

FINDINGS

Conditional Use Permit CUP22-0008/Planned Development Revision Permit PD-R22-0002/Missouri Flat Quick Quack Carwash/Planning Commission/July 13, 2023

1.0 CEQA FINDINGS

- 1.1 Staff reviewed the project and found it exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, New Construction and Conversion of Small Structures. Class Three exemptions consist of the construction and location of limited numbers of new, small facilities or structures including, as stated in Section 15303(c), “A store, motel, office, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area. In urbanized areas, the exemption also applied up to four (4) such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive.
- 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 Services Division, at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

1.1 The project is consistent with General Plan Policy 2.2.1.2.

General Plan Policy 2.2.1.2 identifies that the purpose of the Commercial (C) land use designation is to provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. Lands designated as C can be located in Community Regions, Rural Centers, and Rural Regions.

Rationale: Development of the Car Wash facility is consistent with this policy. The site is located in the unincorporated Placerville area. The proposed project is compatible with the land use designation.

2.2 The project is consistent with General Plan Policy 2.2.5.2.

This policy requires that all applications for discretionary projects or permits shall be reviewed to determine consistency with the policies of the General Plan.

Rationale: Staff has prepared this section on General Plan findings to document the project’s consistency with the policies of the General Plan.

2.3 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 project site is developed with a vacant commercial structure which was most recently used as a bank. The adjoining properties to the south and west are similarly zoned and exist within the same Commercial Planned Development as the project site. Properties to the north and east are similarly zoned and developed for commercial uses. The closest residentially zoned parcel is approximately 570-feet from the subject site. Therefore, the project has been located and designed to be compatible with adjoining land uses.

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

(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 congestions during weekday, peak-hour periods on any highway, road, interchange, or intersection in the unincorporated areas of the county.

Rationale: The project will not create residential units; 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 voter's approval.

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

(3) and (4). Intentionally blank as noted in the General Plan.

(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 as noted in the General Plan.

(7) Before giving approval of any kind to a residential development project of five (5) 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: This project will not result in five (5) or more units or parcels of land for residential development.

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

Policy TC-Xb ensures that potential development in the County does not exceed available roadway capacity.

Rationale: This policy is not applicable as this policy refers to the county preparing a Capital Improvement Program (CIP), preparing a Traffic Impact Mitigation (TIM) Fee Program, and monitoring traffic volumes.

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

Policy TC-Xc directs that 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.

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

2.7 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 ration 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 County's Department of Transportation (DOT) which shall consider periods including, but not limited to, Weekday Average Daily Traffic (ADT), AM Peak Hour, and PM Peak hour traffic volumes."

Rationale: County DOT reviewed the project and found that LOS would not be worsened as a result of the proposed project. The comparison between trips generated by the proposed project and previous drive-in bank indicates that the proposed project generates fewer daily trips, and during the AM and PM peaks. Therefore, the project would be consistent with this policy.

2.8 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:

- (1) A two-percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily, or
- (2) The addition of 100 or more daily trips, or
- (3) The addition of ten (10) or more trips during the a.m. peak hour or the p.m. peak hour.

Rationale: This project would result in a reduction in AM and PM trip generation as compared to the current developed use of the site as a bank with a drive-thru lane. None of the thresholds in criteria A, B or C have been met. Therefore, this project will not worsen the LOS from the current baseline and is not subject to a traffic study.

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

At the time of approval of a tentative map for a single family residential subdivision of five (5) 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 LOS standards detailed in this Transportation and Circulation Element based on existing traffic plus traffic generated from the development plus forecasted traffic growth at ten-years from project submittal; or (2) ensure the commencement of construction of the necessary road improvements are included in the County’s ten-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 Level of Service 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: The project will not create residential units and will not worsen traffic on the County road system. Therefore, this policy does not apply.

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

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: The project will not worsen traffic. An Onsite Transportation Review (OSTR) was completed by AMS Associates, Inc. The OSTR confirms that the project would result in a reduction in trip generation as compared to the existing bank with drive-thru use.

2.11 The project is consistent with General Plan Policy TC-Xh.

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

Rationale: This project does not propose a subdivision. Any Traffic Impact Fees would be paid at the time a building permit is issued.

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

General Plan TC-Xi directs the County to coordinate and work with other agencies to plan for the widening of U.S. Highway 50.

Rationale: This policy is not applicable to the project as it is directed to the County to coordinate with other agencies.

2.13 The project is consistent with General Plan Policy 5.1.2.1

General Plan Policy 5.1.2.1 requires a determination of the adequacy of the public services and utilities to be impacted by that development.

