

**COUNTY OF EL DORADO
PLANNING AND BUILDING DEPARTMENT
ZONING ADMINISTRATOR
STAFF REPORT**



Date: April 1, 2026

Staff: Robert Peters

CONDITIONAL CERTIFICATE OF COMPLIANCE REVISION

- FILE NUMBER:** COC-R26-0001/High Sierra Industries
- APPLICANT:** High Sierra Industries c/o Chris Meyer
- OWNER:** 5845 Motherlode Drive, LLC
- REQUEST:** Request for supplemental Conditional Certificate of Compliance (COC) to modify applicable Conditions of Approval established under Conditional COC 88-126.
- LOCATION:** South side of Father Lode Road, approximately 500 feet west of the intersection with Mother Lode Drive, in the El Dorado Diamond Springs Community Region, Supervisorial District 4. (Exhibit A)
- APN:** 331-020-048 (Exhibit B)
- ACREAGE:** 5.831 acres (Exhibit C)
- GENERAL PLAN:** Industrial (I) (Exhibit D)
- ZONING:** Industrial - Light (IL) (Exhibit E)
- ENVIRONMENTAL DOCUMENT:** Statutorily Exempt pursuant to Section 15268 (Ministerial Projects) of the California Environmental Quality Act (CEQA) Guidelines
- RECOMMENDATION:** Staff recommends the Zoning Administrator take the following actions:
1. Certify that the project is statutorily exempt from CEQA pursuant to Section 15268 of the CEQA Guidelines, as a Certificate of Compliance is a ministerial project; and

2. Approve Conditional Certificate of Compliance Revision COC-R26-0001 based on the Findings and subject to the revised Conditions of Approval as presented.

PROJECT DESCRIPTION

This is a request for a supplemental Conditional COC for Assessor's Parcel Number (APN) 331-020-048 to allow for modifications of the existing Conditions of Approval (COAs) outlined in Conditional COC 88-126, approved by the Board of Supervisors (Board) on October 18, 1988. The modifications include removing COAs #4 and #5, as the conditions have been completed. Additionally, the request allows for the following modifications: to COA #1 regarding roadway requirements, allowing for submittal of a bid-ready package for constructions of improvements and posting appropriate security in a form acceptable to the Department of Transportation (DOT); to COA #3 to remove language about connecting to El Dorado Irrigation District (EID) water, as that part of the COA has been met, and regarding immediate connection to sewer service allowing for utilization of an on-site wastewater treatment system (septic system); and minor modifications to COA #6 revising the department that would accept the required Road Impact Fee.

BACKGROUND/HISTORY

The subject parcel was one of seven (7) that was considered for recordation of a Notice of Violation by the Board in August of 1988, as the parcels were created in violation of the Subdivision Map Act. The parcels are all located in an industrial park where development has proceeded overtime without necessary infrastructure. Instead, the Board decided to file Conditional COCs on each of the parcels, as the property owners agreed to enter into an improvement agreement to construct the required infrastructure, including necessary road improvements and to bring sewer to the area. The COAs were intended to be completed by October 18, 1991. A time extension was approved by the Board on October 22, 1991, extending the time for completion of the improvements until October 22, 1993. To date, the improvement agreement has not been authorized and those requirements have not been met. Property ownership has changed many times since the early 1990s.

Since that time, all but three (3) of the parcels have been allowed clear COCs or to have building permits, thus legalizing the lots while not having completed the required infrastructure improvements. This includes not requiring road improvements needed and the allowance of on-site wastewater treatment systems (septic systems) instead of connection to EID sewer service. This reduced the number of parties that would participate in constructing the required infrastructure improvements. That, along with the increased cost of construction, has created significant costs for any one property owner and an impediment for legalizing the other three parcels.

The subject property was issued Conditional COC 88-126, which included a total of eight (8) COAs, including constructing two (2) roadway sections to the north and south of the parcel, preparing a drainage plan, connecting to public water and sewer, providing a fire hydrant, naming the access road, and paying an impact fee (Exhibit F). A Record of Survey was filed on the property in 1987 (Exhibit C).

