

**EL DORADO COUNTY DEVELOPMENT SERVICES  
PLANNING COMMISSION AND  
BOARD OF SUPERVISORS  
STAFF REPORT**



**Agenda of:** February 14, 2008  
**Item No.:** 9.  
**Staff:** Tom Dougherty

**GENERAL PLAN AMENDMENT/REZONE**

**FILE NUMBER:** A07-0016/Z07-0051

**APPLICANTS:** John Conforti/James and Donna Wunschel

**REQUEST:**

1. Amendment to the land use designation from Tourist Recreational (TR) to Commercial (C);
2. Zone change from Single-family Three-acre Residential (R3A) to General Commercial-Design Control (CG – DC).

**LOCATION:** On the north side of Newtown Road, approximately 0.25 mile east of the intersection with County Road 145, in the Placerville Periphery area, Supervisorial District III. (Exhibit A)

**APN:** 048-280-33 (Exhibit B)

**ACREAGE:** 4.01

**GENERAL PLAN:** Tourist Residential (TR) (Exhibit D)

**ZONING:** Single-family Three-acre Residential (R3A) (Exhibit E)

**ENVIRONMENTAL DOCUMENT:** Negative Declaration

**RECOMMENDATION:** Staff recommends the Planning Commission forward a recommendation of approval to the Board of Supervisors.

**BACKGROUND:** The zoning of Single Family Three-acre Residential (R3A) and the original General Plan land use designation of Medium-Density Residential (MDR) were established by the adoption of the Camino – Fruitridge Area Plan in June of 1995. The adoption of the 1996 General Plan as the 2004 General Plan in July of 2004 established the land use designation as Tourist Residential (TR) with the understanding that a County museum would be established on the parcel. In 2002, the El Dorado Museums Foundation abandoned that project and sold the parcel to the current owners. The original 4.04-acre parcel shown in Exhibit C was reduced with a Boundary Line Adjustment with El Dorado County for a 0.030-acre portion in June of 1999 resulting in the current 4.01 acre size.

The existing 720 square-foot structure had been used historically as both a commercial and residential unit and had originally been built around 1927. At present the existing structure is used for residential purposes and has recently been relocated and remodeled by Building Permit 175399 which was finalized in May of 2007. The earliest deed shown for the subject parcel in the County records is 1919. The unnamed road adjoining the eastern parcel boundary and provides the current primary access to the parcel as well as the equipment storage yard, landscape materials yard. The northern portion of the mobile home park contains a 50-foot wide non-exclusive road and public utility easement established by Parcel Map 21-101 in October of 1978.

## **STAFF ANALYSIS**

**Project Description:** The applicant is proposing Amendment to the land use designation from Tourist Recreational (TR) to Commercial (C) and a zone change from Single Family Three-acre Residential (R3A) to General Commercial – Design Control (CG – DC). No development plan accompanies the current application requests.

**Site Description:** The parcel adjoins U.S. Highway 50 on the north and west and is in full view from eastbound traffic. It is located at the 2,440-foot elevation above sea level and sits below the elevations of both U.S. Highway 50 and Newtown Road and slopes gently to the east. There is an existing 720 square-foot building that was relocated and remodeled for continued residential use. The eastern and northern portions have scattered native oaks and pines and the remainder is covered in non-native annual grasses. The majority of the parcel has been graded to some degree in the past. The current main access into the parcel is from an unnamed shared road on the east side of the parcel with no current permanent direct encroachment onto Newtown Road.

**Adjacent Land Uses:**

|              | <b>Zoning</b> | <b>General Plan</b> | <b>Land Use/Improvements</b>  |
|--------------|---------------|---------------------|---|
| <b>Site</b>  | R3A           | TR                  | Residential, single-family dwelling.  |
| <b>North</b> | CG            | C                   | Commercial, U.S. Highway 50 northwest, equipment storage yard for an engineering company northeast. |
| <b>South</b> | MP/C - DC     | C/HDR               | Commercial/residential, Newtown Road, restaurant, mobile home park.                                 |
| <b>East</b>  | CG/MP         | C                   | Commercial/residential, unnamed access road, landscape materials storage yard, mobile home park.    |
| <b>West</b>  | RE-5          | MDR                 | U.S. Highway 50   |

Discussion: The subject parcel has historically been used most recently to support a single-family residence up to the time when the existing structure was moved and replaced in May of 2007. County records show the Mountain View Mobile Manor mobile home park on the south and east of the parcel. It was licensed by the current owner in February of 1981.

**General Plan:** The current land use designation is Tourist Residential (TR) which is intended to *provide areas for tourist and resident-serving recreational uses, transit and seasonal lodging facilities, and supporting commercial activities*, and include such uses as *campgrounds, golf courses, ski areas, snow parks, riding stables, trail heads, museums, and other similar recreational and sight seeing activities*. As stated in the Background section, the 2004 General Plan changed the land use to TR when the land was proposed to be the site of a museum. Planning staff has determined that since El Dorado Museums Foundation abandoned that project and sold the parcel to the current owners, it can be found that the Commercial land use designation would be more appropriate considering the current surrounding uses.

The subject 4.01-acre parcel is located within the immediate surroundings of the City of Placerville Community Region boundary. **Policy 2.1.1.2** directs that Community Regions be areas *which are appropriate for the highest intensity of self-sustaining compact urban-type development or suburban type development within the County based on the municipal spheres of influence, availability of infrastructure, public services, major transportation corridors and travel patterns, the location of major topographic patterns and features...* Support utilities and infrastructure are currently available at the site and would need minimal upgrades to support most businesses that would be permitted in a Commercial land use designation. The impacts on natural resources were examined by an Initial Study that recommends adoption of a Negative Declaration.

**Policy 2.2.5.3** directs the County to 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 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;
4. Distance to and capacity of the serving elementary and high school;
5. Response time from the nearest fire station handling structure fires;
6. Distance to nearest Community Region or Rural Center;
7. Erosion hazard;
8. Septic and leach field capability;
9. Groundwater capability to support wells;
10. Critical flora and fauna habitat areas;
11. Important timber production areas;
12. Important agricultural areas;
13. Important mineral resource areas;
14. Capacity of the transportation system serving the area;
15. Existing land use patterns;
16. Proximity to perennial water course;
17. Important historical/archeological sites;
18. Seismic hazards and present active faults; and
19. Consistency with existing Conditions, Covenants, and Restrictions.

The adjacent parcel to the southwest across Newtown Road and those to the northeast and east are designated for commercial uses by the General Plan. The parcels to the direct south are zoned for a mobile home park. The subject parcel fronts a County maintained road on the south, a private road to the east and U.S. Highway 50 to the north. Power and telephone exists at the site, there are existing graveled interior roads with turnarounds, an existing encroachment onto the unnamed road to the east and onto Newtown Road on the south. There is an existing approved septic system for the existing 720 square-foot structure that requires annual review. The existing residential dwelling is currently using metered water provided by the El Dorado Irrigation District.

The General Commercial-Design Control zone change, and change to a Commercial land use designation would not have a significant affect on the existing biological resources, no development plan accompanies the current application requests, no trees are to be removed, and no grading is proposed. The use of an existing structure would change to a commercial use and any new development permit, other than the "as-built" plan to commercialize the existing structure, would require review by the Planning Commission with a Design Review application.

The El Dorado County Environmental Health Division, El Dorado County Department of Transportation, and the El Dorado County Fire Protection District had no major concerns with the current proposal as long as they would be able to review any changes. A complete septic system evaluation and site/soil evaluation would be required prior to obtaining a building permit for any use change. The location in a Community Region, the current availability of supporting utilities and infrastructure, the easy access for emergency responders, and the potential for other surrounding commercial opportunities is appropriate for limited commercial development.

**Policy 2.2.5.13** establishes that *land uses adjacent to or surrounding airport facilities shall be subject to location, use, and height restrictions consistent with the Comprehensive Airport Land Use Plan* and that *...applications shall be reviewed by the appropriate airport commission*. The project parcel is located within the Placerville Airport Comprehensive Land Use Plan area and is located approximately 1,750 feet to the northeast of the airport and the flight landing and take-off zone. The subject parcel is located within Safety Zone 3 and just outside the 55 to 60 decibel Community Noise Equivalent Level (CNEL) boundary line. As such, and since there is no development plan accompanying these applications, it can be determined there is no significant safety hazard resulting from private airport operations and aircraft overflights in the vicinity of the project site. The El Dorado County General Services Airports, Parks and Grounds Division, Placerville Airport were solicited for comments and neither responded with any concerns for the subject applications. Both said agencies, and potentially the Foothills Airport Land Use Commission in the future, would potentially require review of any future Design Review application along with a specific development plan that would be resultant of the approval of the subject applications.

**Policy 2.2.7.1** directs that the County *coordinate with the incorporated cities in land use planning and development to provide compatibility and coordination of land use designations*. As shown in Exhibit H, the subject parcel is located within the City of Placerville's Sphere of Influence, and Exhibit E shows its location in the City of Placerville Community Region. **Policy 2.2.7.4** directs that the County *coordinate with the incorporated cities to ensure that compatible development occurs within each city's sphere of influence and/or the Community Region adjacent to each city, which is consistent with the County's and each city's respective General Plans*...The City of Placerville Planning staff was solicited for comments and responded that the subject site has been pre-zoned Heavy Commercial (HC) by the City and was determined by them to be consistent with the proposed General Commercial zone district as well as the Commercial land use designation. The main use exception between the two zone districts is that mobile home parks would not be permitted by Special Use Permit by the City's HC zone district.

**Policy 5.1.2.1** requires that there be *adequate public utilities and services including water supply, wastewater treatment and disposal, solid waste disposal capacity, storm drainage, fire and police protection, and ambulance service exist or are available to the subject discretionary project*. Staff has relied on information from the purveyors of said services and has determined that adequate utilities and services are available for the uses present today and future uses would be analyzed for the particular impacts through the Design Review process. The current rezone and amendment proposals were reviewed by the El Dorado County Fire Protection District who responded that should the rezone and amendment be approved, the applicant would be required to submit a commercial "as built" building permit at which time the Fire District would require the structure to meet commercial requirements for access, fire hydrant and fire alarm. The El Dorado County Environmental Health Division did review the existing drip-type septic system and the required 300 percent replacement area for commercial uses and found it adequate for the existing use.

**Goal 7.5, Cultural Resources** seeks to *ensure the preservation of the County's important cultural resources*. A *Cultural Resources Inventory and Evaluation* report was completed for Assessor's Parcel Number 048-208-33 in July of 2007 by Trish Fernandez, M.A., RPA. The residence, mine tailings, Wiley Toll House foundation and rock outcropping were evaluated for their historic resource status. The existing residence and mine tailings were determined not to meet the California Register of Historic Resources (CRHR) eligibility criteria. The Wiley Toll House foundation and the Rock Outcropping both would require further study prior to any new development proposal. General Plan Amendments and Rezone requests are legislative acts and conditions of approval cannot be put on them. The addition of the Design Control overlay to the base zone designation of General Commercial would assure that, prior to any initiation of further development of any kind on the subject parcel, a development plan would be required to be submitted for El Dorado County Planning Commission review of all impacts of that particular proposal on the significant cultural and historical resources within the parcel boundaries. The full discussion of Cultural Resources is included within in Exhibit O, Section V.

**General Plan Objective 10.1.5 and Policies 10.1.5.1, and 10.1.5.2** all seek to encourage and emphasize the importance of promoting and encouraging projects that have the potential to support, assist, and encourage the economic expansion and addition of businesses, and also enable and encourage existing companies, businesses, and/or industries to expand and economically thrive in El Dorado County. The proposed project would benefit and support the interests of the pocket of commercial business in the vicinity on lands not necessarily adequate for residential use.

The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies, and it has been determined that the project is consistent with the General Plan. Findings of consistency with the General Plan are provided in Attachment 1.

**Zoning:** The subject 4.01-acre parcel is proposed to be rezoned to General Commercial - Design Control. The purpose of the General Commercial Zone is *to provide for sales, storage, distribution, and light manufacturing businesses of the type which do not ordinarily cause more than a minimal amount of noise, odor, smoke, dust, or other factors tending to disturb the peaceful enjoyment of adjacent residential or agricultural land use zones*. Section 17.32.200 requires a minimum parcel size of 10,000 square feet. The General Plan land use of Commercial and the zone district designation of General Commercial are listed as compatible on the 2004 General Plan Table 2-4 Consistency Matrix.

