

REVISED FINDINGS

Design Review Permit DR22-0007/Cool Station Automobile-Based Commercial Project Planning Commission/February 26, 2026

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with the California Environmental Quality Act (CEQA) and is adequate for this project (Exhibit M).

- 1.2 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and Conditions of Approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation (Exhibit N).

- 1.3 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: This project proposes construction and occupancy of a 7,205-square-foot commercial building, fueling station, and carwash. The commercial building consists of a 4,620-square-foot convenience store and a 2,852-square-foot drive-through quick-serve restaurant, in addition to a 3,024-square-foot fuel canopy and development of an 1,892-square-foot carwash, located within the Cool Rural Center. The project is consistent with this policy because it would result in commercial amenities for the Cool Rural Center.

2.2 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.

Rationale: The El Dorado County General Plan designates the subject site as C. The proposed Design Review Permit proposes a commercial development to include a drive-through quick-serve restaurant, a convenience store, a fuel canopy, a carwash, and a concrete pad for outdoor seating, which is consistent with the C designation. Therefore, this proposal is consistent with this policy.

2.3 The project is consistent with General Plan Policy 2.2.5.2

General Plan Policy 2.2.5.2 requires that all applications for discretionary projects or permits shall be reviewed to determine consistency with the policies of the General Plan.

Rationale: This section regarding General Plan findings verifies compliance with this policy. Therefore, this proposal is consistent with this policy.

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 project has been reviewed by the Cool Pilot Hill Advisory Committee (CPHAC) and staff. Surrounding uses include similarly zoned commercial parcels. A multi-tenant commercial facility is an allowed use within the General Commercial (CG) zone district. The structures have been designed with earthtones, and features complementing the historic look and feel of the area. Therefore, the project is located within a compatible commercial area and has been designed to be compatible with adjoining land uses.

2.5 The project is consistent with General Plan Policy 2.6.1.3

General Plan Policy 2.6.1.3 requires discretionary projects reviewed prior to the adoption of the Scenic Corridor Ordinance, that would be visible from any of the important public scenic viewpoints identified in Table 5.3-1 and Exhibit 5.3-1 of the El Dorado County General Plan Draft Environmental Impact Report, be subject to design review, and Policies

2.6.1.4, 2.6.1.5, and 2.6.1.6 shall be applicable to such projects until scenic corridors have been established.

Rationale: This project is being evaluated through the design review process; therefore, it is consistent with this policy.

2.6 The project is consistent with General Plan Policy 2.7.1.1

General Plan Policy 2.7.1.1 requires The Sign Ordinance to include design review for signs within the foreground and background of the designated scenic corridors commensurate with the goal of scenic corridor viewshed protection.

Rationale: This project is being evaluated through the design review process, therefore is consistent with this policy.

2.7 The project is consistent with General Plan Policy 5.1.2.1.

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

Rationale: Per Pacific Gas and Electric (PG&E) and Georgetown Divide Public Utility District (GDPUD), electricity, gas, and water, have been found to be available and adequate for the proposed development. A new septic system is proposed as part of this project. Additionally, El Dorado County Fire Protection District (Fire District) provides fire protection to the site. The Fire District has confirmed adequate service for this project as conditioned.

2.8 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 District, and GDPUD for adequate public services capacity. The project area is currently provided with an adequate means of potable and emergency water supply, storage or conveyance facilities. The project, as conditioned, is consistent with this policy.

2.9 The project is consistent with General Plan Policy 5.4.1.1.

General Plan Policy 5.4.1.1 requires that storm drainage systems for discretionary

development protect public health and safety, preserve natural resources, prevent erosion of adjacent and downstream lands, prevent the increase in potential for flood hazard or damage on either adjacent, upstream or downstream properties, minimize impacts to existing facilities, meet the National Pollution Discharge Elimination System (NPDES) requirements, and preserve natural resources such as wetlands and riparian areas.

Rationale: El Dorado County's Stormwater Division has reviewed and conditioned the project to adhere to the State of CA Phase II MS4 Permit and the County's Stormwater Management Plan; to provide an Erosion Sediment Control Plan; and to obtain a Construction General Permit. The project, as conditioned, is consistent with this policy.

2.10 The project is consistent with General Plan Policy 6.2.3.2.

General Plan 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: Access has been reviewed by the Fire District, the Department of Transportation (DOT) and Caltrans (since both access points are on Caltrans maintained highways). The site, as designed, will have adequate access for emergency egress and ingress.

2.11 The project is consistent with General Plan Policy 6.3.1.1.

General Plan Policy 6.3.1.1 (Asbestos Requirements) requires that discretionary projects that require either a grading permit or building permit that would result in earth disturbance and are located in areas likely to contain naturally occurring asbestos comply with Air Quality Management District (AQMD) requirements.

Rationale: Current County records indicate the subject property is entirely located within the Asbestos Review Area. AQMD has provided conditions for this project, which includes the requirement of an Asbestos Dust Mitigation Plan Application be submitted and approved for the project prior to building permit issuance. The project, as conditioned, is consistent with this policy.

