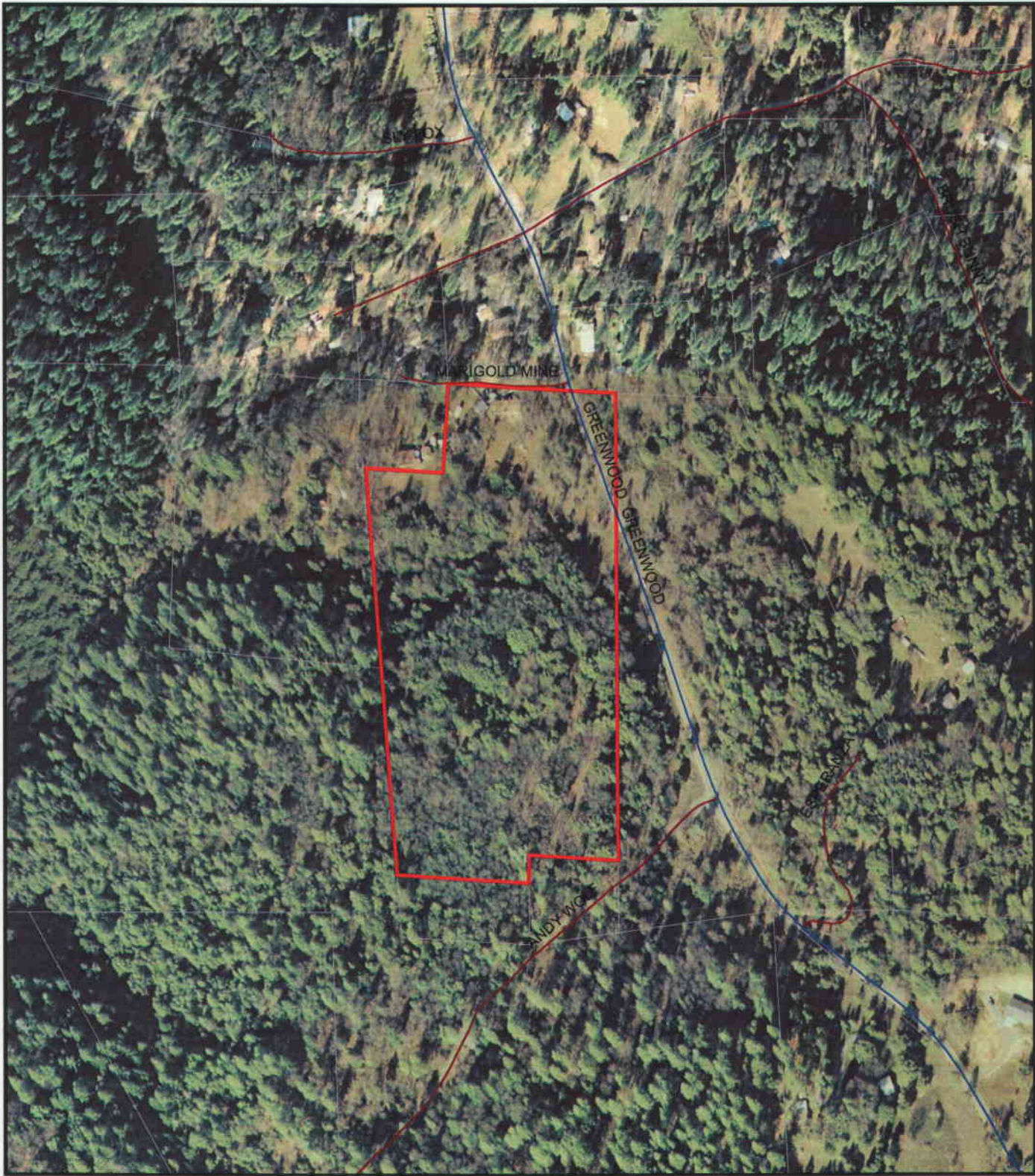


Exhibit D

**Z09-0007
Cornell Rezone
Aerial Photograph**



Map prepared by:
Jonathan Fong
El Dorado County
Development Services

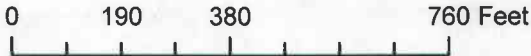
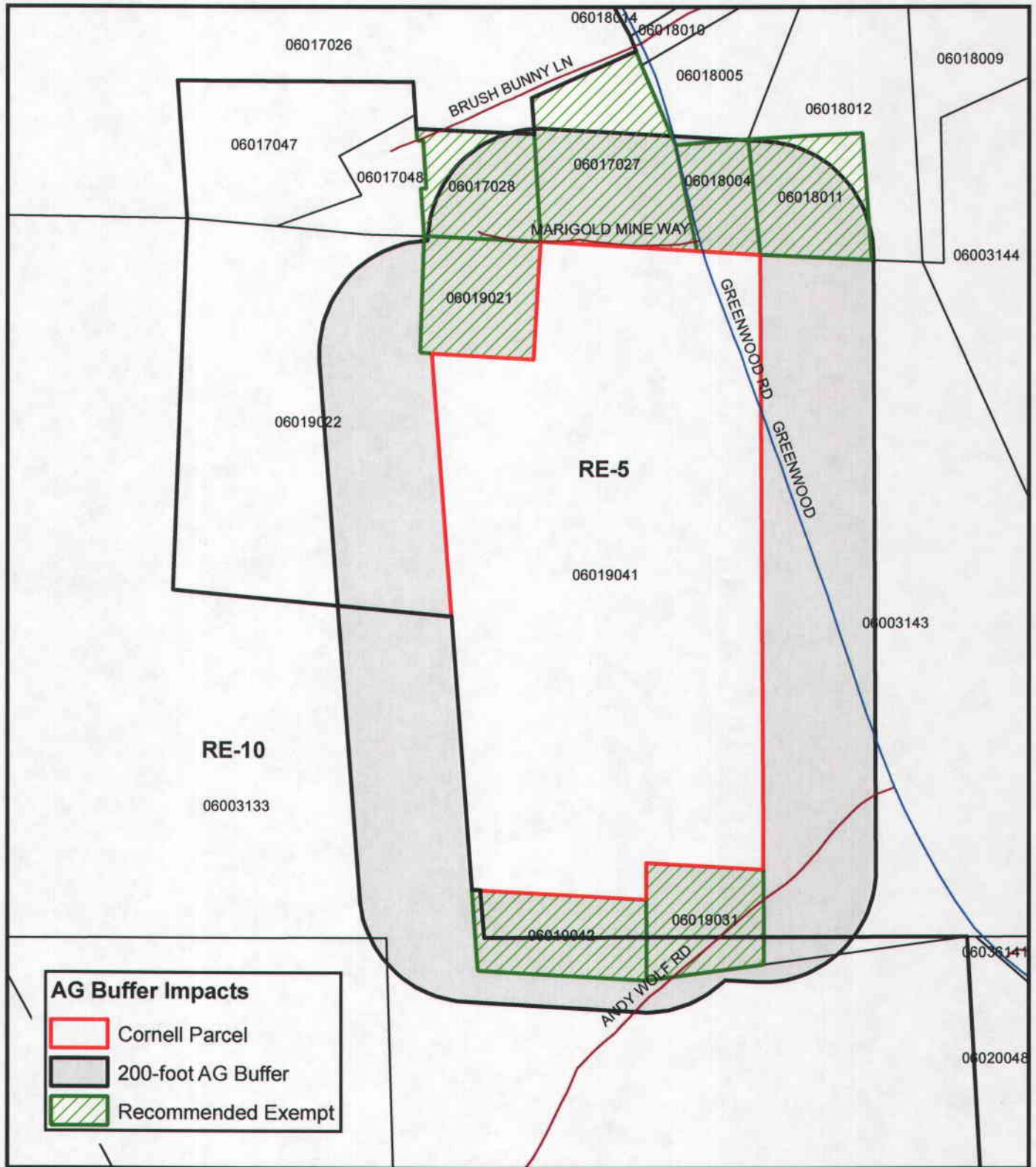