Planning staff recommended adding the Design Control overlay zone in order to permit further review by the Planning Commissioners of any future development plan as required by Section 17.14.130 of the County Code for projects next to a highway to assure it is in keeping with the character of the neighborhood as well as the appearance within the viewscape of this portion of U. S. Highway 50 which is classified as a State Scenic Highway. It is possible that there are some uses allowed in the General Commercial Zone that could be considered inappropriate for the site, and that is another intent of adding the Design Control overlay zone.

Staff finds that the necessary findings can be made to support the request for a General Plan land use designation change and a rezone. The details of those findings are contained in Attachment 1.

## **ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project has a significant effect on the environment. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project will have a significant effect on the environment, and a Negative Declaration has been prepared.

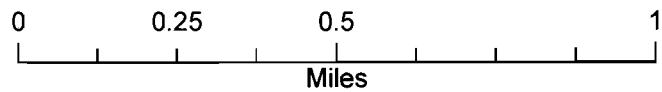
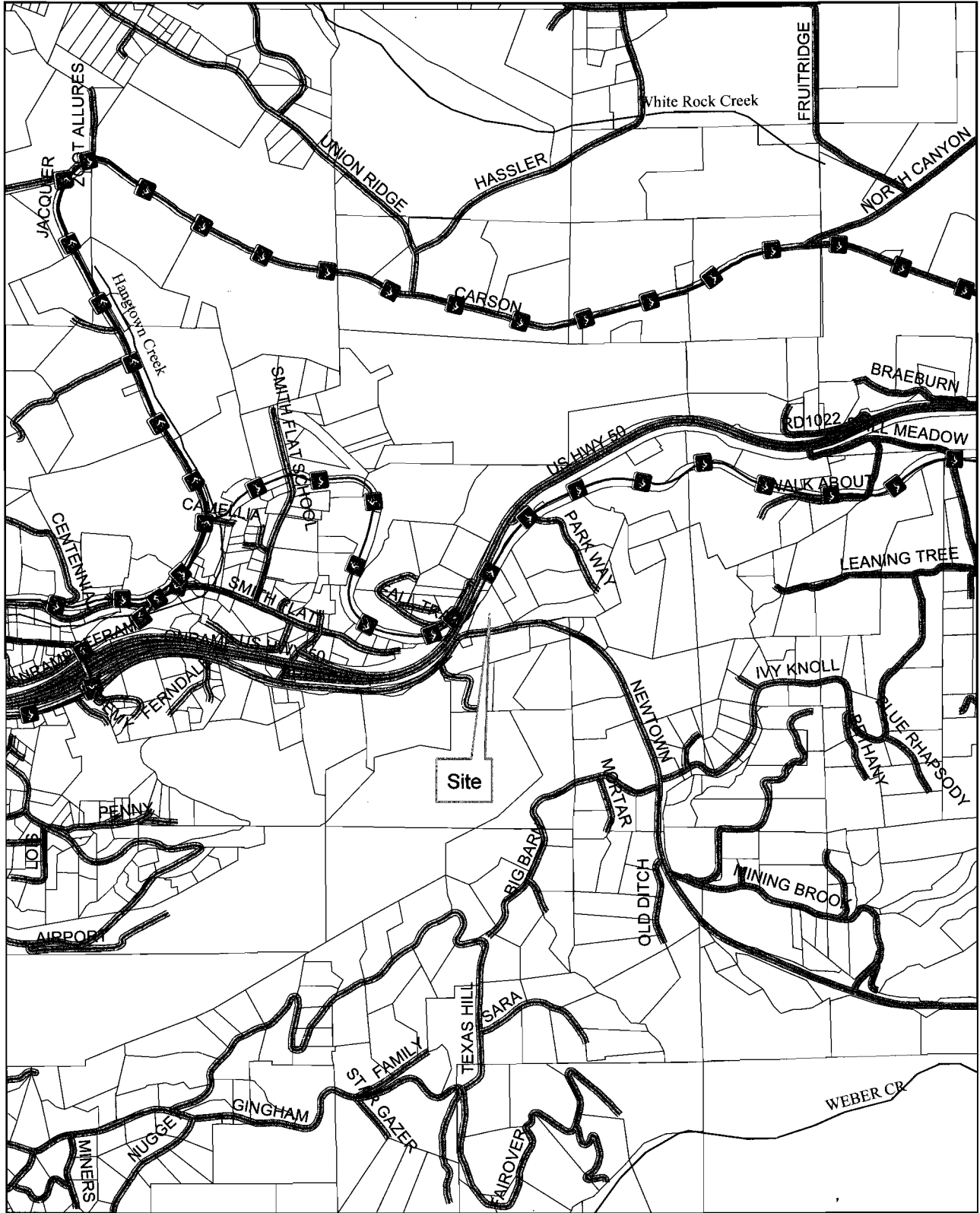
This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,876.75 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 \$1,876.75 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 to Staff Report:**

|                              |  |
|------------------------------|--|
| Exhibit A.....               | Vicinity Map   |
| Exhibit B.....               | Assessor's Parcel Map                                |
| Exhibit C.....               | Record of Survey 4-140                               |
| Exhibit D.....               | General Plan Land Use Map                            |
| Exhibit E.....               | General Plan Community Region Map                    |
| Exhibit F.....               | Zoning Map   |
| Exhibit G.....               | Applicant-submitted Site Plan dated December<br>2006 |
| Exhibit H.....               | Placerville Sphere of Influence Map                  |
| Exhibit I.....               | Placerville Airport Safety Zones Map                 |
| Exhibit J.....               | Placerville Airport Noise Levels Map                 |
| Exhibit K.....               | Camino U.S.G.S Quadrangle Map                        |
| Exhibit L.....               | Soils Map  |
| Exhibits M1, M2, M3, M4..... | Site Visit Photos from December 27, 2007             |
| Exhibits N1, N2.....         | Aerial Photos  |
| Exhibit O.....               | Draft Negative Declaration                           |

# Vicinity



— Proposed Bike Plan





CAH:K

# RECORD OF SURVEY

A PORTION OF

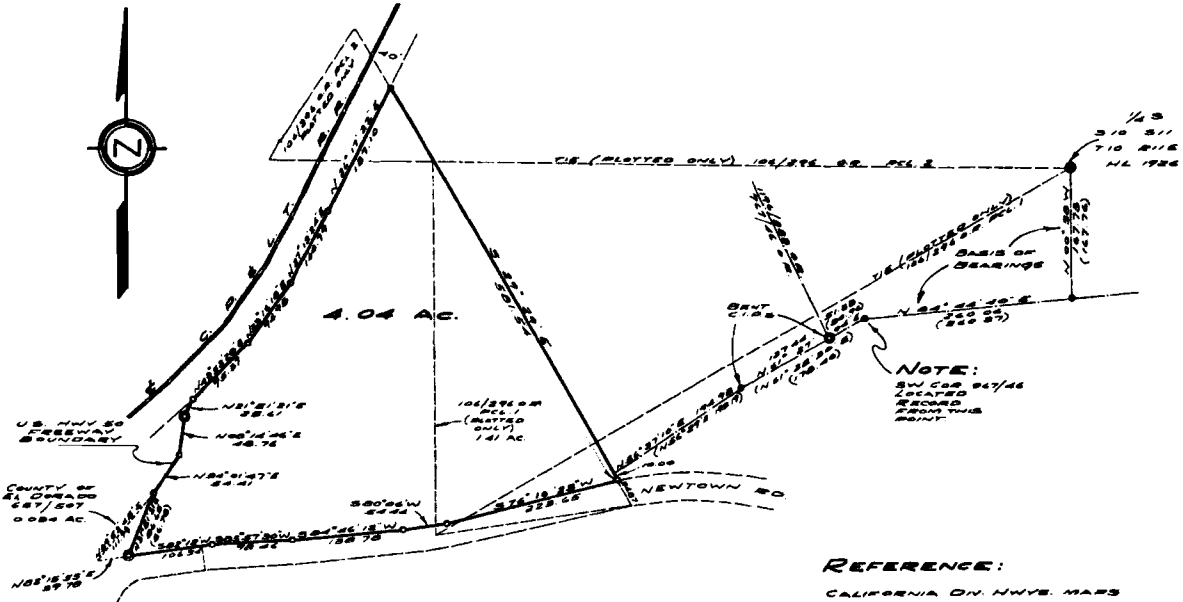
E 1/2 SEC. 10

TION - R I E, M.D.M.

COUNTY OF EL DORADO, STATE OF CALIFORNIA

DECEMBER, 1975 SCALE: 1" = 100'

RICHARD H. JONES L.S. N° 2893



### REFERENCE:

CALIFORNIA ON. HWY. MAPS  
 II-50-11-E SHEET 2 OF 5  
 50-50-311 SHEET 12 OF 12  
 91-107 O.R.E.D.  
 105-296 O.R.E.D.

### LEGEND:

- 547 3/4" C.I.P. L.S. 2893-1975
- END. 1" C.I.P. L.S. 2725-1959
- END. 6" x 6" CONC. B/W MON.
- END. 1 1/2" C.I.P. L.S. 2725-1968
- END. 2" C.I.P. MKD AS SHOWN

### BASIS OF BEARINGS:

THE MERIDIAN OF THIS SURVEY IS IDENTICAL TO THAT OF THOSE CERTAIN DEEDS RECORDED IN BOOK 967 AT PAGE 44 AND IN BOOK 1196 AT PAGE 888 (O.R.E.D.) FROM FOUND MONUMENTS AND IS TRUE NORTH. U.S. HIGHWAY 50 BEARINGS ROTATED 0°53'30" RIGHT TO CONFORM.

### SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYOR'S ACT AT THE REQUEST OF MABEL RAINIER IN DECEMBER, 1975.

*Richard H. Jones*  
 RICHARD H. JONES  
 L.S. N° 2893

### COUNTY SURVEYOR'S CERTIFICATE:

THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYOR'S ACT THIS 19<sup>th</sup> DAY OF DECEMBER, 1975.

*Fred G. DeBarry*  
 FRED G. DEBARRY  
 L.S. 2403  
 COUNTY SURVEYOR  
 COUNTY OF EL DORADO



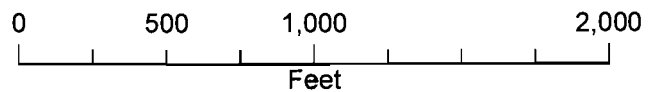
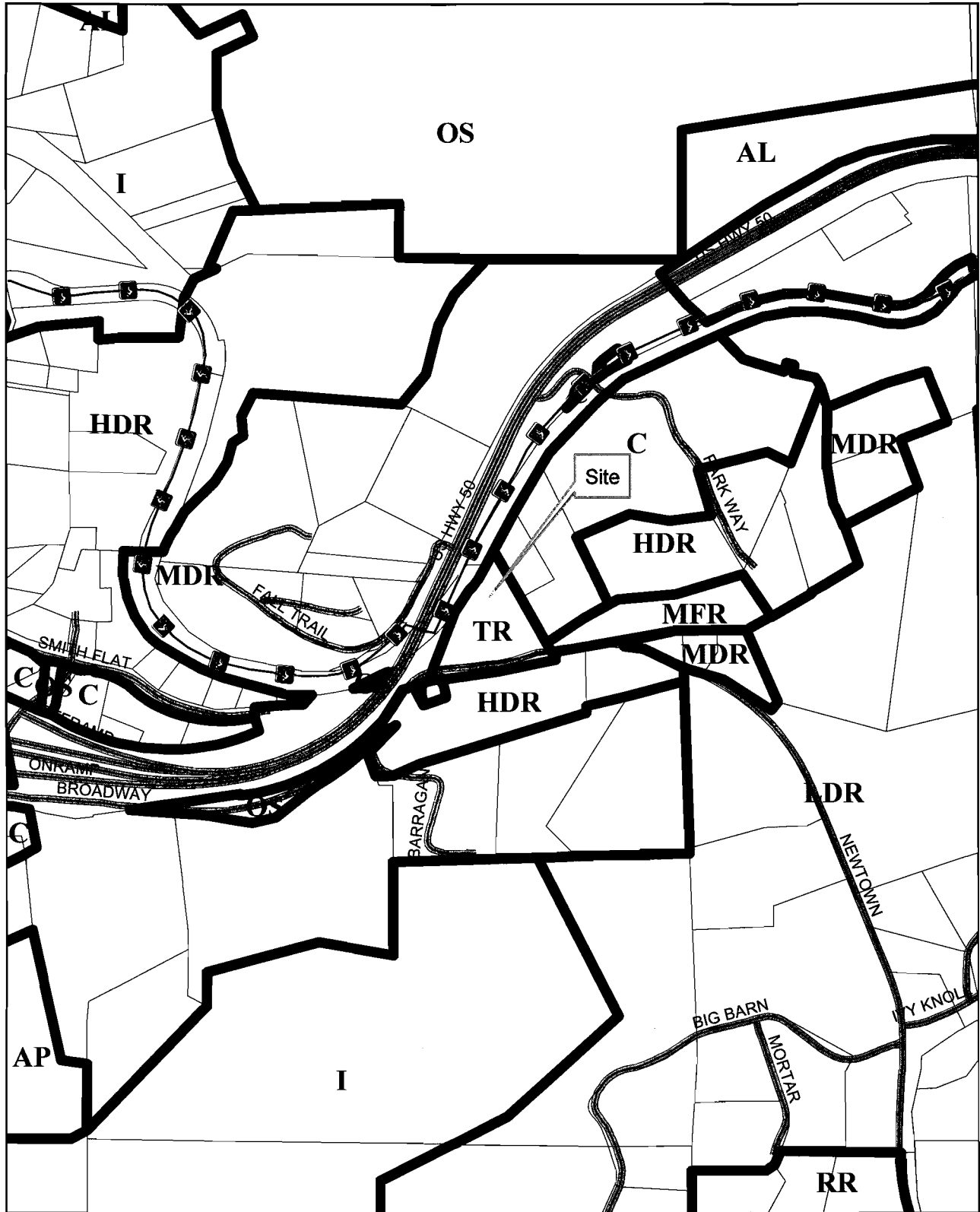
### COUNTY RECORDER'S CERTIFICATE:

