

## **FINDINGS**

### **Design Review Permit Revision DR-R24-0001/Carson Road ARCO Canopy Extension Planning Commission/June 12, 2025**

#### **1.0 CEQA FINDINGS**

1.1 This project has been found to be Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to two Guideline sections:

- 1) Section 15311 (Class 11 Accessory Structures), Class 11 consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, and
- 2) Section 15301 (e), Existing Facilities, (Class 1) describing “Additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition.”

The project proposes to increase the existing overhead canopy and a ground-level concrete slab by 720 square feet, add one (1) additional fuel dispenser, remove 14 square feet of existing landscaping and replace with 18 square feet of landscaping, and remove and relocate one (1) air and water dispenser. As proposed, the project is consistent with both exemption classifications under CEQA. Furthermore, the project does not qualify for any of the exceptions to the categorical exemptions found in CEQA Guidelines Section 15300.2, as described below:

Exception (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. The exemption is Class 1; therefore, this exception does not apply.

Exception (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. The proposed project does not anticipate further development. Therefore, this exception does not apply.

Exception (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances at the location of this proposed project; therefore, this exception does not apply.

Exception (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified Environmental Impact Report (EIR). The proposed structural addition to the existing canopy would be constructed further north, away from the highway and would not significantly degrade the viewshed from U.S. Highway 50 or damage scenic resources in the area.

Exception (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. The project site does not include historical resources. Therefore, this exception does not apply.

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

## **2.0 GENERAL PLAN FINDINGS**

### **2.1 The project is consistent with General Plan Policy 2.1.2.3.**

To meet the commercial and service needs of the residents of the Rural Centers and Rural Regions, the predominant land use type within Rural Centers shall be commercial and higher density residential development.

Rationale: The project proposes to make minor exterior alterations and improvements to existing facilities in support of an existing commercial business located within the Camino Rural Center. The project is consistent with this policy.

### **2.2 The project is consistent with General Plan Policy 2.2.1.2.**

The purpose of the Commercial land use designation is to provide a full range of commercial retail, office, and service uses to serve residents, businesses, and visitors of El Dorado County. any relevant textual policies, with which the proposed amendments would be inconsistent.

Rationale: The project is consistent with the Commercial land use designation of the subject site as defined by General Plan Policy 2.2.1.2. The project proposes to increase the existing overhead canopy and a ground-level concrete slab by 720 square feet, add one (1) additional fuel dispenser, remove 14 square feet of existing landscaping and replace with 18 square feet of landscaping, and remove and relocate one (1) air and water dispenser in support of an existing commercial business consistent within

the commercial retail, office, and service uses for residents, businesses, and visitors of El Dorado County.

**2.3 The project is consistent with General Plan Policy 2.2.5.2.**

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

Rationale: The project has been reviewed in accordance with General Plan Policy 2.2.5.2 and has been found to be consistent with all applicable policies of the General Plan. As conditioned, the proposal is consistent with the intent of the General Plan, as determined within the General Plan Findings.

**2.4 The project is consistent with General Plan Policy 2.2.5.21.**

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

Rationale: The proposed use is compatible with the surrounding commercial uses and is not likely to cause an increase in traffic or services that would impact businesses or residents in the vicinity of the project. The project is located on a developed parcel with several similar commercial uses on-site and located to the west of subject property.

**2.5 The project is consistent with General Plan Policy 2.8.1.1.**

Development shall limit excess nighttime light and glare from parking area lighting, signage, and buildings. Consideration will be given to design features, namely directional shielding for street lighting, parking lot lighting, sport field lighting, and other significant light sources, that could reduce effects from nighttime lighting. In addition, consideration will be given to the use of automatic shutoffs or motion sensors for lighting features in rural areas to further reduce excess nighttime light.

Rationale: The proposed development includes new outdoor lighting located on the underside of the fuel canopy directed downward. These lights are not expected to be significant sources of light. Condition of Approval 3 will ensure that the project is consistent with this policy.

**2.6 General Plan Policy TC-Xa does not apply to the project.**

Except as otherwise provided, the following TC-Xa policies shall remain in effect indefinitely, unless amended by voters:

1. Traffic from residential development projects of five or more units or parcels of land shall not result in, or worsen, Level of Service (LOS) F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.