Exhibit F



Z09-0007 Cornell Rezone Potential Impact of 200-foot AG Buffer



Map prepared by:
Jonathan Fong
El Dorado County
Development Services

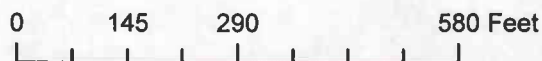
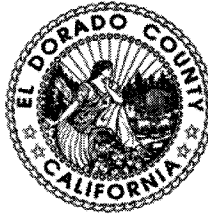


Exhibit G





EL DORADO COUNTY DEPARTMENT OF AGRICULTURE
WEIGHTS AND MEASURES

MEMORANDUM

August 25, 2009

TO: The Agricultural Commission

FROM: Chris Flores

SUBJECT: Cornell Rezone; Z 09-0007

- Date of site visit: August 21, 2009.
- According to the El Dorado County Zoning Ordinance Section 17.36.210, the purpose of the SA district is, "...to provide for the protection of orderly agricultural development of lands having sufficient area and conditions compatible to horticulture, husbandry and other agricultural uses and to promote and encourage these pursuits by providing additional opportunities for the sale, packing, processing, and other related activities which tend to increase their economic viability."
 - The subject parcel is 13 ½ acres and is being used to raise milk goats. The applicants have 24 goats (the majority are used for milking, with others being raised for meat and breeding).
- Section 17.36.250 of the Zoning Ordinance lists criteria for establishing an SA-10 zone. (Either A or B below shall be met).
 - A) The capability of land for agricultural production shall be evaluated, using the Soil Survey of El Dorado Area, California. (To meet these criteria, the soil shall be either Choice agricultural soil, Choice rangeland soil, or Choice woodland soil).
 - The subject parcel is over 30% Boomer Loam 9 to 15% Slopes (BpC) which is a Class III Choice agricultural soil and considered a "Unique Soil of Local Importance".
 - B) Present land use: lands that do not meet the Choice soil criteria above, but are being actively used agriculturally will be considered for agricultural zoning when the land in question meets three of the four criteria for an agricultural preserve, as defined in Resolution 244-76, Criteria and Procedures for Establishing Williamson Act Contracts.

EXHIBIT H

09.1508.C.19

- As the subject parcel meets the Choice soil criteria above, Criteria B) does not apply. However, the parcel does meet some of the Williamson Act Contract Criteria for a parcel between 10 and 20 acres.
 1. The property has a potential to contribute to the agricultural welfare of the County;
 2. The property scores higher than 80 (97 points) on the County Procedure for Evaluating the Suitability of Land for Agricultural Use;
 3. The property is, at the time of application, engaged in agricultural use;
 4. Some of the parcels adjacent to the subject parcel are over ten acres in size with General Plan land use designations (RR and AL) which require over a ten-acre minimum parcel size.
- Section 17.36.260 of the Zoning Ordinance requires a minimum parcel size of ten acres for the SA-10 zoning district.
 - The subject parcel, as stated above, is 13 ½ acres.
- Section 17.36.260 (G) of the Zoning Ordinance states, “The success and stability of agricultural enterprises can be influenced by the zoning and use of immediately adjacent lands...”
 - The parcel adjacent to the subject parcel’s southwest property line, has an Agricultural Land (AL) land use designation and is owned by the Bureau of Land Management.





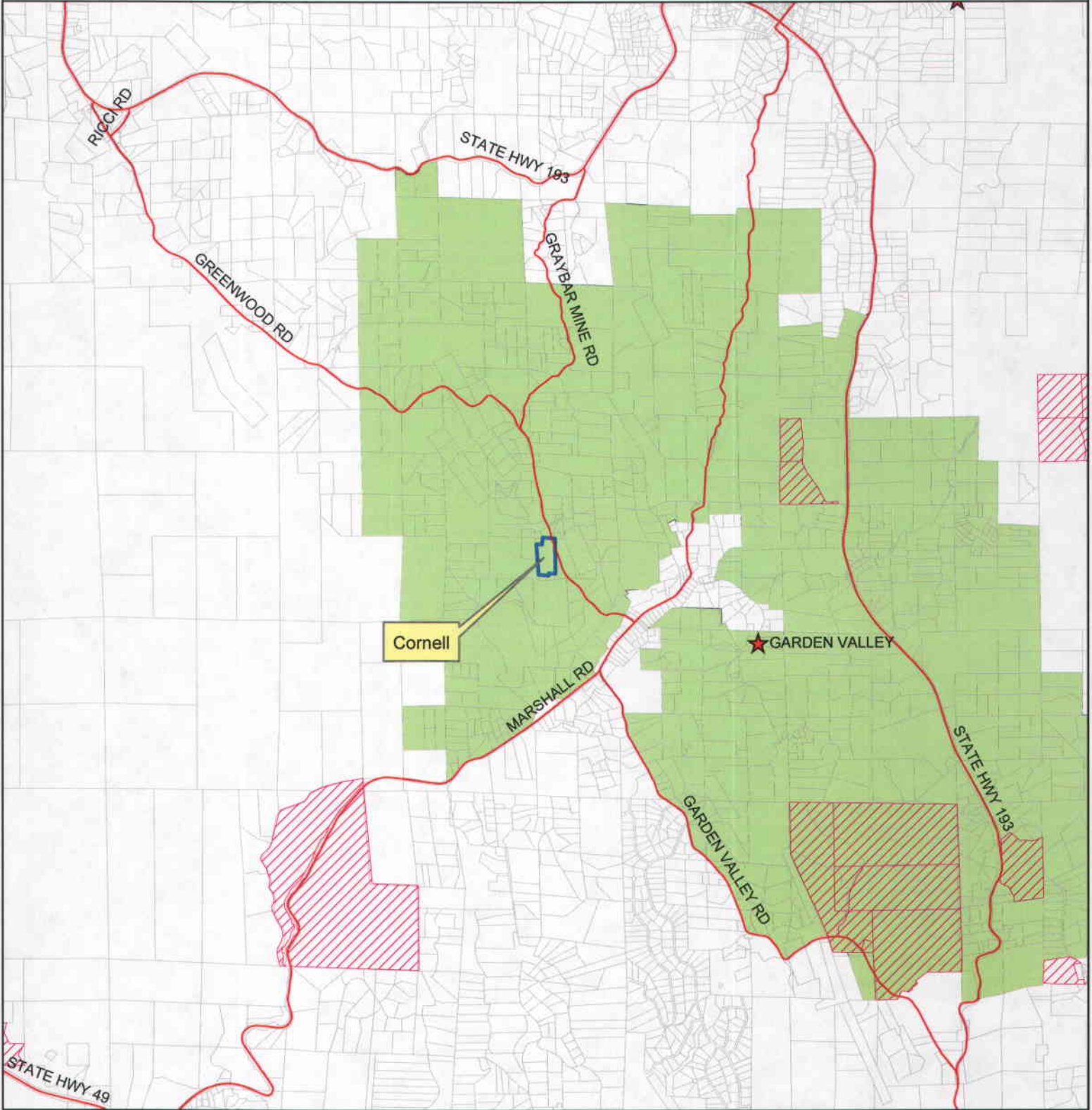
Site of future goat barn.



Area on left is future site of milking barn.

Charles & Kyleen Cornell

Proximity to Agricultural District



DISCLAIMER

THIS DEPICTION WAS COMPILED FROM UNVERIFIED PUBLIC AND PRIVATE SOURCES AND IS ILLUSTRATIVE ONLY. NO REPRESENTATION IS MADE AS TO ACCURACY OF THIS INFORMATION. PARCEL BOUNDARIES ARE PARTICULARLY UNRELIABLE. USERS MAKE USE OF THIS DEPICTION AT THEIR OWN RISK.