Rationale: The project proposes to connect into El Dorado Irrigation District (EID) water and sewer services. A Facilities Improvement Letter dated December 1, 2022 identifies water and sewage availability. There are 6-inch and 8-inch water lines located on the parcels to be developed. According to the District's hydraulic model, the existing water system can deliver the required fire flow as determined by the Diamond Springs El Dorado Fire Protection District (Fire Authority). A water line extension connecting to the identified water lines must be constructed. There is a 6-inch sewer line abutting the western property lines of the parcels to be developed. This sewer line has adequate capacity at this time.

2.14 The project is consistent with General Plan Policy 5.2.1.2.

General Plan Policy 5.2.1.2 requires that adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development.

Rationale: The project was reviewed by the Fire Authority, and EID for adequate public services capacity. The site would need minor modifications to existing EID facilities. EID has confirmed the adequacy of water, including fire flow requirements as determined by the Fire Authority. The project, as conditioned, is consistent with this policy.

2.15 The project is consistent with General Plan Policy 5.7.1.1.

General Plan Policy 5.7.1.1 (Fire Protection in Community Regions) requires the applicant to demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection would be provided concurrent with development.

Rationale: The Fire Authority currently provides fire protection service to the project site. The Fire Authority has imposed standard Conditions of Approval (COA) to ensure adequate water supply, storage, conveyance, and site access for fire protection remains adequate for the project.

2.16 The project is consistent with General Plan Policy 6.2.3.2.

Policy 6.2.3.2 (Adequate Access for Emergencies) requires 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: The Fire Authority reviewed the application materials and provided standard project requirements. Therefore, the project is consistent with this policy.

2.17 The project is consistent with General Plan Policy 6.5.1.2.

Policy 6.5.1.2 (Non-Residential Noise Levels) requires proposed non-residential land uses which are likely to produce noise levels exceeding the performance standards of Table 6-2 at existing or planned noise-sensitive uses to provide an acoustical analysis as part of the environmental review process so that noise mitigation may be included in the project design.

Rationale: The project application packet includes a Noise Impact Study prepared by MD Acoustics, LLC in October 2022 (Exhibit F). The Noise Study confirms that the project would not exceed noise levels per El Dorado County allowances. Further, the project site is not located adjacent to an

existing noise sensitive land use. Therefore, the project is consistent with this policy.

2.18 The project is consistent with General Plan Policy 7.4.4.4.

General Plan Policy 7.4.4.4 (Oak Resources Mitigation) requires that all new development projects or actions that result in impacts to oak woodlands and/or individual native oak trees, including Heritage Trees, be mitigated as outlined in the El Dorado County Oak Resources Management Plan (ORMP).

Rationale: The project application packet includes an Oak Resources Code Compliance Certificate which confirms the project site contains no oak trees. The site had been previously cleared and no longer includes natural landscaping. Therefore, the project would not result in oak tree removal or impacts otherwise and is consistent with this policy.

3.0 ZONING FINDINGS

3.1 The project is consistent with Section 130.22.030.

Section 130.22.030 (Commercial Zone Development Standards) prescribes site-specific development standards for new lots, allowed uses and associated structures within the CR-PD Zone District.

Rationale: The proposed use of an automatic car wash facility is allowed within the Regional Commercial – Planned Development (CR-PD) zoning designation with approval of a Conditional Use Permit (CUP). As the site is within a prior approved Planned Development, the current proposal includes a Planned Development Permit Revision application for review.

3.2 The project is consistent with Section 130.40.140.

Section 130.40.140 (Drive-Through Facilities) prescribes site specific development standards for drive-through facilities. The development standards in this Section are intended to supplement the standards in the underlying zone for drive-through facilities. The project must be consistent with the following:

(1) Drive-Through Lanes: Drive through lanes shall be minimum 12-feet in width. A vehicle turning analysis shall be required, demonstrating that an American Association of State Highway Transportation Officials (AASHTO) Passenger (P) Vehicle can negotiate any curves or turns in the drive-through lane. A minimum 15-foot inside radius is required. Alternative design widths and radii may be approved by the County Engineer or Building Official, utilizing the DL-23 vehicle, as specified by the National Association of City Transportation Officials. A drive-through lane shall be a minimum of 50-feet from the nearest property line of any residentially zoned lot or residential use. Each drive-through entrance and exit shall be at least 50-feet from the nearest property line of a

residential land use. Each entrance to a lane and the direction of traffic flow shall be clearly designated by signs and pavement markings. Each drive-through lane or group of multiple lanes shall be physically separated from the circulation routes or parking spaces by means of curbs, rain gardens, or landscaping. Drive-through entrances and exits shall be designed such that the headlights of vehicles at the point of entrance and exit of the drive-through facility shall not directly face a residential zone or residential use, unless screened by a building, fence, wall, grade, or landscaping.