SITE DESCRIPTION

The 5.831-acre parcel is to the south of Father Lode Road and to the north of Venture Road, approximately 500 feet west of the intersection with Mother Lode Drive. The parcel elevation is approximately 1,560 to 1,580 feet above mean sea level. The parcel takes access from Father Lode Road to the north but also has gated access to the south on Venture Road. The site is largely disturbed by recently established industrial uses occurring on the site. The property is located within an existing industrial park and is surrounded by industrial zoned lands with most of the parcels supporting existing industrial uses.

STAFF ANALYSIS

The request for modifications to Conditional COC 88-126 for APN 331-020-048 would remove significant barriers to the County's acceptance of the parcel as legally created in accordance with the Subdivision Map Act and the County's Subdivision Ordinance (Title 120). The County's issuance of the modified Conditional COC for the parcel would, once conditions have been met, allow for subsequent development of the parcel consistent with the IL zoning district as identified within Zoning Ordinance (Title 130) Section 130.23, specifically Tables 130.23.020 (Industrial/R&D Zones Use Matrix) and 130.23.030 (Industrial/R&D Zones Development Standards).

Without the COC, the County cannot issue any development permits, including building permits, for the property. In this instance, a supplemental Conditional COC would be recorded on the parcel. Once the modified COAs are completed, a clear COC can be issued for the parcel. The parcel cannot be developed with legally established uses until such time as a clear COC is recorded.

The applicant has taken substantial steps toward compliance with the requirements of Conditional COC 88-126. To date, the following COAs have been met: COA #3 (partially met) – the installation of EID water to the site; COA #4 – the installation of a fire hydrant within 150 feet of the subject, as evidenced by the letter from the Diamond Springs-El Dorado Fire Protection District (Exhibit H); and COA #5 – the access road has been named (Father Lode Road), appropriate signage has been installed at the intersection with Mother Lode Drive, and the subject property has been re-addressed to utilize the new roadway name, 1051 Father Lode Road (Exhibit I).

The proposed modification to COA #1 is supported by DOT and allows the roadway requirements to be met by submitting a bid-ready package for constructions of improvements and posting appropriate security in a form acceptable to DOT. This is consistent with DOT's standard practice regarding roadway construction resulting from the subdivision of land. This modification expedites the clear COC process and provides the applicant with additional time to construct the required roadways.

The proposed modification to COA #3 is supported by the Environmental Management Department (EMD) and applicable regulations regarding connection to public sewers. Generally, EMD requires connection to public sewer if it is within 200 feet of existing public sewers and the costs are infeasible. Currently, public sewer is approximately 500 feet from the subject parcel and there would be significant costs involved with construction of a new pumped sewer service (at a

minimum) and to extend the 10-inch sewer force main. Planning and EMD staff have met with EID staff, and the consensus is that the connection to public sewer for one (1) property owner in this area is infeasible, and that shared financing by multiple property owners, as was envisioned in the past, would be necessary to feasibly construct the required connections for the area.

Environmental Review: Staff reviewed the project and found it to be statutorily exempt from the requirements of CEQA pursuant to Section 15268 of the CEQA Guidelines stating that “ministerial projects are exempt from the requirements of CEQA.” In its 1993 decision, *Findleton v. Board of Supervisors*, the California Appeals Court said that a Certificate of Compliance is a ministerial project requiring no exercise of discretion in the course of its approval (*Findleton v. El Dorado Co. Board of Supervisors* (1993) 12 Cal. App. 4th 709).

General Plan Consistency: Staff reviewed the requested modifications to Conditional COC 88-126 and found that the project is consistent with the Industrial (I) General Plan land use designation and is consistent General Plan policies including: Policy 2.2.1.2 (Land Use Density), Policy 2.2.5.21 (Compatibility with Surrounding Neighborhood), Policy 5.2.1.2 (Adequate Water Supply), 5.3.1.1 (Public Wastewater), and Policy 6.2.3.2 (Adequate Emergency Access). Further analysis of General Plan consistency is discussed in the Findings section of this report.