MAP PREPARED BY: MARK LA LOGGIA DATE: AUGUST 17, 2009

PROJECT ID: 5193

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION
PHONE (530) 621-6511 FAX (530) 626-8731

- Garden Valley AG District
- Parcels
- Ag Preserves
- Roads



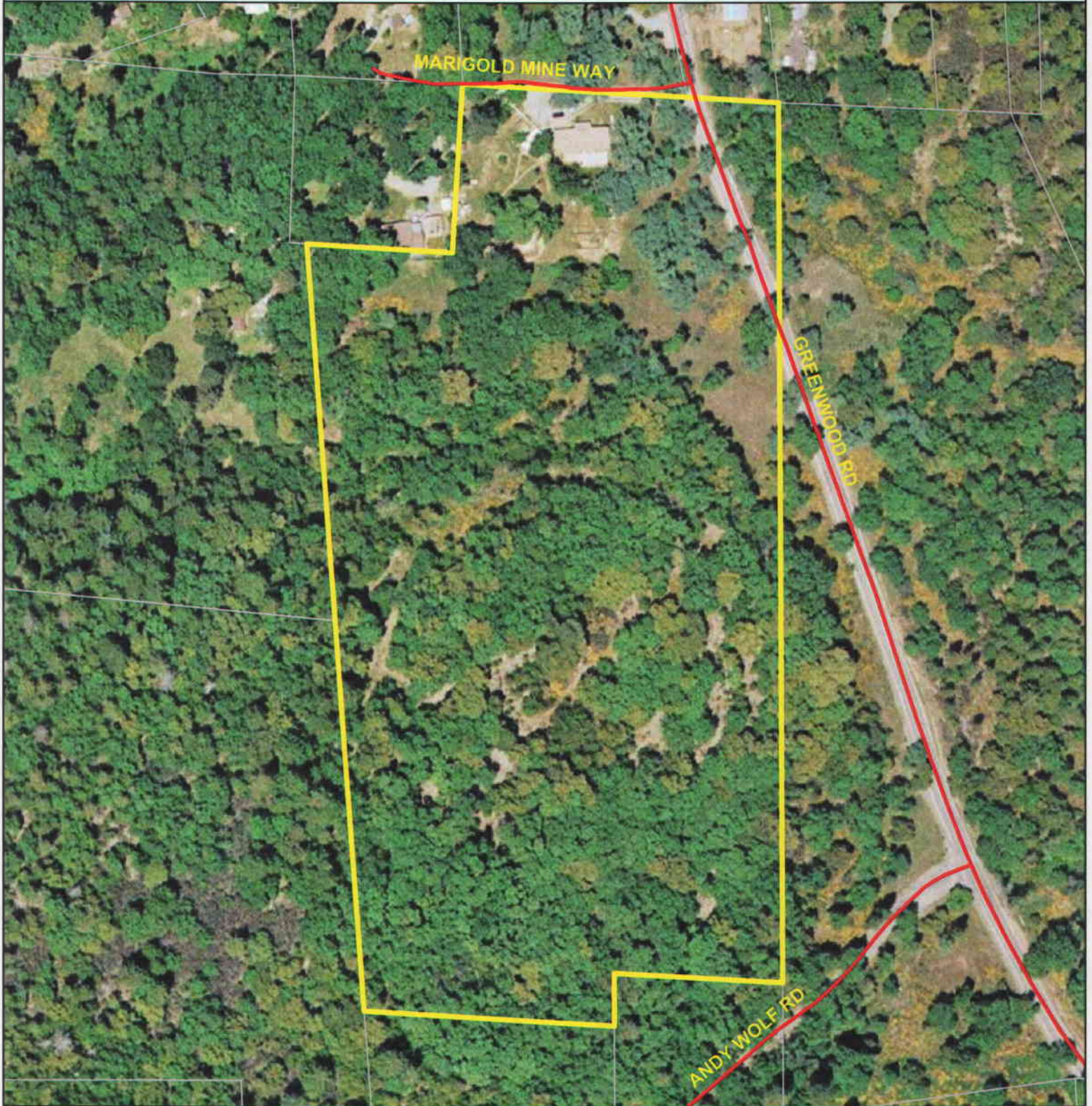
Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



El Dorado County Agricultural Commission

Charles & Kyleen Cornell

AirPhoto USA: April 2006



DISCLAIMER

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MAP PREPARED BY: MARK LA LOGGIA DATE: AUGUST 17, 2009

PROJECT ID: 5193

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION
PHONE (530) 621-6511 FAX (530) 626-8731

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 Parcels  Roads

0 100 200 300 400 Feet

Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)

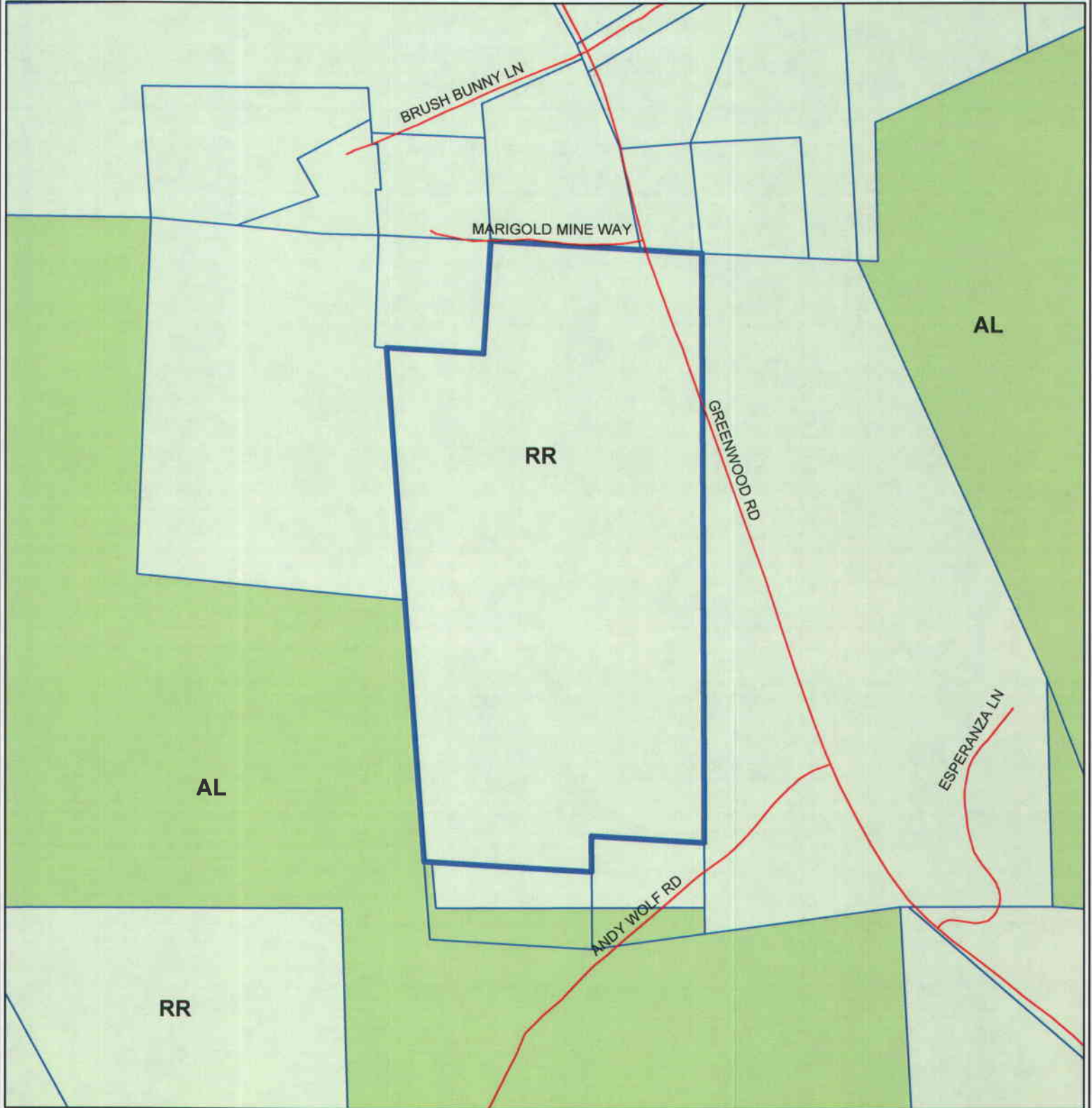


El Dorado County Agricultural Commission

09.1508.C.23

Charles & Kyleen Cornell

Land Use 8-17-2009



DISCLAIMER

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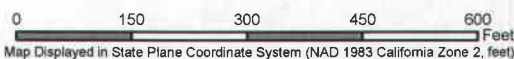
MAP PREPARED BY: MARK LA LOGGIA DATE: AUGUST 17, 2009