Rationale: The project would not create residential parcels; therefore, this policy does not apply.

2. The County shall not add any additional segments of U.S. Highway 50, or any other highways and roads, to the County's list of roads from the original Table TC-2 of the 2004 General Plan that are allowed to operate at LOS F without first getting the voters' approval.

Rationale: This is not applicable as the project is not requesting any modifications to Table TC-2.

3. intentionally blank (Resolution 125-2019, August 6, 2019)
4. intentionally blank (Resolution 159-2017, October 24, 2017)
5. The County shall not create an Infrastructure Financing District unless allowed by a 2/3rds majority vote of the people within that district.

Rationale: This is not applicable as the project is not requesting the County create an Infrastructure Financing District.

6. intentionally blank (Resolution 159-2017, October 24, 2017)
7. Before giving approval of any kind to a residential development project of five or more units or parcels of land, the County shall make a finding that the project complies with the policies above. If this finding cannot be made, then the County shall not approve the project in order to protect the public's health and safety as provided by state law to assure that safe and adequate roads and highways are in place as such development occurs.

Rationale: The project would not create residential parcels; therefore, this policy does not apply.

**2.7 General Plan Policy TC-Xb does not apply to the project.**

To ensure that potential development in the County does not exceed available roadway capacity, the County shall:

- A. Every year prepare an annual Capital Improvement Program (CIP) specifying expenditures for roadway improvements within the next 10 years. At least every five years prepare a CIP specifying expenditures for roadway improvements within the next 20 years. Each plan shall contain identification of funding sources sufficient to develop the improvements identified.
- B. At least every five years, prepare a Traffic Impact Mitigation (TIM) Fee Program specifying roadway improvements to be completed within the next 20 years to ensure compliance with all applicable LOS and other standards in this plan; and
- C. Annually monitor traffic volumes on the County's major roadway system depicted in Figure TC-1.

Rationale: This policy is not applicable as this policy refers to the County preparing a CIP, preparing a TIM Fee Program, and monitoring traffic volumes.

**2.8 General Plan Policy TC-Xc does not apply to the project.**

Developer paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development during peak hours upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the County. (Resolution 201-2018, September 25, 2018)

Rationale: This policy is not applicable as this policy directs how the County will pay for building the necessary road capacity.

**2.9 The project is consistent with General Plan Policy TC-Xd.**

LOS for County-maintained roads and State highways within the unincorporated areas of the County shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions except as specified in Table TC-2. The volume to capacity ratio of the roadway segments listed in Table TC-2 shall not exceed the ratio specified in that table. LOS will be as defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council) and calculated using the methodologies contained in that manual. Analysis periods shall be based on the professional judgement of the Department of Transportation which shall consider periods including, but not limited to, Weekday Average Daily Traffic (ADT), AM Peak Hour, and PM Peak hour traffic volumes.”

Rationale: This project is located in the Camino Rural Center and does not worsen (as defined by General Plan Policy TC-Xe) LOS for any County-maintained road or State highway.

**2.10 The project is consistent with General Plan Policy TC-Xe.**

For the purposes of this Transportation and Circulation Element, “worsen” is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

- A. A 2 percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily; or
- B. The addition of 100 or more daily trips; or
- C. The addition of 10 or more trips during the a.m. peak hour or the p.m. peak hour.

**Rationale:** The project as proposed would not worsen traffic operations and is therefore consistent with this policy. Using the Institute of Transportation Engineer (ITE) Trip Generation Manual, 11<sup>th</sup> Edition, the project would generate 13 AM peak hour trips, 16 PM peak hour trips, and 126 trips daily.

The project as proposed is estimated to generate 13 trips during the AM Peak Hour, 13 trips during the PM Peak Hour, and 126 daily trips. As shown within the On-site Transportation Review dated November 8, 2024 and prepared by Wood Rodgers , all study intersections and study roadway segments operate at acceptable LOS under existing plus project conditions during the weekday AM and PM peak hours.