Rationale: The proposed drive-through maintains a minimum 12-feet in width, with most of the drive-through lane being wider than 12-feet. The project parcel is surrounded by commercially zoned parcels, of which all have been developed with associated commercial uses. The drive-through lane is separated from parking areas by the carwash structure as well as through the use of curbs and landscaping in other areas. Therefore, the project as designed is consistent with these design standards.

(2) Stacking Area: Stacking area within the drive-through lane or lanes shall be provided to accommodate the estimated queued vehicles utilizing the drive through facility. A queuing analysis performed by a Traffic Engineer is required for all drive-through facilities, to determine stacking length needed in the drive-through lane. The queuing analysis shall consider queuing in advance of the ordering point, and in advance of the pick-up/service window. For single drive-through lanes, a minimum stacking distance of 100-feet is required for all food and/or beverage drive-through facilities, measured from the entrance of the drive-through lane to the ordering point. A minimum stacking distance of 80-feet per lane is required for all nonfood and/or non-beverage drive-through facilities, measured from the entrance of a drive-through lane to the service window. Where multiple drive-through lanes are proposed, a lesser minimum distance may be approved by the County Engineer. Stacking of queued vehicles for drive-through facilities may not stack into parking lot drive aisles, public right of way, or a public roadway.

Rationale: Per the On-Site Transportation Review (Exhibit G) submitted for this project, a total of 22 cars would be able to stack within the two (2) stacking lanes proposed by the project. The dual stacking lane area is approximately 220 feet in length, with an additional 70 feet of single stacking lane length. This total is in excess of the minimum stacking requirements. Therefore, the project as proposed exceeds the minimum stacking area development standards.

(3) Landscaping and Screening of the Drive-Through Lane: If the drive-through lane is adjacent to a parking area, a 5-foot-wide planter shall be provided between the drive-through lane and the parking area that includes shade trees consistent with those used in the parking area. A minimum 4-foot-high wall or planter/landscaping that screens the drive-through lanes is required so that vehicle headlights in the drive-through lanes are not visible from adjacent street rights-of-way or adjacent residential uses.

Rationale: The drive-through lane is separate from the parking area, with most of the drive-through lane being adjacent to the carwash structure. Parking areas are located adjacent to the carwash structure, opposite the drive-through lane. Therefore, the project is consistent with this standard.

(4) Pedestrian Access and Crossings: Pedestrian access shall be provided from each abutting street to the primary entrance with a continuous on-site 4-foot-wide sidewalk or delineated walkway. Pedestrian walkways preferably should not intersect the drive-through lanes. Where intersections are unavoidable, the walkways shall have clear visibility and shall be delineated by textured and colored paving.

Rationale: The project as proposed includes identified pedestrian crosswalks from internal access points within the existing commercial center. Crosswalks are identified across drive-aisles which could include pedestrian traffic. Therefore, the project as proposed is consistent with this standard.

(5) Signs: Signage shall follow Chapter 130.36 (Signs), and Subsection 130.36.070.K.4 (Menu/Order Board Signs for Drive-In and Drive-Through Uses).

Rationale: Per Chapter 130.36, the project as proposed includes signage consistent with the zoning ordinance development standards. Individual establishments with less than 10,000-square-feet in floor area located in the CR-PD zone are allowed up to 50-square-feet of building-attached signage, as well as no more than one (1) sign per public street frontage. Signs along the first street frontage may include up to 50-square-feet of sign area and be no more than 12-feet tall. Signs along other street frontage(s) may include up to 30-square-feet of sign area and be no more than 10-feet tall. These zoning standards concerning signage have been amended for this site per the prior approved Prospectors Plaza Planned Development Permit PD97-0011. Per PD97-0011, pad tenants are allowed one-square-foot of sign area per each linear foot on each of three (3) building elevations (maximum of 150-square-feet of signage on each elevation). The project proposes three (3) wall signs: Sign A includes a total of 7.3-feet of sign area facing south; Signs C and D include a total of 24-square-feet of sign area with Sign C facing west and Sign D facing east. The project proposes to make use of an empty space within the existing commercial center monument sign. The total sign area of the wall signs as listed are above 50-square-feet, but are well within the maximum allowances per the prior approved PD97-0011. Therefore, signage as proposed is consistent with development standards concerning signage.

(6) Hours of Operation: When the drive-through facility is located within 100-feet of any existing residential zone or existing residential use (measured from the nearest residential property line to any part of the drive-through facility including parking lot, drive-through lane, or structure), hours of operation for the drive-through facility shall be limited to

7:00 a.m. to 10:00 p.m. daily. If the use is located greater than 100-feet from a residential zone or existing residential use, there shall be no restrictions on the hours of operation.