Zoning Ordinance Consistency: Staff reviewed the requested modifications to Conditional COC 88-126 and determined that the proposed project is consistent with applicable standards and requirements of the County Zoning Ordinance (Title 130). The project parcel is zoned IL and the project has been analyzed in accordance with all applicable development standards for this zoning district. The project would conform to the required development standards and other applicable requirements. Further analysis of Zoning Ordinance consistency is discussed in the Findings section of this report.

Subdivision Ordinance Consistency: Staff reviewed the requested modifications to Conditional COC 88-126 and determined the project is consistent with applicable standards and requirements of the County Subdivision Ordinance (Title 120) for COCs. Further analysis of Subdivision Ordinance consistency is discussed in the Findings section of this report.

Section 120.76.090.A. authorizes the Planning and Building Department to process, issue, and record Conditional COCs for parcels created after March 4, 1972, that were created by gift deed where more than four (4) parcels were created by the same owner from the same original parcel. The parcel was created because of multiple (more than four [4]) gift deeds after March 4, 1972, and therefore requires the Conditional COC.

Section 120.44.020 requires compliance and consistency with the General Plan. As discussed in the General Plan Consistency section and the Findings section of this report, the parcel is consistent with the Industrial (I) General Plan land use designation and applicable General Plan policies.

Additional Necessary Approvals: If approved, the Conditional COC will be recorded on the parcel. Once all COAs have been met, a clear COC will be recorded on the parcel, allowing for subsequent development of the parcel. For all existing or future uses that require a building permit, grading permit, or a discretionary entitlement (e.g. Conditional Use Permit), those permits shall be

obtained by the property owner or authorized applicant. The clear COC does not constitute authorization of a development permit or discretionary entitlement, nor does it provide vesting for existing activities.

Agency Comments: The project was coordinated with and/or distributed to all applicable local and County agencies with existing Conditions of Approval for Conditional COC 88-126 for review and comment. Comments via modified Conditions of Approval were received from the County DOT, the County EMD, the County Surveyor’s Office, and EID. The El Dorado County Fire Protection District was notified of the project; however no additional comments were received.

Public Outreach: No formal public outreach was conducted, and a public outreach plan was not required for this project pursuant to the Zoning Ordinance or Subdivision Ordinance. However, the project was duly noticed for a Zoning Administrator public hearing with a public notification range of 1,000 feet and legal advertisement was published in applicable local newspapers as required by Table 120.76.090.1 (Public Notice Requirements – Certificate of Compliance). In addition, project notification was sent to the County Zoning Administrator email subscription list and posted on the Planning Division’s Zoning Administrator webpage. No on-site physical sign posting is required for COCs.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings

Revised Conditions of Approval

Exhibit A.....	Location Map
Exhibit B.....	Assessor’s Parcel Number Map
Exhibit C.....	Record of Survey 15-025
Exhibit D.....	General Plan Land Use Map
Exhibit E.....	Zoning Designation Map
Exhibit F.....	COC 88-126 (Including Property Description)
Exhibit G.....	Percolation Test and Septic Design
Exhibit H.....	Fire Department Letter
Exhibit I.....	Official Notification of Situs Address

FINDINGS

Conditional Certificate of Compliance Revision COC-R26-0001/High Sierra Industries Zoning Administrator/April 1, 2026

FINDINGS FOR APPROVAL:

1.0 CEQA FINDINGS

- 1.1 This project has been found to be statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15268 of the CEQA Guidelines stating that “ministerial projects are exempt from the requirements of CEQA.” In its 1993 decision, *Findleton v. Board of Supervisors*, the California Appeals Court said that a certificate of compliance (COC) is a "ministerial project" requiring no exercise of discretion in the course of its approval (*Findleton v. El Dorado Co. Board of Supervisors* (1993) 12 Cal. App. 4th 709).
- 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 El Dorado County Planning and Building Department located at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 TITLE 120 - SUBDIVISION ORDINANCE

2.1 The project is consistent with Section 120.44.020.

Rationale: Section 120.44.020 of the County Subdivision Ordinance requires compliance and consistency with the General Plan. The resultant parcel is consistent with the Industrial (I) General Plan land use designation. Further analysis of the project’s consistency with the General Plan is included in Findings Section 3.0 below.