PROJECT ID: 5199

EL DORADO COUNTY SURVEYOR G.I.S. DIVISION
PHONE (530) 621-6511 FAX (530) 626-4731

Legend

- Land Use Designations
 - Agricultural Lands
 - Rural Residential
- Subject Parcel
- Roads



Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



El Dorado County Agricultural Commission

Charles & Kyleen Cornell

Soils



DISCLAIMER

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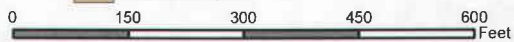
MAP PREPARED BY: MARK LA LOGGIA DATE: AUGUST 17, 2009

PROJECT ID: 5193

EL DORADO COUNTY SURVEYOR G.I.S. DIVISION
PHONE (530) 621-6511 FAX (530) 626-8731

Choice Soils

- BpD: Boomer-sites Loams 15 To 30 % Slopes
- BpC: Boomer-sites Loams 9 To 15 % Slopes
- Non Choice Soils



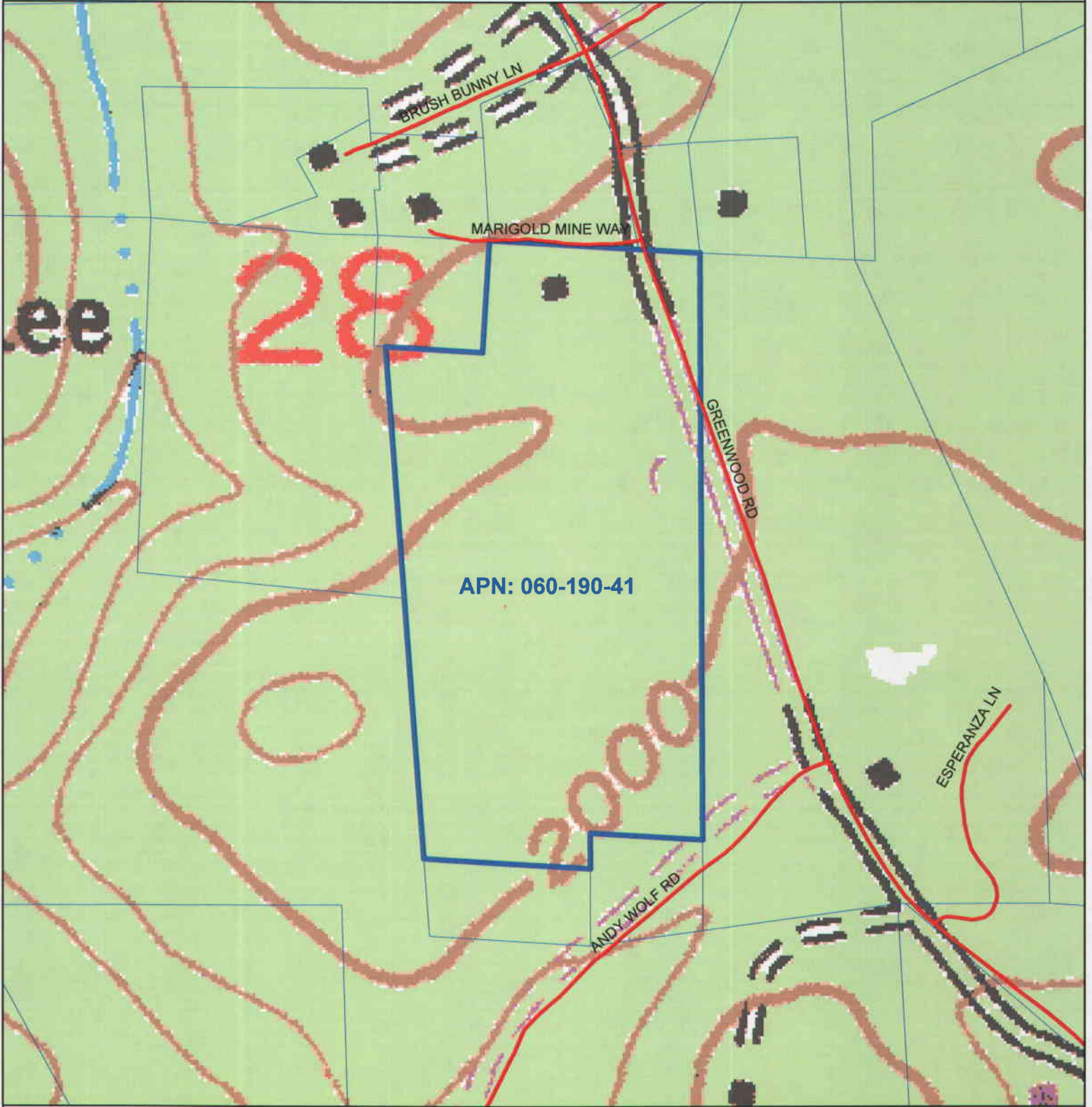
Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