Rationale: The project is not located adjacent to or within 100-feet of a residentially zoned or developed parcel. Therefore, this development standard does not apply to the project.

(7) Parking: The required number of off-street vehicle parking spaces for drive-through facilities shall be based upon the primary use of the facility. Spaces designated for mobile order pick-up and waiting area parking shall count toward the minimum overall parking requirements.

Rationale: A car wash use requires a minimum of two (2) parking stalls per washing stall. This site provides 22 stacking lane spots in addition to nine (9) parking stalls which will not include vacuum cleaners. Additional vacuum accessible parking stalls are provided for customers specifically using vacuum services. Therefore, the site has provided an excess of the minimum two (2) parking stalls required and is consistent with this development standard.

(8) Noise: Any drive-through speaker system shall not exceed thresholds set forth in Table 130.37.060.1 (Noise Level Performance Standards for Noise Sensitive Land Uses Affected by Non-Transportation Sources). The system shall be designed to compensate for ambient noise levels in the immediate area. At no time shall any speaker system be audible above daytime ambient noise levels beyond the property lines of the site.

Rationale: A Noise Impact Study (Exhibit F) was submitted as part of the project application packet. This Noise Impact Study confirms that the project would not exceed County noise thresholds. Further, the car wash does not include the use of drive-through speaker systems. Therefore, the project is consistent with this development standard.

(9) Maintenance: The drive-through facility shall be properly maintained in accordance with COA.

Rationale: Planning Services, Diamond Springs – El Dorado Community Area Committee (DS-EDCAC), Air Quality Management District (AQMD), DOT, PG&E, Stormwater Management Division, and the Surveyor’s Department reviewed the project. The Surveyor’s Office provided a COA requiring a lot line adjustment to match the lot line proposal within project plans. PG&E provided a COA limiting the height of tree plantings within 50-feet of any power poles. DOT provided a COA requiring a deferred frontage agreement. The Surveyor’s Office, DOT, AQMD, and Diamond Springs – El Dorado Fire issued standard COAs. These conditions are listed within the COA section attached to this report. The project

proponent has acknowledged these conditions as part of the project. Therefore, the project is consistent with this development standard.

4.0 PLANNED DEVELOPMENT FINDINGS

4.1 The proposed development plan is consistent with the General Plan, any applicable specific plan, and Chapter 130.28 (Planned Development (-PD) Combining Zone) in Article 2 (Zones, Allowed Uses, and Zoning Standards) of this title.

Rationale: As discussed in Section 2.0 above, the project is consistent with the General Plan.

4.2 The site is adequate in shape and size to accommodate proposed uses and other required features.

Rationale: The project as proposed is consistent with all base zoning development standards. There are no design waiver requests or exceptions applied.

4.3 That any exceptions to the development standards of the zone are justified by the design or existing topography.

Rationale: The project as proposed does not request any exceptions to the zoning development standards.

4.4 Adequate public services and facilities exist or will be provided to serve the proposed development including, but not limited to, water supply, sewage disposal, roads, and utilities.

Rationale: As discussed throughout the General Plan findings above, the project site has been determined to include adequate public services and facilities for water supply, sewage disposal, roads, and other utilities.

4.5 If mixed-use development is being proposed, the development conforms to the standards in Section 130.40.180 (Mixed Use Development) in Article 4 (Specific Use Regulations) of this Title.

Rationale: The project does not propose mixed-use development.

4.6 The proposed development complies with the provisions of the -PD Combining Zone Section 130.28.010 (Planned Development (-PD) Combining Zone Established) in Article 2 (Zones, Allowed Uses, and Zoning Standards) of this Title.

Rationale: As discussed within this Planned Development findings section, the project is consistent with planned development provisions of the -PD

Combining Zone Section 130.28.010 of the El Dorado County Zoning Ordinance.

5.0 CONDITIONAL USE PERMIT FINDINGS

5.1 The proposed use is consistent with the General Plan

Rationale: As discussed in Section 2.0 above, the project is consistent with the General Plan.

5.2 The proposed use would not be detrimental to the public health, safety, and welfare, or injurious to the neighborhood

Rationale: As discussed throughout the findings section of this staff report, the proposed project would not be detrimental to the public health, safety, and welfare, nor would the project be injurious to the neighborhood.

5.3 The proposed use is specifically allowed by a conditional use permit pursuant to this Title.

Rationale: A carwash use is specifically allowed with approval of a CUP pursuant to the El Dorado County Zoning Ordinance.