2.2 The project is consistent with Section 120.76.090

Rationale: Section 120.76.090 of the County Subdivision Ordinance authorizes the Planning and Building Department to process, issue, and record Conditional COCs for parcels created after March 4, 1972, that were created by gift deed where more than four (4) parcels were created by the same owner from the same original parcel. The parcel was created because of multiple gift deeds after March 4, 1972, and therefore requires the Conditional COC. The Board of Supervisors (Board) approved Conditional COC 88-126 on October 18, 1988, for the property, but the conditions were never satisfied. This Conditional COC request seeks a supplemental Conditional COC to modify applicable Conditions of Approval (COAs) as established under Conditional COC 88-126 to remove those Conditions which have been met and provide for processing of conditions consistent with existing practices.

Further, the project was duly noticed for a Zoning Administrator public hearing with a public notification range of 1,000 feet and legal advertisement was published in applicable local newspapers as required by Table 120.76.090.1 (Public Notice Requirements – Certificate of Compliance).

3.0 GENERAL PLAN FINDINGS

3.1 The project is consistent with General Plan Policy 2.2.1.2.

Policy 2.2.1.2 identifies that the purpose of the Industrial (I) land use designation is to provide for a full range of light and heavy industrial uses. Types of uses that would be permitted include manufacturing, processing, distribution, and storage. Incompatible, non-industrial uses, excluding support services, shall be discouraged. Industrial lands in Rural Regions may have uses which support agriculture, timber resource production, mineral extraction, or other resource utilization. This designation is considered appropriate within Community Regions, Rural Centers and Rural Regions.

Rationale: The proposed modifications to Conditional COC 88-126 are consistent with the Industrial (I) General Plan land use designation and provide a path to creating a legal parcel that will allow for future development consistent with the underlying Industrial General Plan land use designation and associated implementing ordinances. The project is consistent with this policy.

3.2 The project is consistent with General Plan Policy 2.2.5.21.

Policy 2.2.5.21 requires development projects be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the development project is proposed.

Rationale: The project is in an industrial park amidst surrounding industrial uses. Future development proposals would be required to be consistent with the neighboring Industrial (I) designated properties and the implementing requirements of Zoning Ordinance Section 130.23. This ensures that future development will be reviewed so that uses are compatible with the existing surrounding industrial uses. The project is consistent with this policy.

3.3 The project is consistent with General Plan Policy 5.2.1.2.

Policy 5.2.1.2 requires an adequate quantity and quality of water for all uses, including fire protection, shall be provided for with discretionary development.

Rationale: The project is located in the El Dorado Irrigation District (EID) service area. Connection to public water service was verified with EID. The El Dorado County Fire Protection District was notified of the project but did not

provide comments. Future development would be required to comply with applicable fire safe regulations at time of building permit issuance. The project is consistent with this policy.

3.4 The project is consistent with General Plan Policy 5.3.1.1.

Policy 5.3.1.1 requires multifamily residential, commercial, and industrial projects to connect to public wastewater collection facilities if reasonably available as a condition of approval.

Rationale: The proposed modification to COA #3 is supported by the Environmental Management Department (EMD) and applicable regulations regarding connection to public sewers. Generally, EMD requires connection to public sewer if it is within 200 feet of existing public sewers and the costs are infeasible. Currently, public sewer is approximately 500 feet from the subject parcel and there would be significant costs involved in extending EID service. Planning and EMD staff have met with EID staff, and the consensus is that the connection to public sewer for one (1) property owner in this area is infeasible and that shared financing by multiple property owners, as was envisioned in the past, would be necessary to feasibly construct the required connections for the area. The project is consistent with this policy.