El Dorado County Agricultural Commission

Charles & Kyleen Cornell

Topography



DISCLAIMER
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MAP PREPARED BY: MARK LA LOGGIA DATE: AUGUST 17, 2009

PROJECT ID: 5193

EL DORADO COUNTY SURVEYOR'S DIVISION
PHONE (530) 621-4511 FAX (530) 626-8731

Legend

-  Parcels
-  Roads



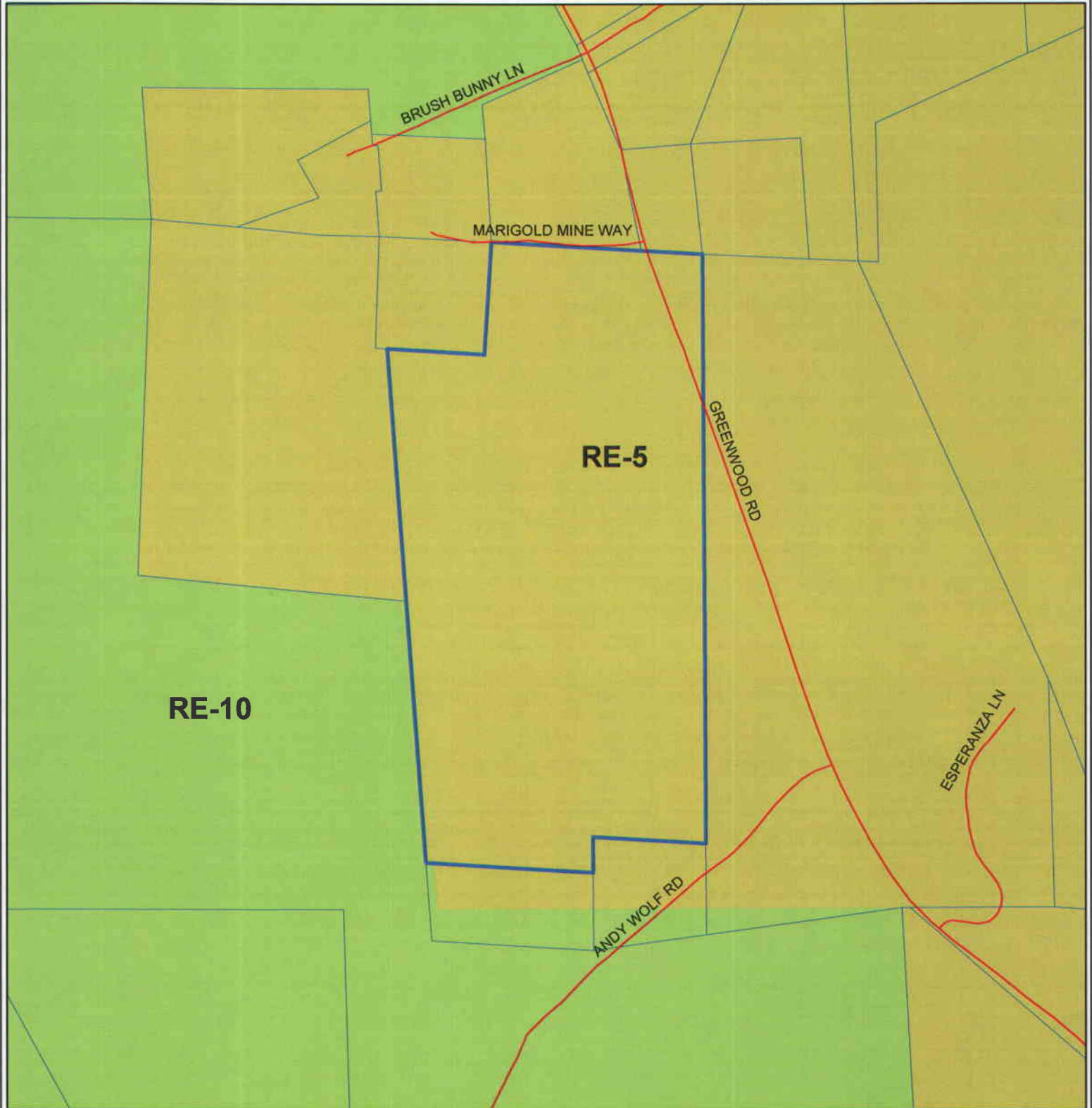
Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



El Dorado County Agricultural Commission

Charles & Kyleen Cornell

Zoning 8-7-2009



DISCLAIMER

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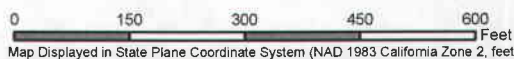
MAP PREPARED BY: MARK LA LOGGIA DATE: AUGUST 17, 2009

PROJECT ID: 5193

EL DORADO COUNTY SURVEYOR & L.S. DIVISION
PHONE (530) 621-6511 FAX (530) 626-8771

Legend

- Estate Residential Five-Acre
- Estate Residential Ten-Acre
- Parcels
- Roads



Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



El Dorado County Agricultural Commission

09.1508.C.27

EL DORADO COUNTY
AGRICULTURE
WEIGHTS & MEASURES

2009 AUG 26 A 7 59

August 25, 2009

RECEIVED

County of El Dorado Agricultural Commission
Attn: Greg Boeger, Chairman
311 Fair Lane
Placerville, CA 95667

Re: Z 09-0007 Cornell Request for Rezone (060-190-041)

To the Agricultural Commission:

As neighbors of Charley and Kyleen Cornell, we are writing in support of their dairy farm project which would be made better by changing the zoning of their farm from residential to agricultural.

We feel that the Cornell's farm will benefit our community and provide a valuable local food source.

We ask that you recommend approval of the Cornell's zone change request.

Sincerely,



Pat Shands
5260 Marigold Mine Way
Garden Valley 95630
530-333-1105

WJ



Ms. Nancy and Eileen Gordon-Hugman

4350 Greenwood Road
Garden Valley, CA 95633-9616

Phone: 530-333-9065

Email: hug2friends@earthlink.net

August 26, 2009

Greg Boeger, Chair and
Agricultural Commission
311 Fair Lane
Placerville 95667
FAX: 530-626-4756

Mr. Boeger & Commissioners:

We strongly support Charles and Kyleen Cornell's request to rezone their parcel # 060-190-41 of 13.53 acres from Estate Residential Five-Acre Zone District (RE-5) to a Select Agricultural District (SA-10).

Mr. & Mrs. Cornell have shown themselves to be responsible, conscientious landowners and dedicated farmers. They respect the natural environment, and they respect their neighbors.

We are happy that this designation will prevent the parcel from being split up into housing developments in the future.

We wish them only success with their goat farming business.

Sincerely,

Eileen Gordon-Hugman
Nancy Gordon-Hugman

Nancy & Eileen Gordon-Hugman

RECEIVED

2009 AUG 27 A 8:41

EL DORADO COUNTY
AGRICULTURE
WEIGHTS & MEASURES



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

**ENVIRONMENTAL CHECKLIST FORM
AND DISCUSSION OF IMPACTS**

Project Title: Z09-0007 Cornell Rezone

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

Contact Person: Jonathan Fong, Planning Services

Phone Number: (530) 621-5355

Property Owner's Name and Address: Charles and Kyleen Cornell.
5314 Marigold Mine Way. Garden Valley, CA95633

Project Applicant's Name and Address: same

Project Agent's Name and Address: same

Project Engineer's / Architect's Name and Address: n/a

Project Location: The property is located On the West side of Greenwood Road, 0.7 miles North of the intersection with Marshall Road in the Garden Valley area.

Assessor's Parcel No: 060-190-41

Zoning: Estate Residential Five-Acre (RE-5)

Section: 28 **T:** 12N **R:** 10E

General Plan Designation: Rural Residential (RR)

Description of Project: The proposed Zone Change would Rezone the project parcel from Estate Residential Five-Acre (RE-5) to Select Agricultural (SA-10).

Surrounding Land Uses and Setting:

	Zoning	General Plan	Land Use/Improvements
Site	RE-5	RR-A-IBC-MR	Residential/ agricultural
North	RE-5	RR/I-A-IBC-MR	Residential
South	RE-5	RR-A-IBC-MR	Residential/Single-family residences
East	RE-10	RR-A-MR	Residential/Single-family residences
West	RE-5/ RE-10	RR-AL-A-IBC-MR	Residential/ Single-family residences

Briefly Describe the environmental setting: The project site is located within designated Mineral Resources (MR) and Important Biological Corridor (IBC) General Plan Overlays. The site has been previously developed with a single-family residence and garage. Agricultural improvements include goat pens, barns, and feeding areas. Portions of the site have been disturbed in preparation for additional barns and cheese making facilities. The residential portion of the site is accessed via Marigold Mine Way and the agricultural portions of the site are

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

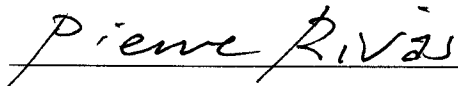
DETERMINATION

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: 11/3/2009

Printed Name: Jonathan Fong For: El Dorado County

Signature:  Date: 11-4-09

Printed Name: Pierre Rivas 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 project. The project would Rezone the project parcel from Estate Residential Five-Acre to Select Agricultural (SA-10) Zone District.

Project Location and Surrounding Land Uses

On the West side of Greenwood Road, 0.7 miles North of the intersection with Marshall Road in the Garden Valley area. The project site is bounded by parcels designated as Rural Residential (RR) by the General Plan and within the Garden Valley Agricultural District. The adjoining parcels to the north and east are smaller parcels with residential development.

Project Characteristics

The project would include a Rezone of the parcel only. No development would occur as part of the project. As discussed in the Land Use Category, the proposed Rezone to SA-10 would allow for an expanded range of agricultural uses to occur on the property by right. The allowed uses would include those enumerated in the Ranch Marketing section of the County Code and the adopted Winery Ordinance.