FILED THIS 19<sup>th</sup> DAY OF December AT 10:36 A.M. IN BOOK 4 OF RECORDS OF SURVEY AT PAGE 140 AT THE REQUEST OF MABEL RAINIER

Doc. N° 38262  
*James W. Sweeney*  
 JAMES W. SWEENEY  
 COUNTY RECORDER  
 COUNTY OF EL DORADO  
 BY *Dorothy Parr*

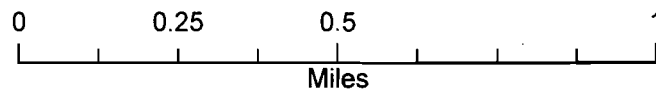
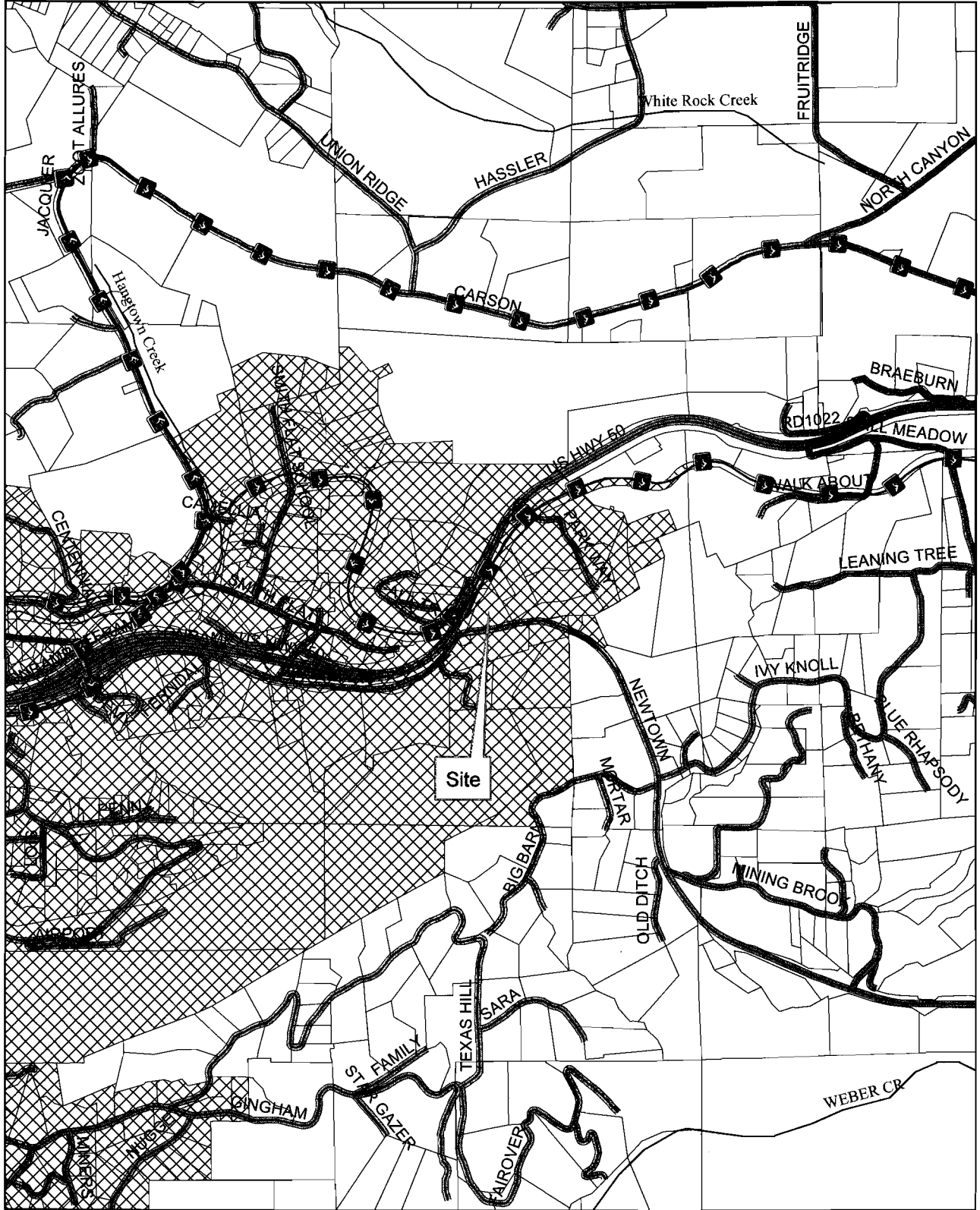
CAH:K

# General Plan Land Use Designation



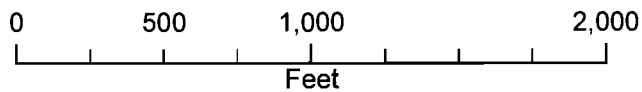
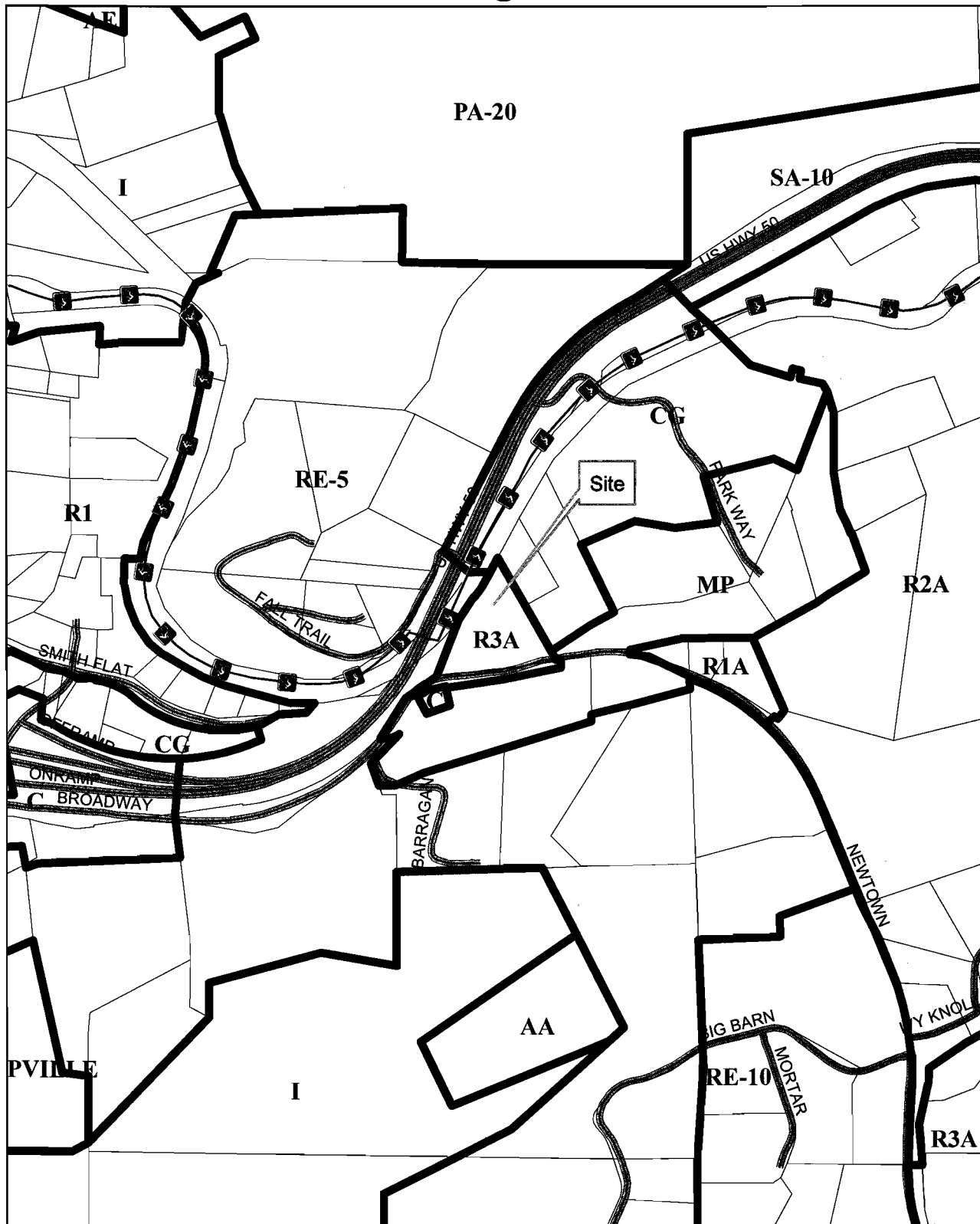
 Proposed Bike Plan


# General Plan Community Region Designation



-  Proposed Bike Plan
-  City of Placerville and Immediate Surroundings Community Region

# Zoning



 Proposed Bike Plan

|  |  |                               |           |  |  |                               |            |
|--|--|-------------------------------|-----------|--|--|-------------------------------|------------|
| JOHN CONFORTI &<br>4000 PLEASANT VALLEY RD.<br>EL DORADO, CA<br>(925) 623-6188 |  | percent, detailing<br>& notes | SITE PLAN | PROJECT<br>NEUTOWN ROAD<br>3201 Newtown Rd.<br>Placerville, CA | DRAWN BY: TWP<br>CHECKED BY: JWB<br>DATE: 07/16/07 | SHEET NO. 1<br>TOTAL SHEETS 1 | <b>SP1</b> |
|--|--|-------------------------------|-----------|--|--|-------------------------------|------------|

**CAPRETEL NOTICE**

THIS PROJECT IS A CAPRETEL PROJECT AS DEFINED BY THE CALIFORNIA CAPRETEL ACT, WHICH REQUIRES THE PROJECT TO BE REGISTERED WITH THE STATE OF CALIFORNIA. THE PROJECT IS REGISTERED UNDER THE FOLLOWING INFORMATION:

PROJECT NAME: NEUTOWN ROAD PROJECT

PROJECT NUMBER: 07-0016/Z-07-0051

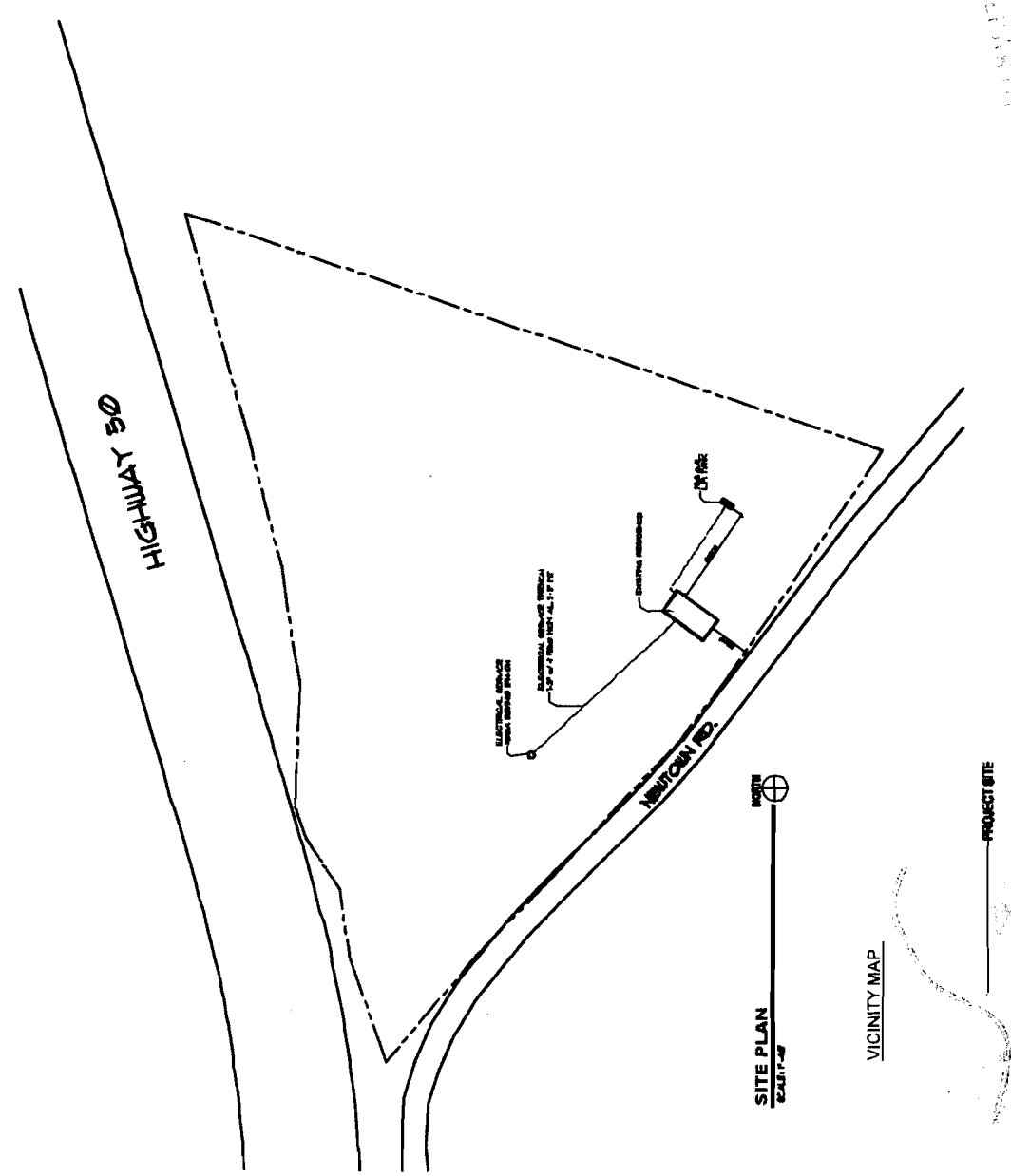
PROJECT LOCATION: NEUTOWN ROAD, PLACERVILLE, CALIFORNIA

PROJECT OWNER: JOHN CONFORTI & ASSOCIATES

PROJECT ENGINEER: JOHN CONFORTI, LICENSE NO. 45678

PROJECT DATE: 07/16/07

FOR MORE INFORMATION, PLEASE CONTACT THE PROJECT ENGINEER AT THE ABOVE ADDRESS OR TELEPHONE NUMBER.

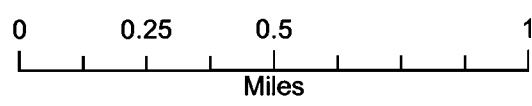
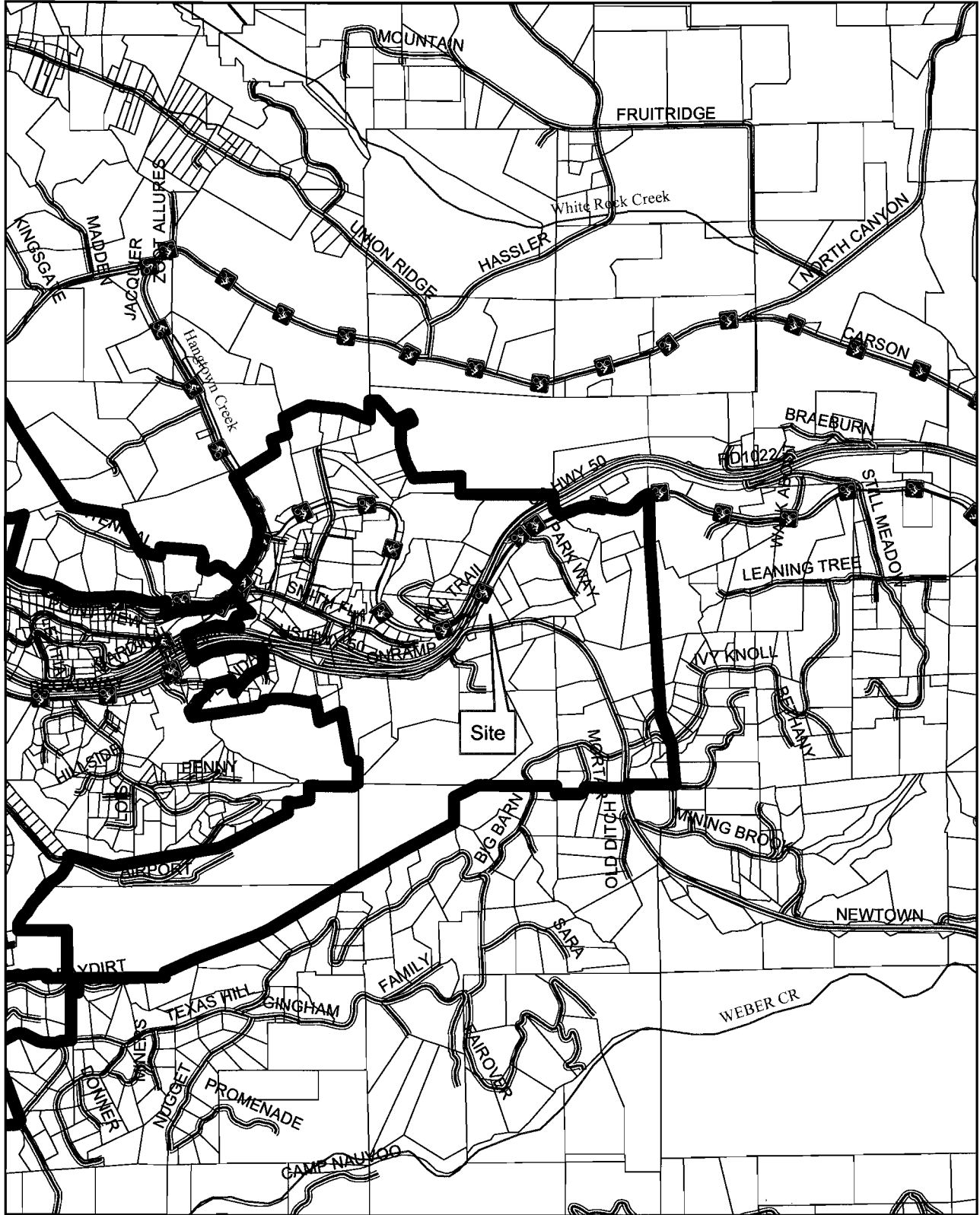




APN: 079-121-341

07-0016/Z-07-0051

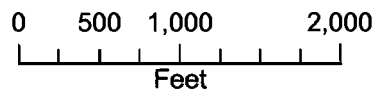
**A 07-0016/Z 07-0051**

# Placerville Sphere of Influence



-  City of Placerville Sphere of Influence
-  Proposed Bike Plan

# Placerville Airport Safety Zones

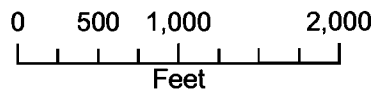
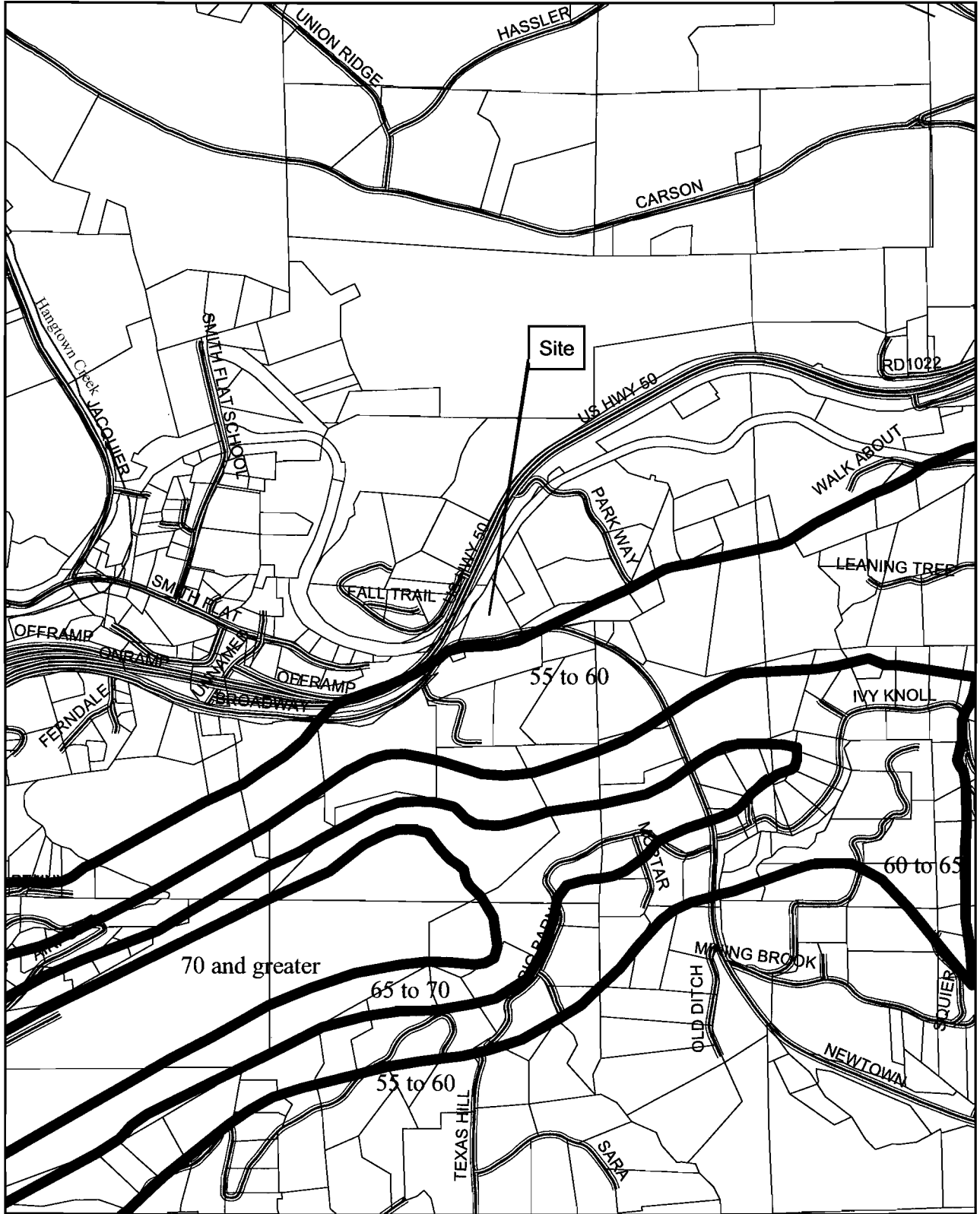