**2.11 General Plan Policy TC-Xf does not apply to the project.**

At the time of approval of a tentative map for a single family residential subdivision of five or more parcels that worsens (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element based on existing traffic plus traffic generated from the development plus forecasted traffic growth at 10-years from project submittal; or (2) ensure the commencement of construction of the necessary road improvements are included in the County’s 10-year CIP.

For all other discretionary projects that worsen (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain LOS standards detailed in this Transportation and Circulation Element; or (2) ensure the construction of the necessary road improvements are included in the County’s 20-year CIP.

Rationale: This policy is applicable to projects that worsen traffic on County road systems as defined in Policy TC-Xe. The project, as proposed, would not worsen traffic operations, and therefore, this policy does not apply.

**2.12 General Plan Policy TC-Xg does not apply to the project.**

Each development project shall dedicate right-of-way, design and construct or fund any improvements necessary to mitigate the effects of traffic from the project. The County shall require an analysis of impacts of traffic from the development project, including impacts from truck traffic, and require dedication of needed right-of-way and construction of road facilities as a condition of the development. This policy shall remain in effect indefinitely unless amended by voters.

Rationale: This policy is not applicable as this project does not worsen traffic conditions.

**2.13 General Plan Policy TC-Xh does not apply to the project.**

All subdivisions shall be conditioned to pay the TIM fees in effect at the time a building permit is issued for any parcel created by the subdivision.

Rationale: General Plan Policy TC-Xh does not apply because the project is not a subdivision. However, Resolution 070-2023 of the Board of Supervisors of El Dorado County states, *“Applicants shall pay the TIF rate in effect at the time of building permit issuance or at the time of approval of an application for a change in the use of a building or property as provided in County Code Chapter 12.28 and the TIF Administrative Manual.”*

**2.14 General Plan Policy TC-Xi does not apply to the project.**

The planning for the widening of U.S. Highway 50, consistent with the policies of this General Plan, shall be a priority of the County. The County shall coordinate with other affected agencies, such as the City of Folsom, the County of Sacramento, and Sacramento Area Council of Governments (SACOG) to ensure that U.S. Highway 50 capacity enhancing projects are coordinated with these agencies with the goal of delivering these projects on a schedule agreed to by related regional agencies.

Rationale: This policy is not applicable to the project as it is direction to the County to coordinate with other agencies, and the project does not include any U.S. Highway 50 capacity enhancements.

**2.15 General Plan Policy TC-4i does not apply to the project.**

Within Community Regions and Rural Centers, all development shall include pedestrian/bike paths connecting to adjacent development and to schools, parks,

commercial areas, and other facilities where feasible. In Rural Regions, pedestrian/bike paths shall be considered as appropriate.

Rationale: A non-County maintained frontage road on the south side of the subject parcel connects to adjacent commercial areas allowing for easily accessible, non-motorized transportation between commercial businesses in the area.

**2.16 The project is consistent with General Plan Policy 5.1.2.1.**

Prior to the approval of any discretionary development, the approving authority shall make a determination of the adequacy of the public services and utilities to be impacted by that development. Where, according to the purveyor responsible for the service or utility, demand is determined to exceed capacity, the approval of the development shall be conditioned to require expansion of the impacted facility or service to be available concurrent with the demand, mitigated, or a finding made that a CIP project is funded and authorized which will increase service capacity.

Rationale: The project was distributed for agency review, including El Dorado Irrigation District (EID), El Dorado County Fire Protection District (EDCFPD), El Dorado County Environmental Management Department (EMD), El Dorado County Sheriff's Department, and El Dorado County Department of Transportation (DOT) for impacts to public services and utilities. No reviewing agencies or departments indicated that the project would exceed service capacity.

**2.17 The project is consistent with General Plan Policy 5.1.2.2.**

Provisions of public services to new discretionary development shall not result in a reduction of service below minimum established standards to current users.

**1. Impacts to public water service as determined by purveyor**

Rationale: The project was reviewed by the EID for impacts to public water service. EID did not identify any impacts to public water service.

**2. Impacts to private wells as determined by EMD.**

Rationale: The project was reviewed by EMD for impacts to private wells. EMD did not identify any impacts to private wells.

**3. Impacts to on-site sewage disposal as determined by the EMD.**

Rationale: The project was reviewed by EMD for impacts to on-site sewage disposal. EMD did not identify any impacts to the existing on-site sewage disposal system.