1. Transportation/Circulation/Parking

The residential portion of the project site is accessed via Marigold Mine Way which is a privately maintained road. Marigold Mine Way is a gravel, dead-end road which provides access to five additional parcels to the west of the project site. The parcel also fronts Greenwood Road which is a County Maintained Road. An existing permitted encroachment has been constructed onto Greenwood Road which provides access to a permitted barn which is under construction. Future expanded agricultural uses are anticipated to utilize the encroachment onto Greenwood Road. All parking would be provided on-site. Any Ranch Marketing or Winery activities would be reviewed during the building permit process to ensure adequate parking in accordance with the Off-Street Parking chapter of the County Code.

2. Utilities and Infrastructure

The project site is located within the Georgetown Divide Public Utility District (GPUD) boundaries. The GPUD provides water service to the project site. The existing residence is served by an on-site septic system for wastewater services. Any future agricultural uses or expansion of the residence would require either an expansion of the existing septic system or an installation of an additional septic system subject to permitting by the Environmental Health Department.

3. Population

The Rezone would allow for an expanded range of agricultural uses. The proposed SA-10 Zone District would allow similar residence uses by right as the existing RE-5 Zone District. The proposed Rezone would not increase the population in the project area beyond what is currently allowed.

4. Construction Considerations

No construction is proposed with the project.

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 would be considered by the Lead Agency in a public meeting and would be certified if it is determined to be in compliance with CEQA. The Lead Agency would 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 would 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 offsite as well as onsite, 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. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
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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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
c. Substantially degrade the existing visual character quality of the site and its surroundings?			X
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		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. The surrounding land uses are predominantly residential.

- a. **Scenic Vista.** The project site is located along Greenwood Road in the Garden Valley area. The project site and vicinity is not identified by the County as a scenic view or resource.⁶ There would be no impact.
- b. **Scenic Resources.** The project site is not adjacent or visible from a State Scenic Highway. There are no trees or historic buildings that have been identified by the County as contributing to exceptional aesthetic value at the project site.⁷ There would be no impact.
- c. **Visual Character.** The project site is located within the Garden Valley Agricultural District. Agricultural Districts are designated areas that are suitable for expanded agricultural uses. The proposed Rezone to SA-10 would be consistent with goals of the Agricultural Districts and would not impair the visual character of the area. There would be no impact.
- d. **Light and Glare.** Prior to approval of any development of the site, Planning Services would review the proposed lighting plan to determine any future outdoor lighting sources comply with the provisions of the Zoning Ordinance. Therefore, the impacts of existing light and glare created by the project would be less than significant.

Finding

No impacts to aesthetics are expected with the project either directly or indirectly. For this "Aesthetics" category, the impacts would be less than significant.

⁶ El Dorado County Planning Department, El Dorado County General Plan Draft EIR (SCH #2001082030), May 2003, Exhibit 5.3-1 and Table 5.3-1.

⁷ California Department of Transportation, California Scenic Highway Program, Officially Designated State Scenic Highways, p.2 (<http://www.dot.ca.gov/hq/LandArch/scenic/schwy1.html>).

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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II. AGRICULTURE RESOURCES. <i>Would the project:</i>			
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. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural 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. **Conversion of Prime Farmland.** El Dorado County has established the Agricultural (A) General Plan land use overlay district and included this overlay on the General Plan Land Use Maps. Review of the General Plan land use map for the project area indicates that the project site is within the Garden Valley Agricultural District. The proposed Rezone to SA-10 would allow expanded agricultural uses and would not allow conversion of farmland to other uses. The proposed Rezone would preserve the agricultural potential of the site, there would be no impact.
- 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. **Non-Agricultural Use.** The proposed Rezone would allow for expanded agricultural uses. Any proposed non-agricultural uses beyond residential development would be inconsistent with the proposed SA-10 zoning. There would be no impact.

Finding

The proposed Rezone to SA-10 would allow for expanded agricultural uses. Any land uses that would be incompatible to agricultural operations would be inconsistent with the SA-10 Zone District. For this "Agriculture" category, there would be no impact.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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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 nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			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 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-c.

Air Quality Plan and Standards. No construction would occur as part of the project. Future development would be required to comply with Air Quality Management District (AQMD) rules during project construction. Prior to issuance of a grading permit, a Fugitive Dust Plan would be required. Adherence to District rules during project construction would reduce potential impacts to a less than significant level.

d-e.

Sensitive Receptors and Objectionable Odors. No development would be proposed in conjunction with the project. Future development would be required to comply with District rules during project construction. Compliance with District rules would reduce short term potential impacts to a less than significant level. Potential uses would be required to be consistent with the SA-10 zone district development standards. Adherence to District rules would ensure impacts would be less than significant.

Finding

A significant air quality impact is defined as any violation of an ambient air quality standard, any substantial contribution to an existing or projected air quality violation, or any exposure of sensitive receptors to substantial pollutant concentrations. As discussed above, the proposed project would not impact air quality. For this “Air Quality” category, impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES. <i>Would the project:</i>			
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
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 Game or U.S. Fish and Wildlife Service?		X	
c. 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	
d. 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	
e. 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. **Biological Resources.** The project site is located within an Important Biological Corridor (IBC). The County General Plan establishes that lands within an IBC contain unique habitat values. However, lands within Agricultural Districts are exempt from any provisions that would reduce the viability of agricultural operations on-site. Because the site is located within the Garden Valley Agricultural District, any additional restrictions of the IBC would not be applicable to the site. The project site is not located within any Rare Plant Mitigation Areas and is not known to have soil types capable of sustaining the Pine Hill Endemic Plant Species. There would be no impact to biological resources.

b-c **Riparian Area.** The project site does not contain any riparian areas or perennial waterways that would be subject to Federal or State jurisdiction. Due to the lack of riparian areas onsite, there would be no riparian habitat that would be

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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impacted as a result of development of the site. As required by the General Plan, because the project site is located within the Important Biological Corridor (IBC) all development would require submittal of a General Plan Consistency Checklist which would ensure that applicable General Plan Policies, including riparian policies, are adhered to during development. Impacts would be less than significant.

- d. **Migratory Patterns:** The project site is not located within any mapped migratory corridors. The project site is located within the IBC which is designated areas with higher potential for wildlife and other biological resources. The location within the IBC would increase the potential for wildlife to be located in the project area. The proposed Rezone would allow for an expanded range of agricultural uses. These uses would not be significantly different that the currently allowed uses within the RE-5 zone district. The potential for the entire 13-acre parcel to be disturbed is remote. The western portions of the site would likely be undeveloped and would remain for any potential movement of wildlife. Impacts would be less than significant.
- e. **Local Conservation Policies:** The project site contains native vegetation consisting of primary pine and grasslands with scattered oak canopy. Prior to issuance of any building permit, the applicant would be required to submit a General Plan Consistency Checklist which would require consistency with applicable conservation policies related to oak canopy impacts. Impacts would be less than significant.
- f. **Habitat Conservation Plans:** El Dorado County currently does not have any HCP's or NCP's that would be affected by the proposed Rezone. There would be no impact.

Finding

For this "Biological" category, impacts would be less than significant.

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;

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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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-d. **Cultural Resources:** The Cultural Resources Study prepared for the site determined that no cultural resources or sensitive archeological resources are located on-site. The site has been previously disturbed with the existing residence and agricultural development. The portion of the site that would likely be utilized for future agricultural development has been graded under permit for an inspection exempt barn. The area is currently accessed by an existing driveway via Greenwood Road. All land disturbance has occurred and the likelihood of identifying cultural resources is remote. Any future development would be required to comply with standard conditions of approval including protective measures to be implemented in the event any cultural resources are discovered during project construction. Impacts would be less than significant.

Finding

For this “Cultural Resources” category, impacts would be less than significant.