 Placerville Airport Safety Zones

**Exhibit I**

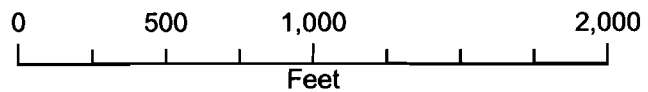
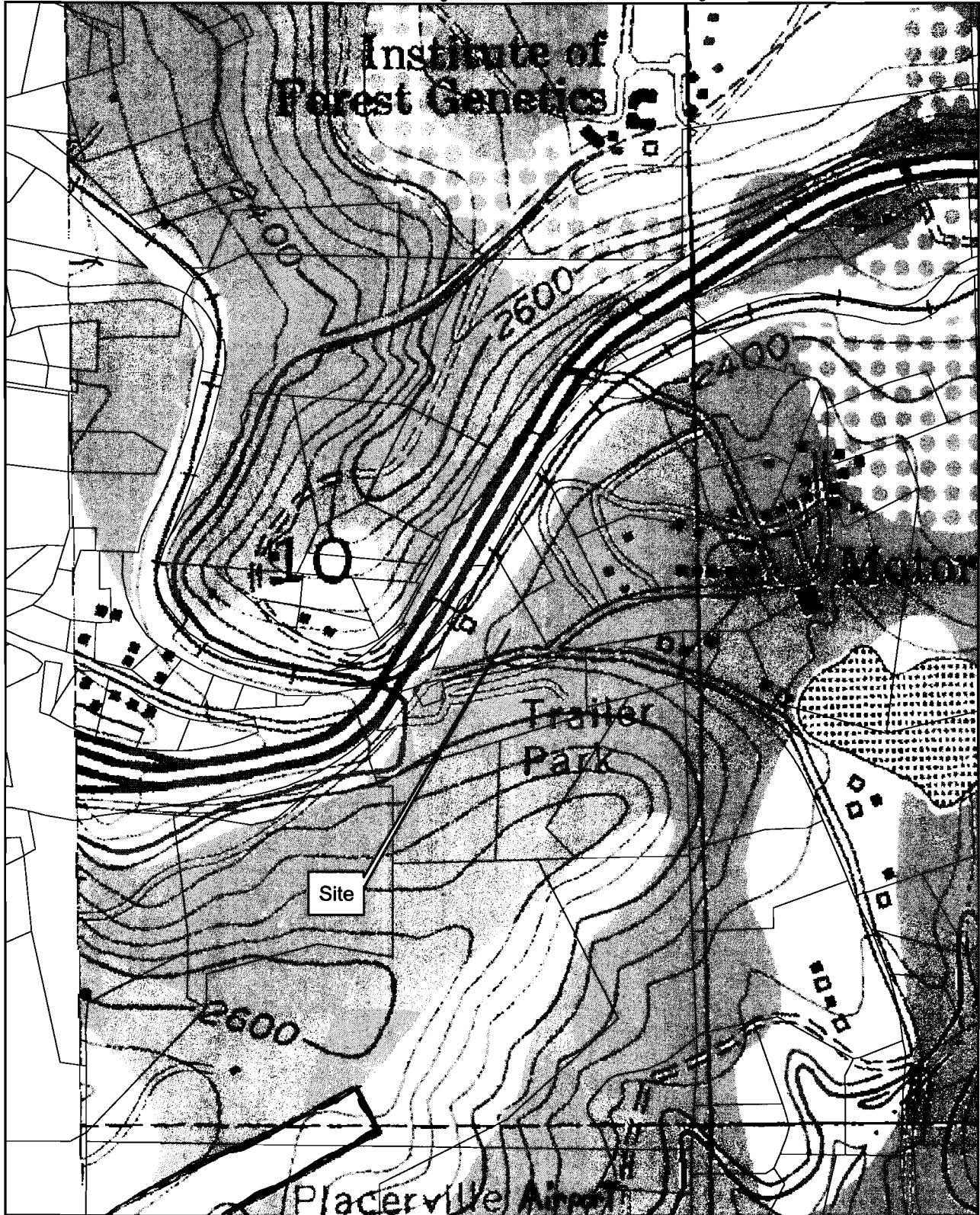


# Placerville Airport Decibel Ranges

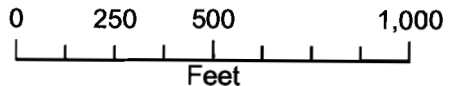
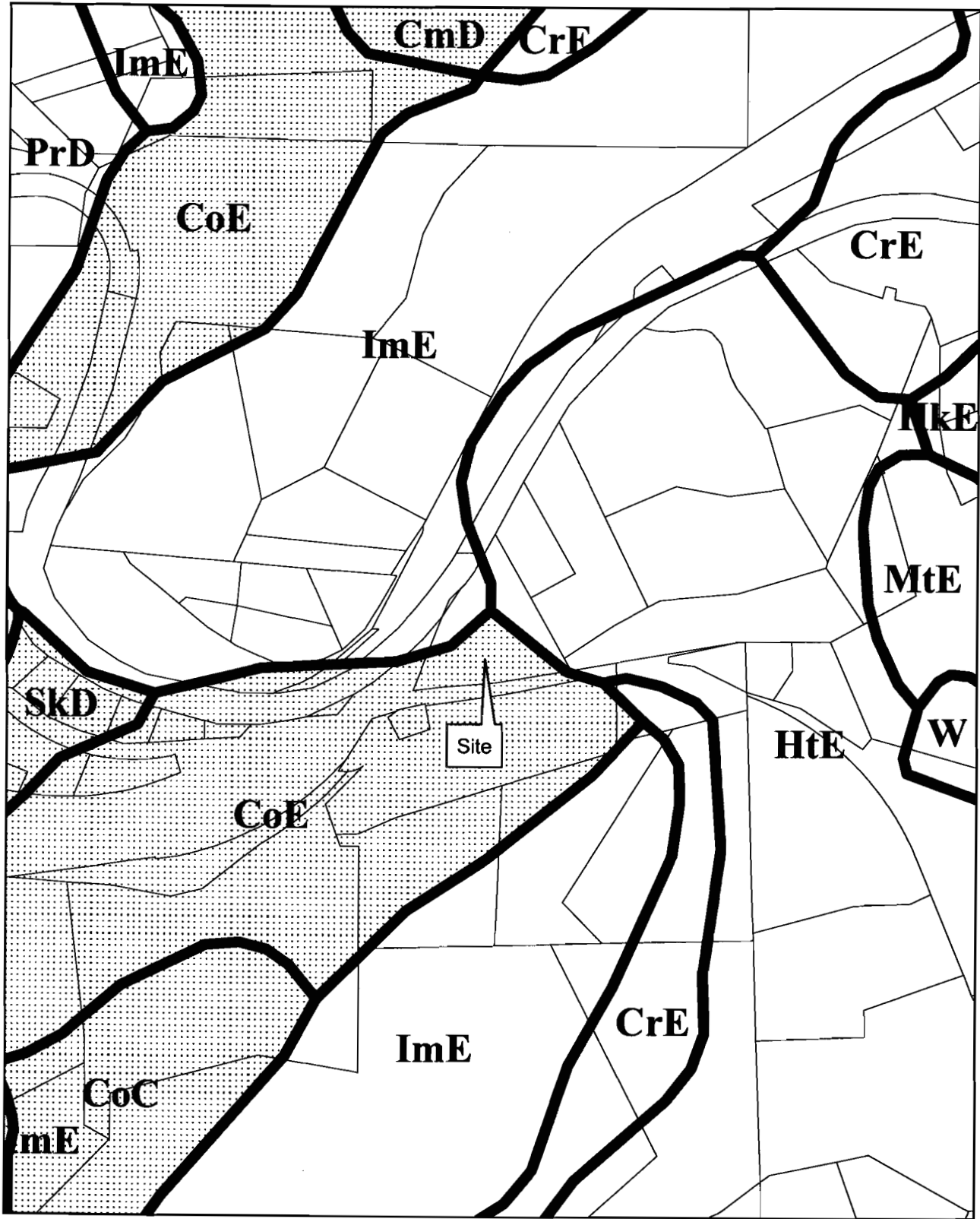


 Placerville CNEL Zones

# Camino U.S.G.S Quadrangle With El Dorado County Parcels Overlaid



# Soils



-  Soil Types
-  Choice Soils



Exhibit M1



Exhibit M2



**Comment:** Standing on Newtown Road looking east with unnamed access road encroachment on the left.



**Comment:** Standing on the unnamed access road turnaround looking southeast towards Newtown Road.



**Comment:** Standing on unnamed access road along eastern boundary looking southwest into the parcel's main access driveway.



**Comment:** Standing on the access driveway entrance looking southeast towards the existing residence.

0 50 100 200 300 400 Feet

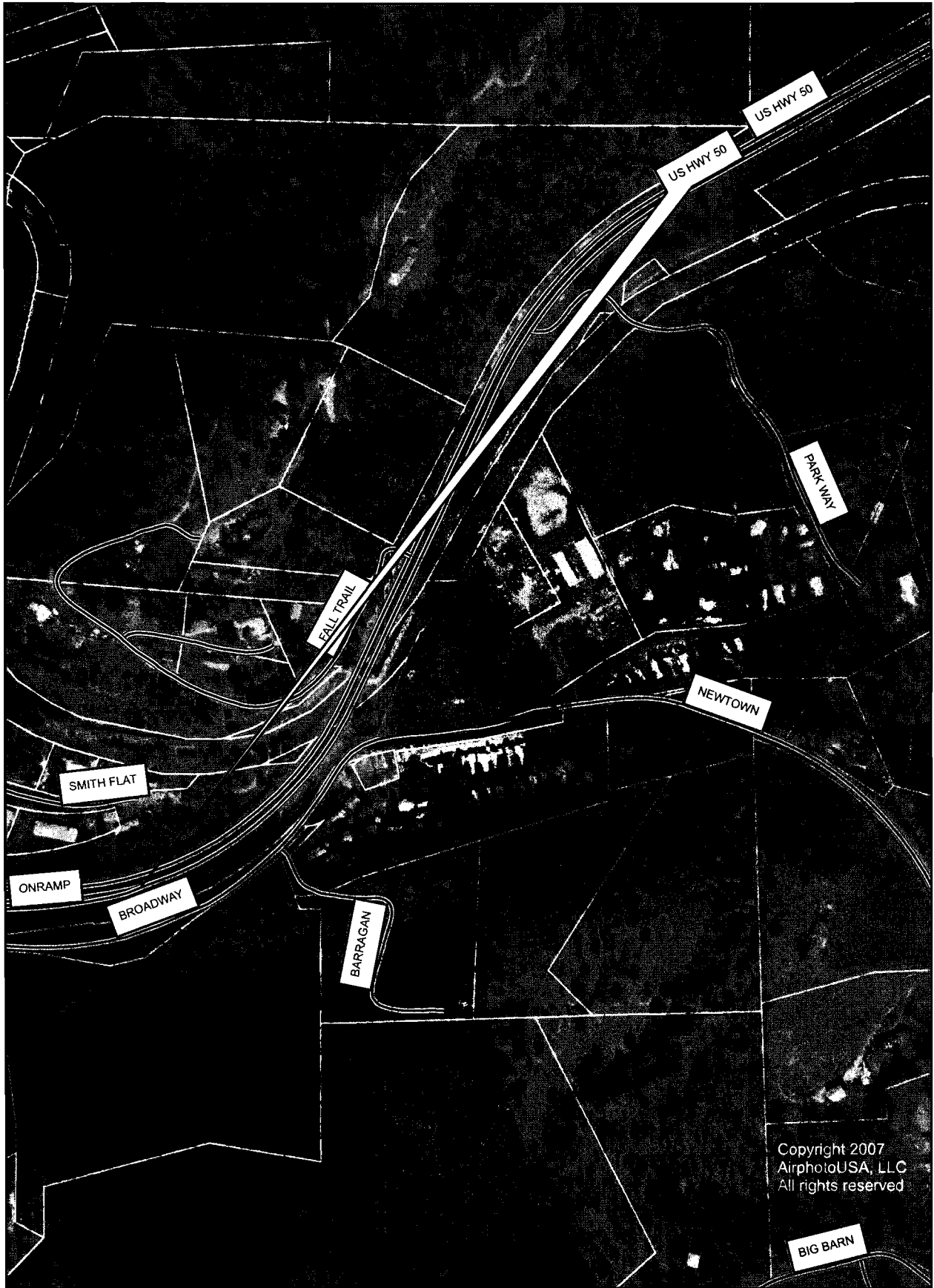


**Disclaimer:**

This depiction was compiled from unverified public and private sources and is illustrative only. No representation is made as to the accuracy of this information. Parcel boundaries are particularly unreliable. Users make use of this depiction at their own risk.



0 125 250 500 750 1,000 Feet



**Disclaimer:**

This depiction was compiled from unverified public and private sources and is illustrative only. No representation is made as to the accuracy of this information. Parcel boundaries are particularly unreliable. Users make use of this depiction at their own risk.

**Exhibit N2**



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

**DRAFT NEGATIVE DECLARATION**

**Project Title:** A07-0016, Z07-0051, General Plan Amendment/Rezone

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

**Contact Person:** Tom Dougherty

**Phone Number:** (530) 621-5355

**Property Owner's/ Applicant's Name and Address:** John Conforti/James and Donna Wunschel, 3071 Newtown Road, Placerville, CA 95667

**Project Location:** On the north side of Newtown Road approximately 0.25 mile east of the intersection with County Road 145 in the Placerville Periphery area, Supervisorial District III.

**Assessor's Parcel Number:** 048-280-33, 4.01 acres

**Zoning:** Single Family Three-acre Residential (R3A)

**Section:** 10      **T:** 10N **R:** 11E

**General Plan Designation:** Tourist Recreational (TR)

**Description of Project:** Amend the land use designation from Tourist Recreational (TR) to Commercial (C), and rezone from Single Family Three-acre Residential (R3A) to General Commercial – Design Control (CG – DC).