4. Impacts to storm drainage as determined by the DOT.

Rationale: The project was reviewed by DOT for impacts to storm drainage. No new off-site stormwater facilities would be required. DOT determined that the project would not have significant impact on storm drainage.

5. Impacts to solid waste as determined by EMD.

Rationale: The project was reviewed by EMD, which determined that the project should not impact solid waste services in the area.

6. Impacts to schools as determined by the school district.

Rationale: The project was reviewed by Camino Union School District, which did not identify any impacts. The project is commercial and is not anticipated to add students to the Camino Union School District.

7. Impacts to fire district response time.

Rationale: The project was reviewed by the EDCFPD. No impacts were identified by the EDCFPD regarding response time to the project site.

8. Impacts to Sheriff response time.

Rationale: No standard is identified for Sheriff response times to the Rural Centers and Rural Areas of the County. The project is located within the Camino Rural Center and no standard is applicable.

9. Impacts to ambulance response time.

Rationale: El Dorado County Emergency Medical Services reviewed the project for potential impacts to ambulance response and no impacts were identified.

2.18 **The project is consistent with General Plan Policy 5.2.1.2.**

An adequate quantity and quality of water for all uses, including fire protection, shall be provided for with discretionary development.

Rationale: The project was reviewed by EID and EDCFPD for adequate water supply for all uses. The project proposal does not require water service and does not propose any new connections to EID water. Water supply and conveyance facilities are currently available to provide emergency water supply to the project site. The project is consistent with this policy.

**2.19 The project is consistent with General Plan Policy 5.2.1.3.**

All commercial projects may be required to connect to public water systems if reasonably available when located within Community Regions and to either a public water system or to an approved private water systems in Rural Centers.

Rationale: The proposed project does not require additional water service and the existing connection to EID's water systems is adequate.

**2.20 The project is consistent with General Plan Policy 5.7.1.1**

Prior to approval of new development, the applicant will be required to demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or will be provided concurrent with development.

Rationale: The EDCFPD reviewed the project and provided no comments regarding this policy. The EDCFPD will review improvement plans again at time of grading and/or building permit review to ensure adequate emergency water supply, storage, conveyance, and access for fire protection, as applicable. The project is consistent with this policy.

**2.21 The project is consistent with General Plan Policy 5.7.2.1.**

Prior to approval of new development, the responsible fire protection district shall be requested to review all applications to determine the ability of the district to provide protection services. The ability to provide fire protection to existing development shall not be reduced below acceptable levels as a consequence of new development. Recommendations such as the need for additional equipment, facilities, and adequate access may be incorporated as Conditions of Approval.

Rationale: As previously discussed, the project was reviewed by the DOT, EDCFPD, and EID to ensure that adequate access and water would be provided to meet Fire Safe standards and conform to the County Design Improvement Standards Manual, no agencies identified any concerns regarding this policy.

**2.22 The project is consistent with General Plan Policy 6.2.2.2.**

Policy 6.2.2.2, Wildland Fire Hazards, requires that the County preclude development in high and very high wildland fire hazard areas unless such development can be adequately protected from wildland fire hazards, as demonstrated in a Fire Safe Plan and approved by the local Fire Protection District and/or CALFIRE.

Rationale: The property is in an area designated as a very high fire hazard zone. The project has been reviewed by the EDCFPD and has determined a Wildfire Safety Plan is not necessary. The project is consistent with this policy.

**2.23 The project is consistent with General Plan Policy 6.2.3.2.**

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

Rationale: EDCFPD reviewed the application materials and did not require modifications to the existing site access or improvements to the existing roads. The project is in compliance with this policy.

**2.24 The project is consistent with General Plan Policy 7.1.2.1.**

General Plan Policy 7.1.2.1 directs that development or disturbance shall be restricted on slopes exceeding 30 percent unless necessary for access.

Rationale: The area proposed for new development is in an area that is relatively flat and does not include areas with any steep slopes of 30 percent. The project is in compliance with the policy related to steep slopes.