3.5 The project is consistent with General Plan Policy 6.2.3.2.

Policy 6.2.3.2 states that as a requirement of new development, the applicant must 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 County Department of Transportation (DOT) reviewed the project and provided modified COA language to ensure construction of the required roadway sections to Father Lode Road and Venture Road to ensure adequate access to the site is from Mother Lode Drive. In addition, the El Dorado County Fire Protection District was notified of the project but did not provide comments. Future roadway construction and on-site development would be required to comply with applicable fire safe regulations at time of applicable permit issuance. The project is consistent with this policy.

4.0 ZONING FINDINGS

4.1 The project is consistent with Section 130.23.010.B.1.

Section 130.23.010.B.1. states that the Industrial - Light (IL) zone shall be applied to lands for manufacturing and associated retail or service activities, wholesaling, and other industrial uses, where the primary activity is conducted within a building or buildings, or

in outdoor storage or activity areas. Conditional Use Permits shall be required for those uses which, by their nature, have the potential to produce or emit noise, odor, fumes, dust, smoke, vibrations, glare, heat, electrical interference or waste material beyond the confines of the property boundaries.

Rationale: The site is largely disturbed by recently established industrial uses occurring on the site. For all existing or future uses that require a building permit, grading permit, or a discretionary entitlement (e.g. Conditional Use Permit), those permits shall be obtained by the property owner or authorized applicant. The project is consistent with this policy.

4.2 **The project is consistent with Table 130.23.030**

Table 130.23.030 lists the Industrial Development Standards that apply to the subject property. The property is located in the IL zone.

Rationale: The IL zone requires a minimum lot size of 10,000 square feet. The parcel is approximately 5.831 acres and therefore meets the size standard. The site is largely disturbed by recently established industrial uses occurring on the site. For all existing or future uses that require a building permit and/or grading permits, the uses will be required to meet established setbacks of 10 feet for the front, 0 feet or 5 feet for the sides, and 10 feet for the rear. Maximum building height is 50 feet, and Floor Area Ratio (FAR), which is allowable floor area to site area, is 0.85. The project is consistent with Table 130.23.030.

CONDITIONS OF APPROVAL

Conditional Certificate of Compliance Revision COC-R26-0001/High Sierra Industries Zoning Administrator/April 1, 2026

(Revisions to the adopted Conditions of Approval are indicated in ~~strikeout~~/underline format.)

1. Subject to improving road easements to County Standard Plan 112 with a 32 foot width and no sidewalk requirement. Said improvements shall be from the northeast corner of the property to the northwest corner and from the southeast corner of the property to the southwest corner. Prior to issuance of the Certificate of Compliance, the applicant shall provide the Department of Transportation with a bid-ready package for construction of improvements and post security in a form acceptable to the County to ensure construction of required improvements. Complete construction of the improvements shall occur within 24 months of the complete approval by the County of the improvements.
2. A complete drainage plan shall be submitted to the County Department of Transportation for approval. A letter of compliance from the Department of Transportation shall be provided to the County Planning Division prior to issuance of a Certificate of Compliance.
3. ~~El Dorado Irrigation District Water and sewer service shall be provided to the property in accordance with the regulations of the El Dorado Irrigation District.~~ Private on-site wastewater treatment system (septic system) shall be allowed in conformance with all applicable County of El Dorado Septic Ordinance requirements. Expansion to the system greater than allowed by the Environmental Management Department shall require providing sewer service in accordance with the regulations of the El Dorado Irrigation District and formal abandonment of the on-site septic system shall be required.
4. ~~A fire hydrant shall be provided within 150 feet of the subject property. A letter of compliance from the Diamond Springs/El Dorado Fire Department shall be provided to the County Planning Division prior to issuance of the Certificate of Compliance.~~
5. ~~The Access road serving this development shall be named by filing a completed Private Road Name Petition with the County Surveyor's office. Street signs, in conformance with Standard Plan 105 (C) shall be installed at each of intersections of Mother Lode Dr. and the unnamed access roads.~~
- 4.6. The \$600 Road Impact Fee shall be paid to the County ~~Planning Division~~ Department of Transportation in accordance with Section 12.28.010 of the County Code.
- 5.7. All improvements shall be completed within three years from the date of issuance of this Conditional Certificate of Compliance.
- 6.8. No building permits shall be issued until all conditions have been satisfied.