**Surrounding Land Uses and Setting:**

|        | <u>Zoning</u> | <u>General Plan</u> | <u>Land Use</u> (e.g., Single Family Residences, Grazing, Park, School)                                      |
|--------|---------------|---------------------|--|
| Site:  | R3A           | TR                  | Residential, single-family dwelling  |
| North: | CG            | C                   | U.S. Highway 50  |
| East:  | CG/MP         | C/MFR               | Commercial and residential, engineering company storage yard, landscape materials business, mobile home park |
| South: | MP/C - DC     | C/HDR               | Commercial and residential, restaurant, mobile home park   |
| West:  | RE-5          | MDR                 | U.S. Highway 50  |

Briefly Describe the environmental setting: The parcel adjoins U.S. Highway 50 on the north and west and is in total view from eastbound traffic. It is located at the 2,440-foot elevation above sea level and sits below the elevations of both U.S. Highway 50 and Newtown Road and slopes gently to the east. There is an existing 720 square-foot building that was relocated and remodeled for residential use. The eastern and northern portions have scattered native oaks and pines and the remainder is covered in non-native annual grasses. The majority of the parcel has been graded to some degree in the past. The current main access into the parcel is from an unnamed shared road on the east side of the parcel with no current permanent direct encroachment onto Newtown Road.

**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: \_\_\_\_\_

Printed Name: Tom Dougherty, Associate Planner For: El Dorado County

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: Pierre Rivas, Principal Planner For: El Dorado County

## **EVALUATION OF ENVIRONMENTAL IMPACTS**

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. 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 |
|--------------------------------|---|------------------------------|-----------|

**ENVIRONMENTAL IMPACTS**

|  |  |   |   |
|--|--|---|---|
| <b>I. AESTHETICS. <i>Would the project:</i></b>  |  |   |   |
| 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.

- a) **Scenic Vista:** The project site and vicinity is not identified by the County as a scenic view or resource (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). There would be no impact as a result of development of the proposed project as it is below the closest identified viewpoint in Camino Heights looking west to the Sacramento Valley. There would be no impact.
- b) **Scenic Resources:** The project site is located within a State Scenic Highway as U.S. Highway 50 is designated as a State Scenic Highway from the Placerville Drive Bridge to South Lake Tahoe however, there are no trees or historic buildings that have been identified by the County as contributing to exceptional aesthetic value at the project site (California Department of Transportation, California Scenic Highway Program, Officially Designated State Scenic Highways, p.2 (<http://www.dot.ca.gov/hq/LandArch/scenic/schwyl.html>)).
- c) The view into this new portion of the project from U.S. Highway 50 will be fully analyzed as to the landscaping, parking, lighting and other visual and aesthetic elements of a particular development plan during the Design Review process. Section 17.14.130 of the El Dorado County Zoning Ordinance requires multifamily and commercial development along a state highway to be reviewed by the Planning Commission. A Design Review application would be required for any future proposed development. The purpose of the review would be to ensure the proposed structures and associated development plan are in keeping with the architectural character of the neighborhood. Impacts would be less than significant.
- d) During the required Design Review process, all future outdoor lighting would conform to Section 17.14.170 of the County Code and would be fully shielded pursuant to the Illumination Engineering Society of North America (IESNA) full cut-off designation so as to minimize impacts from glare to less than significant.

**Finding:** No impacts to views and viewsheds would be expected with the proposed application and any future development plan proposal would be analyzed on its own merit upon submittal and review of a design review application. For this “Aesthetics” category, impacts would be less than significant.

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

| <b>II. AGRICULTURE RESOURCES. <i>Would the project:</i></b>  |  |  |   |
|--|--|--|---|
| 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) El Dorado County has established the Agricultural District (-A) General Plan land use overlay designation 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 there are no areas of “Prime Farmland” or properties designated as being within the Agricultural District (-A) General Plan land use overlay designation adjacent to the project site. The project would not result in the conversion of farmland to non-agricultural uses. There would be no impacts.
- b & c) The project would not conflict with existing zoning for agricultural use, and would not affect any properties under a Williamson Act Contract. No existing agricultural land would be converted to non-agricultural use as a result of the proposed request. There would be no impacts.

**Finding:** No impacts to agricultural land would occur and no mitigation is required. For this “Agriculture” category, there would be no impacts.

| <b>III. AIR QUALITY. <i>Would the project:</i></b>   |  |   |   |
|--|--|---|---|
| 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 |   |

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

| III. AIR QUALITY. <i>Would the project:</i>  |  |  |   |
|--|--|--|---|
| 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<sub>x</sub>, 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 PM<sub>10</sub>, CO, SO<sub>2</sub> and No<sub>x</sub>, as a result of construction or operation emissions, will result in ambient pollutant concentrations in excess of the applicable National or State Ambient Air Quality Standard (AAQS). Special standards for ozone, CO, and visibility apply in the Lake Tahoe Air Basin portion of the County; or
  - Emissions of toxic air contaminants cause cancer risk greater than 1 in 1 million (10 in 1 million if best available control technology for toxics is used) or a non-cancer Hazard Index greater than 1. In addition, the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.
- a) The El Dorado County/California Clean Air Act Plan has set a schedule for implementing and funding Transportation Control Measures to limit mobile source emissions. The proposed amendment and rezone would not conflict with or obstruct the implementation of this plan. There would be no impact.
- b, c )Currently, El Dorado County is classed as being in "severe non-attainment" status for Federal and State ambient air quality standards for ozone (O<sub>3</sub>). Additionally, the County is classified as being in "non-attainment" status for particulate matter (PM<sub>10</sub>) under the State's standards. The California Clean Air Act of 1988 requires the County's air pollution control program to meet the State's ambient air quality standards. The El Dorado County Air Pollution Control District (EDCAPCD) administers standard practices for stationary and point source air pollution control. Projected related air quality impacts are divided into two categories:
- Short-term impacts related to construction activities; and
  - Long-term impacts related to the project operation.

Short-term minor grading and excavation activities associated with any future proposed development would be required to comply with the El Dorado County Air Pollution Control District's permitting process requiring adherence to District Rule #223 for fugitive dust emissions. Additionally, a Fugitive Dust Prevention and Control Plan would need to be submitted prior to any grading.

Mobile emission sources such as automobiles, trucks, buses, and other internal combustion vehicles are responsible for more than 70 percent of the air pollution within the County, and more than one-half of

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

California's air pollution. In addition to pollution generated by mobile emissions sources, additional vehicle emission pollutants are carried into the western slope portion of El Dorado County from the greater Sacramento metropolitan area by prevailing winds. Impacts would be less than significant.

- d) Sensitive receptors include such groups as young children and the elderly and such sites as schools, hospitals, daycare centers, convalescent homes, and high concentrations of single-family residences. General Plan Policy 6.7.6.1 requires that the County ensure that new facilities in which sensitive receptors are located (e.g., schools, child care centers, playgrounds, retirement homes, and hospitals) are sited away from significant sources of air pollution. There is a mobile home park to the south across Newtown Road and that same park has a part of it to the east behind the current landscape material storage yard. Any future development proposal would be required to address possible pollution concentrations and the effect of a particular commercial proposal on this concentration of receptors during the required Design Review process. Impacts from the current applications are determined to be less than significant.
- e) The General Commercial zone district does not permit activities, which would not normally generate objectionable odors. Those activities, which might result in more than the minimal amount of objectionable odors, dust, or smoke, require the review and approval of a special use permit. The subsequent design review discretionary permit would require environmental review addressing the potential impacts resulting from the exact proposed activity that would be described in the development plan with that application and it would be determined at that time whether a special use permit would be more appropriate. For the subject proposals, 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 amendment and rezone would not directly impact air quality. Any future development proposal would have all potential environmental impacts analyzed during the required Design Review process. For this "Air Quality" category, impacts would be less than significant.

| <b>IV. BIOLOGICAL RESOURCES. <i>Would the project:</i></b>   |  |  |          |  |
|--|--|--|----------|--|
| 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? |  |  | <b>X</b> |  |
| 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?   |  |  | <b>X</b> |  |
| 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?   |  |  | <b>X</b> |  |
| 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?   |  |  | <b>X</b> |  |



|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

| <b>IV. BIOLOGICAL RESOURCES.</b> <i>Would the project:</i>   |  |  |          |
|--|--|--|----------|
| e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  |  |  | <b>X</b> |
| 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? |  |  | <b>X</b> |

**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) The project proposes no impacts to 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. The 4.012-acre parcel contains a 720 square-foot structure and is surrounded on all sides by roads. The northern and eastern portions contain scattered tree canopy but there are no wetland features except for the natural drainage swales that have no defined channels or high water marks on site. Any future development proposal would be further analyzed as to all potential environmental impacts to the existing tree canopy habitat during the required Design Review process. Impacts would be less than significant.
- b) The project proposes a less than significant impact to riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations by the California Department of Fish and Game. The site contains a man-made drainage channel from the existing dwelling and along the access driveway that has, for the most part, been buried underground in a culvert system. Best Management Practices (BMPs) will be designed during any future grading and improvement phase to limit the potential of surface run-off pre- and post-construction to meet County and Regional Water Quality Control Board (RWQCB) standards. All grading, drainage and construction activities associated with any future development plan proposal, including those necessary for road frontage improvements and those necessary to prepare and develop the site road access and turnaround, would be required to implement proper BMPs. There would be no impacts to oak woodland tree canopy with the approval of this project as none are to be removed. As a result, impacts would be less than significant.
- c) The project does not propose impacts to 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. The project site contains a drainage channel that does not qualify as jurisdictional waters of the US. The drainage channels existing on the site would be further protected by requiring proper grading and drainage design to include pre- and post-construction BMPs to reduce the level of run-off that may result from any future development project. Impacts would be less than significant.

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

- d) The project site contains non-native grasslands with the majority of the tree canopy located around the existing structure and in the northern portion. The current proposal would not directly create excessive uses that would significantly interfere 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 as there is no development plan that accompanies this request and any future plan would require Planning Commission review with a Design Review application submittal. Impacts would be less than significant.
- e) The project would not conflict with any local policies or ordinances protecting biological resources, such as the County’s oak woodland canopy preservation policy. All oak trees would be retained. There would be no direct impacts to oak woodland tree canopy from the subject applications. There would be adequate site area to make improvements to the existing driveways to comply with road standards and to make the necessary adjustments to the existing encroachments along the property for future development plans. There is an existing native oak canopy of approximately 60 percent and General Plan Policy 7.4.4.4 would require that 70 percent of that canopy be retained or shall be replaced using the requirements and options for Option B that would be applicable at the time when a specific Design Review application and development plan would be submitted. The direct impacts from the current applications would be less than significant.
- f) The project does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan. Impacts would be less than significant.

**Finding:** There would be a less than significant impact to listed local, state, or federal biological resources with this project. There would be no impact to recognized or defined jurisdictional waters of the US, wetlands, or watercourses. Appropriate buffers and project conditions to address surface run-off by incorporating proper BMPs will ensure the drainage channel would not significantly be affected by this project. There would be no significant impacts to biological resources, oak trees and/or oak woodland tree canopy. Any potential impact to biological resources would be further fully analyzed and mitigated during the required Design Review process. This Design Review process would require review by the Planning Commission, and would occur prior to the issuance of any building or grading permit for the subject 4.01-acre parcel. For this “Biological” category, and in reference to this amendment and rezone alone, impacts would be less than significant.

| <b>V. CULTURAL RESOURCES. <i>Would the project:</i></b>   |  |  |   |
|---|--|--|---|
| 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 |

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

**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;
- 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) The process for identifying historic resources is typically accomplished by applying the criteria for listing in the California Register of Historic Resources (CRHR) using four criteria listed in California Code of Regulations, Title 14 CCR, Section 4852. To be considered a *historical resource* under CEQA, *the resource must also have integrity, which is the authenticity of a resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Integrity is evaluated with regard to the retention, location, design, setting, materials, workmanship, feeling and association.*

A *Cultural Resources Inventory and Evaluation* report was completed for Assessor's Parcel Number 048-208-33 in July of 2007 by Trish Fernandez, M.A., RPA. The residence, mine tailings, Wiley Toll House foundation and rock outcropping were evaluated for their historic resource status. The existing residence and mine tailings were determined not to meet the California Register of Historic Resources (CRHR) eligibility criteria. General Plan Amendments and Rezone requests are legislative acts and conditions of approval cannot be put on them. The addition of the Design Control overlay to the base zone designation of General Commercial will assure that, prior to any initiation of further development of any kind on the subject parcel, a development plan would be required to be submitted for El Dorado County Planning Commission review of all impacts of that particular proposal on the significant cultural and historical resources within the parcel boundaries. The following were two important historical resources located within the subject parcel boundaries as determined by the *Cultural Resources Inventory and Evaluation* report:

The Wiley Toll House foundation was determined by the author of the report to be eligible for the CRHR. The site was not fully examined for its archeological potential because the subject applications do not involve ground-disturbing actions however; the author recommended that the following be done prior to the approval of any Design Review application proposal for any future development permit:

1. *A 100-foot buffer zone be physically established around the toll house foundation to protect it from inadvertent disturbance.*
2. *If any further actions are proposed that could impact the resource, it is recommended that the site be investigated for its archeological potential and that a complete and formal evaluation be conducted to include a discussion of applicable research themes, the presentation of comparative studies, and archeological excavation and analysis.*

The author of the report recommended the following for the Rock Outcrop because of the historical significance to local Native American people:

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

3. *The area north of the tailings should be left in its natural state and the applicants should follow up with the Miwok Tribe of the El Dorado Rancheria through their chairperson to negotiate the parameters within which designated members of the tribe may come to bless the site periodically.*
4. *If any future actions are proposed that are proposed on the parcel that have the potential to change the natural setting of the outcrop or impact it physically in any other way, it is recommended that additional consultation be conducted by an individual trained specifically as an ethnographer. This additional consultation should result in a thorough documentation and assessment of the outcrop's importance and an evaluation and an evaluation of its eligibility for listing in the CRHR.*

Because of the common possibility that any parcel in the County may turn up archeological finds during grading, any future Design Review application/proposal would be recommended to be conditioned with the following condition:

*In the event of the discovery of human remains, all work would be required to stop and the County Coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains would be completed consistent with guidelines of the Native American Heritage Commission. The project grading plans would include this mitigation on the plans. The Planning Department would review the grading plans prior to issuance of a grading permit.*

**Finding:** Based upon the cultural resource survey prepared for the site, and the fact any future development of the subject 4.01-acre parcel would require further review under the Design Review process, for this General Plan amendment and rezone request, and in particular for this "Cultural Resources" category, impacts would be less than significant.

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

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

| VI. GEOLOGY AND SOILS. <i>Would the project:</i>   |  |  |   |
|--|--|--|---|
| 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:

- Allow substantial development of structures or features in areas susceptible to seismically induced hazards such as groundshaking, liquefaction, seiche, and/or slope failure where the risk to people and property resulting from earthquakes could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards;
  - Allow substantial development in areas subject to landslides, slope failure, erosion, subsidence, settlement, and/or expansive soils where the risk to people and property resulting from such geologic hazards could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards; or
  - Allow substantial grading and construction activities in areas of known soil instability, steep slopes, or shallow depth to bedrock where such activities could result in accelerated erosion and sedimentation or exposure of people, property, and/or wildlife to hazardous conditions (e.g., blasting) that could not be mitigated through engineering and construction measures in accordance with regulations, codes, and professional standards.
- a) There are no Earthquake Fault Zones subject to the Alquist-Priolo Earthquake Fault Zoning Act (formerly Special Studies Zone Act) in El Dorado County. No other active or potentially active faults have been mapped at or adjacent to the project site where near-field effects could occur. There would be no impact related to fault rupture. There are no known faults on the project site, however, the project site is located in a region of the Sierra Nevada foothills where numerous faults have been mapped. All other faults in the County, including those closest to the project site are considered inactive. (California Department of Conservation, California Geological Survey, Mineral Land Classification of El Dorado County, California, CGS Open-File Report 2000-03, 2001). Impacts would be less than significant.
- b & c) **Soil Erosion and loss of topsoil.** All grading activities exceeding 50 cubic yards of graded material or grading completed for the purpose of supporting a structure must meet the provisions contained in the *County of El Dorado - Grading, Erosion, and Sediment Control Ordinance* Adopted by the County of El Dorado Board of Supervisors, 3-13-07 (Ordinance #4719). This ordinance is designed to limit erosion, control the loss of topsoil and sediment, limit surface runoff, and ensure stable soil and site conditions for the intended use in compliance with the El Dorado County General Plan. During future site grading and construction of foundations and other site improvements, there is potential for erosion, changes in topography, and unstable soil conditions. The issuance of a grading permit would address potential impacts. Impacts would be less than significant.

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

- d) **Expansive soils** are those that greatly increase in volume when they absorb water and shrink when they dry out. The central half of the County has a moderate expansiveness rating while the eastern and western portions are rated low. These boundaries are very similar to those indicating erosion potential. When buildings are placed on expansive soils, foundations may rise each wet season and fall each dry season. This movement may result in cracking foundations, distortion of structures, and warping of doors and windows. Pursuant to the U.S.D.A. Soil Report for El Dorado County, the site contains three soil types including Cohasset cobbly loam (CoE), Iron Mountain very rocky sandy loam (ImE) and Hotaw very coarse sandy loam (HtE) which all have low to moderate shrink swell capacity. Table 18-1-B of the Uniform Building Code establishes a numerical expansion index for soil types ranging from very low to very high. Impacts would be less than significant.
- f) An existing drip-type septic facility exists for the 720 square-foot residential building previously approved by the County in 2006 for which the Environmental Management Health Division requires an annual review and approval to establish it is functioning properly. While the Environmental Health Division noted that due to poor site conditions future development could be limited, they would review specific septic designs that would accompany future development plans during the Design Review process to ensure that the final septic disposal design meets County standards prior to issuance of a development permit. For the subject application requests, impacts would be less than significant.

**Finding:** Based on the review of information about the on-site soil conditions, a less than significant level of impact would result from any geological or seismic conditions that could have the potential to affect this property. Review of grading, building, and/or construction plans would include grading design and shall address BMPs and UBC Seismic IV construction standards in order to address any potential impacts in the 'Geology and Soils' category. As such, impacts within this category would be less than significant.

| <b>VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i></b> |   |  |   |   |
|--|---|--|---|---|
| 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 |   |

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

| <b>VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i></b>   |  |  |   |
|--|--|--|---|
| g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  |  |  | X |
| h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? |  |  | X |

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

- Expose people and property to hazards associated with the use, storage, transport, and disposal of hazardous materials where the risk of such exposure could not be reduced through implementation of Federal, State, and local laws and regulations;
  - Expose people and property to risks associated with wildland fires where such risks could not be reduced through implementation of proper fuel management techniques, buffers and landscape setbacks, structural design features, and emergency access; or
  - Expose people to safety hazards as a result of former on-site mining operations.
- a) The proper use and storage of any hazardous material or substances would limit exposure and the potential for explosion or spills. If explosives would be used in the future for road or site construction, such activity would only occur in conformance with State and County applicable laws. In this case, the El Dorado County Hazardous Waste Management Plan serves as the implementation program for the management of any hazardous wastes in order to protect the health, safety, and property of residents in the vicinity of the project. Any future development proponent would be required under State and local law to provide a Hazardous Materials Management Plan for the site. This plan would identify the location of all hazardous and toxic materials and provide a plan of action in the event of a spill or leak of hazardous materials. This compliance would mitigate the potentially significant impact to a less than significant level. Any future development proponent will also be required to comply with applicable provisions of Title 49 Code of Federal Regulations Parts 100-185 and all amendments through September 30, 2001 (Hazardous Materials Regulations). Impacts from the current proposal would be less than significant.
  - b) No significant amounts of hazardous materials are projected to be utilized for the project. The amendment and rezone would not directly result in any reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Impacts would be less than significant.
  - c) There are no existing or proposed school sites within 0.25 mile of the proposed project. There would be no impact.
  - d) There are no hazardous material sites in the project vicinity that have been identified on the Facility Inventory Data Base: Hazardous Waste and Substances Sites List compiled pursuant to California Government Code 65962.5. El Dorado County Environmental Management Hazardous Materials Division would require that any Phase I site assessments be updated and submitted for review prior the review of any future Design Review application proposal. If any potential impacts are identified from agricultural, mining, commercial or other

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

historical uses, a Phase II site assessment would be conducted under permit issued by the Division. If significant contamination is discovered, appropriate remedial action would be conducted under permit issued by the Division. As for the subject application requests, impacts would be less than significant.

- e & f) The project parcel is located within the Placerville Airport Comprehensive Land Use Plan area and is located approximately 1,750 feet to the northeast of the airport and the flight landing and take-off zone. The subject parcel is located within Safety Zone 3 and just outside the 55 to 60 decibel Community Noise Equivalent Level (CNEL) boundary line. As such, there is no significant safety hazard resulting from private airport operations and aircraft overflights in the vicinity of the project site. The subject applications would have a less than significant impact.
- g) The proposed project would not physically interfere with the implementation of the County adopted emergency response and/or evacuation plan for the County. This is based on the location of the nearest fire station, availability of multiple access points to the project site, availability of water for fire suppression and provisions within the County emergency response plan. The County emergency response plan is overseen by the County Sheriff's Department. Impacts would be less than significant.
- h) The El Dorado County Fire Protection District reviewed the project and did not find that the proposed project would expose people to a significant risk of loss, injury or death involving wildland fires or wildland fires adjacent to or located in an urbanized area. Impacts would be less than significant.

**Finding:** No Hazards or Hazardous conditions are expected because of the amendment and rezone alone. Any future development proposal would have all potential environmental impacts analyzed further during the required Design Review process. For this "Hazards" category, impacts would be less than significant.

| <b>VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i></b>   |  |  |   |
|---|--|--|---|
| a. Violate any water quality standards or waste discharge requirements?   |  |  | X |
| b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? |  |  | X |
| c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or -off-site?   |  |  | X |
| d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?   |  |  | X |
| e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?   |  |  | X |



|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

| <b>VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i></b>  |  |  |   |
|--|--|--|---|
| 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 |

**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 stormwater pollutants) in the project area; or
  - Cause degradation of groundwater quality in the vicinity of the project site.
- a) Any future grading or improvement plans for this project would be reviewed by the El Dorado County Department of Transportation engineering staff, as well as Development Services staff to ensure that such plans are prepared to conform to County of El Dorado *Design and Improvement Standards Manual*, the *Grading and Erosion and Sediment Control Ordinance*, the *Drainage Manual*, and the *Off-Street Parking and Loading Ordinance*. All stormwater and sediment control methods must meet the *Grading, Erosion and Sediment Control Ordinance*. The project would be required to provide pre- and post- construction BMPs for run-off prior to the approval of grading, improvement and/or building activities. Staff would require that any such BMPs meet County standards which include RWQCB standards for run-off. Impacts would be less than significant.
- b) El Dorado County lies within the Central Sierra Nevada geomorphic province. The geology of the Western Slope portion of El Dorado County is principally hard crystalline, igneous or metamorphic rock overlain with a thin mantle of sediment or soil. Groundwater in this region is found in fractures, joints, cracks, and fault zones within the bedrock mass. These discrete fracture areas are typically vertical in orientation rather than horizontal as in sedimentary or alluvial aquifers. Recharge is predominantly through rainfall infiltrating into the fractures. Movement of this groundwater is very limited due to the lack of porosity in the bedrock. There are 357 defined groundwater basins in California, but no designated basins are identified in El Dorado County. No development plan accompanies the subject requests and thus the percolation and infiltration that exists today would not change. Potable water is currently supplied by the El Dorado Irrigation District for the existing residential

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

building. Any future development analyzed through the Design Review process that would need additional water from them for a specific change in the commercial use would need a letter from them proving that there was enough water to serve the proposal. Impacts would be less than significant.

- c – e) The project would be subject to conditions of approval that would separate runoff for any future specific commercial proposal on the site pursuant to the County’s Storm Water Management Plan. Compliance with the Plan as well as the *Grading, Erosion and Sediment Control Ordinance’s* Best Management Practices would reduce construction erosion and operational runoff to less than significant.
- g – i) The FEMA Flood Insurance Rate Map, Panel No. 060040-0775B, dated October 18, 1983, establishes that the subject 4.01-acre portion is within Flood Zone “C”, area of minimal flooding. There would be no impacts.
- j) A seiche is a water wave within an enclosed body of water such as a lake or reservoir usually generated by an earthquake or landslide. A tsunami is a wave generated from earthquake activity on the ocean floor. The potential for a seiche or tsunami is considered less than significant. A mudflow usually contains heterogeneous materials lubricated with large amounts of water often resulting from a dam failure or failure along an old stream course. As the project’s operational facilities are sited outside of the 100-year event, there would be no impact.

**Finding:** No significant hydrological impacts would be directly expected from this amendment. Any future development proposal would have all potential environmental impacts analyzed further during the impacts would be less than significant.

| <b>IX. LAND USE PLANNING. <i>Would the project:</i></b>  |  |  |   |
|--|--|--|---|
| 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) The proposed project would not physically divide an established community as it is essentially on an island of land that is surrounded by roads and commercial uses to the south and east and U.S. Highway 50 to the north.