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 offsite 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
e. 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:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Allow substantial development of structures or features in areas susceptible to seismically induced hazards such as ground shaking, 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. **Seismicity, subsidence and liquefaction.** There are no Earthquake Fault Zones subject to the Alquist-Priolo Earthquake Fault Zoning Act (formerly Special Studies Zone Act) in El Dorado County.⁸ No other active or potentially active faults have been mapped at or adjacent to the project site where near-field effects could occur.⁹ There would be no impact related to fault rupture. There are two known faults within the project vicinity; however, the project site is located in a region of the Sierra Nevada foothills where numerous faults have been mapped. The project site is located within the West Bear Mountain Faults Zone. All other faults in the County, including those closest to the project site are considered inactive.¹⁰

Earthquake activity on the closest active could result in groundshaking at the project site. However, the probability of strong groundshaking in the western County where the project site is located is very low, based on probabilistic seismic hazards assessment modeling results published by the California Geological Survey.¹¹ While strong groundshaking is not anticipated, the site could be subject to low to moderate groundshaking from activity on regional faults.

No portion of El Dorado County is located in a Seismic Hazard Zone (i.e., a regulatory zone classification established by the California Geological Survey that identifies areas subject to liquefaction and earthquake-induced landslides). Lateral spreading, which is typically associated with liquefaction hazard, subsidence, or other unstable soil/geologic conditions do not present a substantial risk in the western County where the project site is located be no risk of landslide.¹²

⁸ El Dorado County Planning Department, *El Dorado County General Plan Draft EIR (SCH #2001082030)* May 2003, p. 5.9-29.
⁹ California Department of Conservation, California Geological Survey, *Mineral Land Classification of El Dorado County, California, CGS Open-File Report 2000-03, 2001, Plate 1.*
¹⁰ El Dorado County Planning Department, *El Dorado County General Plan Draft EIR (SCH #2001082030)*, May 2003, p. 5.9-5.
¹¹ California Department of Conservation, California Geological Survey, *Probabilistic Seismic Hazards Assessment, Interactive Probabilistic Seismic Hazards Map, 2002.* (<http://www.consrv.ca.gov/cgs/rghm/psha>)
¹² El Dorado County Planning Department, *El Dorado County General Plan Draft EIR (SCH #2001082030)*, May 2003, pages. 5.9-6 to 5.9-9.

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There would be no significant impacts that could not be mitigated through proper building design, as enforced through the County building permit process, which requires compliance with the Uniform Building Code, as modified for California seismic conditions. Impacts would be less than significant.

- b & c. **Soil Erosion and loss of topsoil.** No grading would occur as part of the project. Any future development would be required to obtain a grading permit prior to project construction. The proposed grading would be required to adhere to the *County of El Dorado - Grading, Erosion, and Sediment Control Ordinance*. Adhere to the County Grading Ordinance would reduce the potential impacts to less than significant.
- d. **Expansive soils.** No development is proposed as part of the project. All future development would be required to comply with the County Grading, Erosion Control and Sediment Ordinance. Impacts would be less than significant.
- e. **Septic Systems.** The project site is currently served by a private on-site septic system. Any future development would require an additional septic system which would be reviewed and permitted by the Environment Management Department in accordance with adopted standards. Impacts would be less than significant.

Finding

No significant geophysical impacts are expected from the project either directly or indirectly. For this "Geology and Soils" category, impacts would be less than significant.

VII. 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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>			
h. Expose people or structures to a significant risk of loss, injury or death 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 onsite mining operations.
- a-b. **Hazardous Substances.** The proposed Rezone would allow a range of agricultural uses. Typical agricultural uses would not likely include storage of hazardous substances. Any future storage of any hazardous substances would require submittal of a Hazardous Materials Business Plan which would be subject to review and approval by the Department of Environmental Health. There would be no impact.
- c. **Hazardous Emissions.** There are no schools within ¼ mile of the project site. The project would not generate any hazardous emissions. There would be no impact.
- d. **Hazardous Materials Sites.** The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.¹³ There would be no impact.
- e. **Public Airport Hazards.** The project site is not within any airport safety zone or airport land use plan area. There would be no impact.
- f. **Private Airstrip Hazards.** There is no private airstrip(s) in the immediate vicinity that is identified on a U.S. Geological Survey Topography Map. There would be no impact.
- g. **Emergency Response Plan.** No development is proposed as part of the project. Future development would be subject to review by the Garden Valley Fire Protection District. The District would review the proposal and recommend conditions of approval to comply with Fire Safe Regulations and to reduce potential impacts to any response plan. There would be no impact.

¹³ California Department of Toxic Substances Control, Hazardous Waste and Substances Site List (Cortese List), http://www.dtsc.ca.gov/database/Calsites/Cortese_List, accessed September 23, 2004; California Regional Water Quality Control Board, Central Valley Region, Leaking Underground Storage Tanks Quarterly Report, April 2004; California Regional Water Quality Control Board, Central Valley Region, Site Cleanup List, April 2004.

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- h. **Fire Hazards.** The project site located in an area classified as having a moderate fire hazard.¹⁴ The Garden Valley Fire Protection District would review future development plans to recommend conditions to reduce the impacts to fire hazards. There would be no impact.

Finding

No Hazards or Hazardous conditions are expected with the project either directly or indirectly. For this "Hazards" category, there would be no impact.

VIII. 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 -offsite?			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 offsite?			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
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

¹⁴ El Dorado County Planning Department, El Dorado County General Plan Draft Environmental Impact Report (SCH #2001082030), May 2003, Exhibit 5.8-4.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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Discussion:

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

- 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 storm water pollutants) in the project area; or
- Cause degradation of groundwater quality in the vicinity of the project site.

- a & f. **Water Quality Standards.** The project would be served by GDPUD public water and private septic systems. The project would not impact water quality. All drainage from the project site would be done in accordance with the County Drainage, Erosion Control and Sedimentation Ordinance. Impacts would be less than significant.
- b. **Groundwater.** The site receives water from GDPUD. The proposed Rezone would allow for a range of expanded agricultural uses. Any future development of the site would not substantial increase the local water demand beyond the currently permitted uses. Impacts would be less than significant.
- c. **Erosion Control Plan.** No development is proposed as part of the project. Prior to approval of any future development, El Dorado County Development Services would require a Grading Plan. The Grading Plan would be required to be in conformance with the *Grading, Erosion and Sediment Control Ordinance*. Adherence to the standards of the Ordinance would reduce potential erosion impacts to a less than significant level.
- d. **Existing Drainage Pattern.** No development is proposed as part of the project. Future development would require a drainage, erosion control and plan for the required road improvements and any onsite grading. Adherence to the plan would reduce impacts to a less than significant level.
- e. **Storm Water Run-off.** Based on the soil types, surface runoff has been characterized as being slow to moderate. Erosion control plans would be required for any future road improvements. Adherence to the erosion plans would reduce the impacts to a less than significant level.
- g, h, & i. **Flooding.** The project is outside of mapped flood plains, impacts would be less than significant.
- j. **Seiche, tsunami, or mudflow.** The potential impacts due to a seiche, tsunami, or mudflow are remote. Impacts would be less than significant.

Finding

No significant hydrological impacts are expected with the project either directly or indirectly. For this “Hydrology” category, impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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IX. LAND USE PLANNING. <i>Would the project:</i>			
a. Physically divide an established community?			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	
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 site is surrounded by Rural Residential (RR) parcels within the Rural Region. The proposed Rezone to Select Agricultural (SA-10) would not divide an established community. There would be no impact.
- b. **Land Use Plan.** The current RE-5 zoning is inconsistent with the current Rural Residential (RR) land use designation. The proposed SA-10 zoning would bring the parcel zoning into conformance with the General Plan. The land use designation includes the IBC General Plan overlay which would require the submittal of a General Plan Consistency checklist prior to approval of any development permits. Adherence to the checklist would ensure that no conflicts with applicable General Plan policies would occur with development of the site.

The project site is located within the Garden Valley Agricultural District and includes the Ag District General Plan overlay. The proposed Rezone to SA-10 would be consistent with the General Plan objectives for the RR land use designation and the Ag District overlay. Impacts would be less than significant.