**2.25 This project is consistent with General Plan Policy 7.4.4.4.**

General Plan Policy 7.4.4.4 requires all new non-exempt development projects that would result in impacts to oak resources must adhere to the standards of the Oak Resources Management Plan (ORMP).

Rationale: No development requiring the removal of oak resources is being proposed as a part of this project. The project will not result in impacts to oak trees. The project is in compliance with this policy.

**3.0 ZONING FINDINGS**

**3.1 The project is consistent with Title 130.**

The Commercial, Community (CC) zone provides for retail sales, office, and service needs of the residents residing within the surrounding community and accommodates the commercial and service needs of visitors to the County.

Rationale: The parcel is zoned CC. The Commercial zone matrix of allowed uses and permit requirements establishes those uses that are permitted and those that require approval by a Conditional Use Permit in the CC zone district. Automotive Fuel Sales is a use allowed by right within the CC zone. The project is in compliance with this policy.

**3.2 The project is consistent with Chapter 130.22.030: Commercial Zones Development Standards.**

Section 130.22.030 of the Zoning Ordinance establishes development standards for Commercial zones. The proposed use conforms to mandatory minimum setbacks, height restrictions, and floor area ratio requirements.

Rationale: The project structure (canopy) will be a minimum of 10 feet from the front and secondary front property lines, and a minimum of 5 feet from side and rear property lines and under the 50-foot maximum allowable height. The project has been analyzed in accordance with Zoning Ordinance Section 130.22.030 (Development Standards) for height and building setbacks. The project, as proposed, is consistent with the Zoning Ordinance and in compliance with building setbacks and other applicable standards.

**3.3 The proposed project is consistent with Chapter 130.34: Lighting.**

All outdoor lighting shall be located, adequately shielded, and directed such that no direct light falls outside the property line, or into the public right-of-way.

Rationale: The project as proposed is consistent with Chapter 130.34. Based on the applicant's photometric plan (Exhibit F), lighting specifications, proposed lighting fixture location and adequate shielding prevents light falling outside the property lines or into the public right-of-way and is consistent with applicable provisions of Chapter 130.34 and the County's adopted 2015 Outdoor Lighting Standards.

**3.4 The project is consistent with Title 130.52.030 and the El Dorado Design Guide.**

The project has been reviewed in accordance with Section 130.52.030 of the Zoning Ordinance, Design Review Permit. This process is applied to commercial projects with a Design Review – Scenic Corridor (-DS) Combining Zone. The Design Review process is limited to consideration of compliance with established standards, provided that the use proposed for the project site is an allowed use within the zone.

Rationale: As noted in Finding 3.1, Automotive Fuel Sales is a use allowed by right within the CC zone. The project is located within the Camino Rural Center and the U.S. Highway 50 Scenic Corridor, for which the County does not currently have adopted specific community design standards and the project would default to the El Dorado County Design Guide. The project design, architectural treatments, and associated improvements substantially conform to the El Dorado County Design Guide and would not substantially detract from this commercial district. The project proposes to match the existing trademark colors and the existing architectural features.

#### **4.0 DESIGN REVIEW FINDINGS**

##### **4.1 The issuance of the permit is consistent with the General Plan.**

Rationale: As discussed above in Section 2.0, General Plan Findings, the project is consistent with the applicable policies and requirements in the El Dorado County General Plan.

##### **4.2 The proposed use would not be detrimental to the public health, safety, and welfare, or injurious to the neighborhood.**

Rationale: The use is consistent with the General Plan and the development standards of the CC-DS zone. The proposed use is consistent with the existing on-site use and surrounding land uses, which include commercial land uses, and Automotive Fuel Sales is a use allowed by right within the CC Zone. As conditioned, the project is not anticipated to be detrimental to the public health, safety and welfare, or be injurious to the neighborhood.

##### **4.3 The proposed use is specifically permitted by Design Review.**

Rationale: The design review process is applied to commercial sites in an area where the -DS overlay exists. The design review process shall be limited to consideration of compliance with established standards, provided that the use proposed for the project site is an allowed use within the zone. Automotive Fuel Sales is an allowed use by right in the CC zoning designation and the proposed canopy extension is accessory to that permitted use. As discussed previously, the Design Review Permit Revision is consistent with the applicable policies and requirements in El Dorado County General Plan.