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

The existing mobile home park has existed amongst the commercial uses for many years. Any future proposed use would have any potential impacts on that mobile home community at the time of the Design Review application submitted with any future development plan. The subject applications would have less than significant impacts on the current surrounding land uses.

- b) Any future development proposal would have all potential environmental impacts analyzed further during the required Design Review process. The amendment and rezone request would be consistent with the specific, fundamental, and mandatory land use development goals, objectives, and policies of the 2004 General Plan, and would be consistent with the development standards contained within the El Dorado County Zoning Ordinance.
- c) As noted in Item IV (Biological Resources), the project site is not located in an ecological preserve mitigation area established for the Pine Hill rare plants or red-legged frog core area. The project would not conflict with any known habitat conservation plan.

**Finding:** No significant impacts would be expected directly from this amendment to any current land use policies and rezoning to commercial uses. Any future development proposal would have all potential environmental impacts analyzed further during the required Design Review process. For this “Land Use Planning” category, impacts would be less than significant.

|   |  |  |  |          |
|---|--|--|--|----------|
| <b>X. MINERAL RESOURCES. <i>Would the project:</i></b>  |  |  |  |          |
| 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?                                |  |  |  | <b>X</b> |
| 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? |  |  |  | <b>X</b> |

**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) The project site is not mapped as a known Mineral Resource Zone (MRZ) by the State of California Division of Mines and Geology as shown on the Folsom, Placerville, Georgetown, and Auburn 15-minute Mineral Resource Zone quadrangles or by El Dorado County as depicted on the 1996 General Plan Exhibit V-7-4 and 2004 General Plan Exhibit 5.9-6. It can be found that no potential mining of important mineral resources would be prevented by the proposed amendment. There would be no impact.
  - b) The western portion of El Dorado County is divided into four 15-minute quadrangles (Folsom, Placerville, Georgetown, and Auburn) mapped by the State of California Division of Mines and Geology showing the location of Mineral Resource Zones (MRZ). Those areas which are designated MRZ-2a contain discovered mineral deposits that have been measured or indicate reserves calculated. Land in this category is considered to contain mineral resources of known economic importance to the County and/or State. Review of the mapped areas of the County indicates that the subject property does not contain mineral resources of known local or

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

statewide economic value, but as stated above, it can be determined that this specific site does not contain them. There would be no impact.

**Finding:** No direct significant impacts are expected with the proposed amendment to any current land use policies. For this “Mineral Resources” category, the thresholds of significance have not been exceeded.

| <b>XI. NOISE.</b> <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 people residing or working in the project area to excessive noise levels?   |  |  | X |

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

- 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) The portion could potentially have a future project proposed that has a use listed under Table 6-1 of the General Plan as being a use subject to maximum allowable noise exposures from transportation sources such as U.S. Highway 50, and Table 6.3 for noises emulating outward towards the mobile home park. As such, an acoustical analysis would potentially be required for noise inward and outward depending on the proposal for any future development proposal. Those impacts would be analyzed during the Design Review process that would be required for any future specific development plan proposal. For the current applications, impacts would be less than significant.

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

- b – d) Short-term noise impacts may be associated with excavation, grading, and construction activities in the project vicinity during developments. El Dorado County requires that all construction vehicles and equipment, fixed or mobile, be equipped with properly maintained and functioning mufflers. All construction and grading operations would be required to comply with the noise performance standards contained in the General Plan. All storage, stockpiling and vehicle staging areas would be required to be located as far as practicable from any residential areas. Impacts would be less than significant.
- e) General Plan Policy 6.5.2.1 requires that all projects, within the 55 dB/CNEL contour of a County airport shall be evaluated against the noise guidelines and policies in the applicable Comprehensive Land Use Plan (CLUP). In this case, the project site is located just outside the defined 55dB/CNEL noise contour of the Placerville Airport facility. Impacts would be less than significant.
- f) The proposed project is located in the vicinity of the Placerville Airport which is a public airstrip, not private. As such, the project will not be subjected to excessive noise from a private airport. There would be no impact.

**Finding:** No significant impacts to or from noise is expected directly as a result of this amendment and rezone proposal. Any future development proposal would have all potential environmental impacts analyzed further during the required Design Review process. For this “Noise” category, impacts would be less than significant.

| <b>XII. POPULATION AND HOUSING. <i>Would the project:</i></b>   |  |  |   |
|---|--|--|---|
| 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:

- 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) The proposed amendment and rezone would not induce growth directly or indirectly by providing infrastructure that would create development beyond what is currently anticipated in the General Plan. The amended land use and rezone to commercial, in keeping with Policy 2.2.1.2, gives the subject parcel portion the potential to offers uses that would benefit the local residents. There would be a less than significant impact.
- b – c) The proposed project would not displace people or existing housing, which would require the construction of replacement housing elsewhere as the parcel adjoins U.S. Highway 50 which would not be an appropriate place for residential land use because of noise issues. The current zoning would only permit one primary

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

residential unit and a potential secondary residential unit but both would need excessive mitigations to be permitted in this location. There would be no impact.

**Finding:** There is no potential for a significant impact due to substantial growth with the amendment and rezone either directly or indirectly. Any future development proposal would have all potential environmental impacts analyzed further during the required Design Review process. For this "Population and Housing" category, impacts would be less than significant.

|   |  |  |   |   |
|---|--|--|---|---|
| <b>XIII. PUBLIC SERVICES.</b> <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.
- a) **Fire Protection:** El Dorado County Fire Protection District currently provides fire protection services to the project area. The District was solicited for comments to determine compliance with fire standards, El Dorado County General Plan, State Fire Safe Regulations as adopted by El Dorado County and the California Uniform Fire Code. The District did not respond with any concerns that the level of service would fall below the minimum requirements as a result of the proposed amendment and rezone. The impacts would be less than significant.
- b) **Police Protection:** The project site would be served by the El Dorado County Sheriff's Department with a response time depending on the location of the nearest patrol vehicle. The minimum Sheriff's Department service standard is an 8-minute response to 80% of the population within Community Regions. The Sheriff's Department stated goal is to achieve a ratio of one sworn officer per 1,000 residents. The amendment and

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

rezone would not significantly impact current Sheriff's response times to the project area. The impacts would be less than significant.

- c) **Schools:** The State allows school districts to directly levy fees on new residential and commercial/industrial development. These fees are collected at the time of building permit submittal and are designed to provide funds to acquire and construct additional facility space within impacted school districts. The project proposal would not directly generate the need for additional school facilities and would not impact school enrollment, as the project would not result in a dominant residential component. There would be no impact.
- d) **Parks:** Section 16.12.090 of the County Code establishes the method to calculate the required amount of land for parkland dedication, and the in-lieu fee. Provisions to provide parkland were not included as part of the proposal in accordance with Section 16.12.090 of County Code. The project proposal would not increase the demand for parkland. There would be no impact.
- e) **Other Facilities:** No other public facilities or services would be directly impacted by the project. The impacts would be less than significant.

**Finding:** As discussed above, no significant impacts are expected to public services with the amendment and rezone proposal. Any future development proposal would have all potential environmental impacts analyzed further during the required Design Review process. For this "Public Services" category, impacts would be less than significant.

| <b>XIV. RECREATION.</b>  |  |  |  |          |
|--|--|--|--|----------|
| 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? |  |  |  | <b>X</b> |
| 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?                        |  |  |  | <b>X</b> |

**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) The land use amendment and rezone to commercial would have no impact on the use of recreational facilities in the area, nor does it include the construction or expansion of recreational facilities in its proposal. There would be no impact.

**Finding:** No significant impacts to recreation and open space resources would be expected from the subject amendment and rezone either directly or indirectly. For this "Recreation" category, there would be no impact.

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

| <b>XV. TRANSPORTATION/TRAFFIC. <i>Would the project:</i></b>   |  |   |   |
|--|--|---|---|
| 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) Access to the site is off of Newtown Road which is maintained by the El Dorado County Department of Transportation. Impacts of adding 4.01 acres of commercial land use to Market Area #4, Placerville/Camino, would amount to approximately a one percent increase to the Market area which could be considered a less than significant impact. (El Dorado County General Plan E.I.R., Table 3-5, page 3-29, EDAW, May, 2003). Specific traffic impacts from the future development of the site would be addressed during the required Design Review process. Impacts would be less than significant.
- c) The project would not result in a major change in established air traffic patterns as the project site is northeast of the traffic pattern of Placerville Airport and lower in elevation. There would be no impact.
- d - f) The primary access to the project parcel is via an existing encroachment onto an unnamed road adjoining the eastern parcel boundary which encroaches onto Newtown Road. There is a secondary dirt-road access directly off of Newtown Road not used as an access to the existing residential building. Any future development proposal would have all potential environmental impacts analyzed further during the required



|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

Design Review process and would be required allow sufficient room for emergency vehicle turn-around as directed during that review process. All parking would be required to comply with Chapter 17.18 of the County Code. Impacts would be less than significant.

- g) The proposed project does not conflict with the adopted General Plan policies, and adopted plans, or programs supporting alternative transportation. There would be no impact.

**Finding:** As discussed above, no significant traffic impacts directly expected with amendment of the land use and rezone to commercial. Any future development proposal would have all potential environmental impacts analyzed further during the required Design Review process. For this "Transportation/Traffic" category, impacts would be less than significant.

| <b>XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i></b>  |  |  |   |
|---|--|--|---|
| 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 |

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

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

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

- Result in demand for expansion of power or telecommunications service facilities without also including provisions to adequately accommodate the increased or expanded demand.
- a, e) Any future septic system would be reviewed by the Environmental Health Division to insure adequacy in meeting the standards of the El Dorado County Sewage Disposal Ordinance prior to issuance of a building permit. There is no evidence indicating the amendment of the land use and rezone to commercial would violate any water quality standards or waste discharge requirements established by the RWQCB. Impacts would be less than significant.
- b) Any new water or expansions of existing well and septic facilities would be reviewed by El Dorado County Environmental Management Department during the processing of any future Design Review permit and the building permit. Impacts would be less than significant.
- c) All new stormwater drainage facilities or expansion of existing facilities proposed by any future commercial project would be reviewed by El Dorado County Department of Transportation with the applicant's grading permit. Impacts would be less than significant.
- d) The availability of potable water would be further analyzed during any future development proposal and would have all potential environmental impacts analyzed further during the required Design Review process. Impacts would be less than significant.
- f) 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.) are allowed to be dumped at the Union Mine Waste Disposal site. All other waste 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. This facility would have more than sufficient capacity to serve the County for the next 30 years. Impacts would be less than significant.
- g) County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient storing, collecting, and loading of solid waste and recyclables. For commercial development some on-site separation of materials and areas would be required to be set aside for the storage of solid waste in accordance with Ordinance No. 4319. Chapter 8.42.640C of the county Ordinance requires that solid waste, recycling and storage facilities would be reviewed and approved by the County prior to building permit issuance and examined during the Design Review process prior to that. Impacts would be less than significant.
- h) Power and telecommunication facilities are available at the project site. The power demands of a future proposed use would be accommodated through connection to existing lines, which are available at the parcel. Impacts would be less than significant.

**Finding:** No significant utility and service system impacts would be directly expected by amending the land use and rezoning to commercial. Any future development proposal would have all potential environmental impacts analyzed further during the required Design Review process. For this "Utilities and Service Systems" category, impacts would be less than significant.

|                                |   |                              |           |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

**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 |  |

**Discussion:**

- a) This amendment of the land use designation and rezone to commercial would not directly have the potential to significantly degrade the quality of the environment, including effects on animals or plants. Both short-term and long-term environmental effects directly associated with this amendment, in and of itself, would be less than significant. Any potentially significant impacts would be reduced through compliance with existing standards and requirements.
- b) Cumulative impacts are defined in Section 15355 of the CEQA Guidelines as two or more individual effects, which when considered together, are considerable or which compound or increase other environmental impacts. Based on the analysis in this Initial Study it has been determined that the project would not result in cumulative impacts. Impacts would be less than significant.
- c) Based upon the discussion contained in this document it has been determined that the proposed amendment would not have any environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly (no impacts identified, or mitigation has been included in the project design to reduce the impact). Any future development proposal would have all potential environmental impacts analyzed further during the required Design Review process. Impacts would be less than significant.

**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* Adopted by the County of El Dorado Board of Supervisors, 3-13-07 (Ordinance #4719)

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.)

*A Cultural Resources Inventory and Evaluation* report was completed for Assessor's Parcel Number 048-208-33 in July of 2007 by Trish Fernandez, M.A., RPA