- c. **Habitat Conservation Plan.** As noted in Item IV (Biological Resources), prior to development of the site, the applicant would be required to submit biological studies to identify any natural resources located on the site. Impacts would be less than significant.

Finding

The proposed rezone would be consistent. 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. For this "Land Use" category, impacts would be less than significant.

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X. MINERAL RESOURCES. <i>Would the project:</i>			
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 plan?			X

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 & b. **Mineral Resources.** The project site includes the Mineral Resources (MR) General Plan Land Use Designation. The proposed zone change would allow for expanded agricultural uses and would not impede the potential for mineral extraction or other mining activities to occur on-site. There would be no impact.

Finding

No impacts to energy and mineral resources are expected with the proposed project either directly or indirectly. For this "Mineral Resources" category, impacts would be less than significant.

XI. 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	
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	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		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			X

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XI. NOISE. <i>Would the project result in:</i>			
people residing or working in the project area to excessive noise levels?			

Discussion:

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

- 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-d. **Noise Standards.** The El Dorado County General Plan establishes noise thresholds for short and long term impacts generated by stationary and vehicular sources. The proposed Rezone would allow for expanded agricultural uses including the potential for ranch marketing and winery uses as enumerated in the County Code. No activities would be authorized on-site which would have the potential of exceeding the noise thresholds established by the General Plan. Any use which would potentially exceed the threshold would require approval of a Special Use Permit which would include acoustical analysis to determine if mitigation measures would be necessary to reduce noise levels to established standards. Short term noise impacts would be related to temporary construction activities on-site but would be limited to hours of operation established by the General Plan. Impacts would be less than significant.

e & f. **Airport Noise.** The project site is not within the airport land use plan. There would be no impact.

Finding

Potential short and long term noise sources would be required to comply with established noise standards and policies. For this "Noise" category, the thresholds of significance have not been exceeded.

XII. 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:

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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.** The project site is in an area zoned for residential and agricultural use and is designated as Rural Residential land use under the 2004 General Plan. The proposed project would allow for agricultural and residential land uses which are consistent with both the General Plan and General Plan EIR. No further land division would occur without both a General Plan and Zoning amendment. Utility services are available at the project site. No housing or people would be displaced, and no extensions of infrastructure would be required. Impacts would be less than significant.

Finding

The project would not displace housing. There is no potential for a significant impact due to substantial growth with the proposed project either directly or indirectly. For this “Population and Housing” category, impacts would be less than significant.

XIII. 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
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.

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- a. **Fire Protection.** The Garden Valley Fire Protection District currently provides fire protection services to the project area. Development of the project would result in a minor increase in demand for fire protection services. Prior to development of the site the District would review the plans to determine the adequacy of fire protection services in the area. Fire Districts have been granted the authority by the State Legislature to collect impact fees at the time a building permit is secured. Impacts would be less than significant.
- b. **Police Protection.** The proposed Rezone would not likely increase the demand police services in the area. Impacts to police protection services would be less than significant.
- c-e. **Schools, Parks and Other Facilities.** The proposed project is located within the El Dorado Hills Community Service District. The project would allow for commercial development of the site. Impacts would be less than significant.

Finding

As discussed above, no significant impacts are expected to public services either directly or indirectly. For this "Public Services" category, impacts would be less than significant.

XIV. 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 Recreation.** The proposed project would not increase population that would substantially contribute to increased demand on recreation facilities or contribute to increased use of existing facilities. The proposed Rezone would allow for a expanded agricultural uses to occur on the site by right. The potential range of uses would not increase the demand on parks and recreation. Impacts would be less than significant.

Finding

No significant impacts to recreation and open space resources are expected either directly or indirectly. For this "Recreation" category, impacts would be less than significant.

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XV. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>			
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?		X	
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			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	
e. Result in inadequate emergency access?		X	
f. Result in inadequate parking capacity?			X
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			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. Capacity and Level of Service.

- c. **Traffic Patterns.** The project site is not within an airport safety zone. No changes in air traffic patterns would occur or be affected by the proposed project. There would be no impact.
- d. **Hazards.** No traffic hazards such as sharp curves, poor sight distance, or dangerous intersections exist on or adjacent to the project site. Impacts would be less than significant.
- e. **Emergency Access.** The project site is accessed off of Greenwood Road and Marigold Mine Way. Any proposed expanded agricultural activities are likely to access Greenwood Road which is a County Maintained Road. Prior to issuance of any building permits, the Garden Valley Fire Protection District would review for consistency with applicable Fire Safe Regulations including adequate emergency access. Impacts would be less than significant.

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- f. **Parking.** Prior to development of the site, the applicant would be required to submit site plans demonstrating compliance with the off-street parking requirements of the Zoning Ordinance. There would be no impact.
- g. **Alternative Transportation.** Prior to development of the site, the El Dorado Transit Authority would be distributed the project and would determine if additional alternative transportation improvements are necessary. There would be no impact.

Finding

As discussed above, no significant traffic impacts are expected either directly or indirectly. For this "Transportation/Traffic" category, impacts would be less than significant.

XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				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
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			X	
h. Result in demand for expansion of power or telecommunications service facilities without also including provisions to adequately accommodate the increased or expanded demand.				X

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;

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- 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 onsite 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 onsite 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.** The project site is served by an on-site private septic system. All future agricultural activities would be required to construct new septic systems in accordance with Environmental Management Standards. Impacts would be less than significant.
- b., d., e. **New Facilities** There would be no impact to existing water or wastewater facilities. The project site is served by public and septic systems. The limited increase in permitted uses based on the proposed Rezone would not increase the local water demand to require the expansion of existing facilities or the construction of new facilities.
- c. **Storm Water Drainage.** Any drainage facilities for the project would be built in conformance with the standards contained in the “*County of El Dorado Drainage Manual*,” as determined by the Department of Transportation. Impacts would be less than 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.
- 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. Adequate space would be available onsite. All containers would be located within the garage area or within fenced enclosure areas. Impacts would be less significant.
- h. **Power.** Power and telephone facilities are currently in place and utilized at the project site. No further expansion of power anticipated from project. There would be no impact.

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Finding

No significant utility and service system impacts are expected either directly or indirectly. For this "Utilities and Service Systems" category, impacts would be less than significant.

XVII. 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
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

- a. As discussed in Item V (Cultural Resources), the proposed project would have a less than significant effect on historical or unique archaeological resources. There would be no effects on fish habitat (Item IV). There would be a less than significant effect on special-status plant or animal species (Item IV). The project site is not located within any mapped migratory corridors or contains any riparian features. Due to the project location within the Important Biological Corridor (IBC), all development would be required to comply with applicable General Plan. Impacts would be less than significant.
- b. There would be less than significant impacts related to agriculture resources, air quality, biological resources, cultural resources, geology/soils, hazards/hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, traffic/transportation, or utilities/service systems that would combine with similar effects such that the project's contribution would be cumulatively considerable. For these issue areas, it has been determined there would be no impact or the impact would be less than significant.
- c. Due to the small size of the proposed project, types of activities proposed, and site-specific environmental conditions, there would be no environmental effects that would cause substantial adverse impacts on people either directly or indirectly. The proposed Rezone would be consistent with the objectives of the General Plan and would not substantially increase potential impacts beyond the existing range of permitted uses under the current project zoning.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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SUPPORTING INFORMATION SOURCE LIST

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

El Dorado County General Plan Draft Environmental Impact Report
Volume I - Comments on Draft Environmental Impact Report
Volume II - Response to Comment on DEIR
Volume III - Comments on Supplement to DEIR
Volume IV - Responses to Comments on Supplement to DEIR
Volume V - Appendices

El Dorado County General Plan - Volume I - Goals, Objectives, and Policies

El Dorado County General Plan - Volume II - Background Information

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 (Ordinance No. 3883, amended Ordinance Nos. 4061, 4167, 4170)

El Dorado County Design and Improvement Standards

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.)