2.12 The project is consistent with General Plan Policy 7.4.4.4.

Policy 7.4.4.4 (Oak Resources Mitigation) requires that for all new development projects

or actions that result in impacts to oak woodlands and/or individual native oak trees, including Heritage Trees, the County shall require mitigation as outlined in the Oak Resources Management Plan (ORMP).

Rationale: There are trees on site, along the parcel boundaries, and within areas proposed for landscaping. No existing trees would be removed per the proposed project. Therefore, the project is consistent with this policy.

2.13 **The project is consistent with General Plan Policy TC-Xa.**

Traffic from residential development projects of five (5) 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 will not create residential units; therefore, this policy does not apply.

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.

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.

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 units or parcels of land for residential development. Therefore, this policy does not apply to this project review.

2.14 The project is consistent with General Plan Policy TC-Xb.

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.

2.15 The project is consistent with General Plan Policy TC-Xc.

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.

2.16 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 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: Pursuant to Table TC-2, State Highway 49 is allowed to operate at LOS F. The project is consistent with this policy.

2.17 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 two-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 ten or more trips during the a.m. peak hour or the p.m. peak hour.

Rationale: This project will generate more than 10 trips in the peak hour, and more than 100 daily trips. The thresholds in criteria A, B, or C of this policy are met, and a traffic study was therefore prepared by GHD. This traffic study determined that the addition of the project will result in acceptable LOS per General Plan Policy TC-Xd (Exhibit K). The project is consistent with this policy.

2.18 **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 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: The addition of project traffic will not result in LOS deficiencies at any of the study intersections or roadway segments. Therefore, no roadway improvements are necessary to maintain or attain LOS standards detailed in the Transportation and Circulation Element. The project is consistent with this policy.

2.19 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 applicant has provided a traffic impact study (Exhibit K). DOT and Caltrans has provided Conditions of Approval regarding frontage and off-site improvements. The project, as conditioned, is consistent with this policy.

2.20 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 create a subdivision. Therefore, this policy does not apply.

2.21 The project is consistent with General Plan Policy TC-Xi.

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.

3.0 ZONING FINDINGS

3.1 The project is consistent with Section 130.22.010: Zones Established.

The General Commercial (CG) zone provides a mix of more intensive commercial uses, such as light manufacturing, automobile repair, and wholesale activity; where outdoor storage or activity commonly occurs; and where residential, civic, and educational uses are limited to avoid conflicts with allowed uses.

Rationale: The proposed project for a new multi-tenant commercial facility, gas station, convenience store, quick-serve restaurant, and carwash is consistent with the CG zoning designation.

3.2 The project is consistent with 130.22.020: Allowed Uses and Permit Requirements for the Commercial Zones.

The CG zone provides for by-right allowance for automotive and equipment fuel sales and repair shops (carwash), food and beverage retail sales, restaurants, as well as indoor retail sales and service.

Rationale: A drive-through facility is allowed by right when the project site is not located adjacent to a residentially zoned lot or residential use. The portion of the project that is adjacent to a legal non-conforming residential use is only used for access and septic for the project parcel. Therefore, a Conditional Use Permit is not required. The project is not allowed by right because it is within a Design Review Community Combining Zone. This project is consistent with the list of allowed uses for the CG zone.

3.3 The project is consistent with 130.22.030: Commercial Zone Development Standards.

Section 130.22.030 of the Zoning Ordinance identifies the development standards for commercial zone districts. The CG zone is subject to a minimum lot size of 10,000 square feet, minimum lot width of 70 feet, front yard setbacks of 10 feet, secondary front yard setbacks of 10 feet, rear yard setbacks of five (5) feet, and side yard setbacks of five (5) feet, and a maximum height of 50 feet.

Rationale: This project, as proposed, is compliant with all applicable development standards as stated in Section 130.22.030 of the Zoning Ordinance. The lot size totals 5.2 acres, with a width in excess of 70 feet. Proposed setbacks are greater than the required setbacks on all sides.

3.4 The project is consistent with Chapter 130.33 (Landscaping Standards) and the adopted Landscaping and Irrigation Standards.

Rationale: The proposed project will include landscaping that surrounds the whole developed site, as well as a landscaped area to surround the drive-thru, the carwash, and several landscape islands breaking up lines of parking stalls. The site would result in 70% of lot area being covered with impervious

surface.

The project provides the required 50% parking lot landscaping shade.

The project will be subject to Model Water Efficient Landscaping Ordinance (MWELo) compliance through the grading and building permit process. The project, as conditioned, is consistent with this policy.

3.5 The project is consistent with Chapter 130.34 (Outdoor Lighting) and the adopted Outdoor Lighting Standards.

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 meets the County's Outdoor Lighting requirements. The photometric plan demonstrates that all of its light fixtures are full cut-off and have an up light of 0. The light fixtures do not exceed 20 feet in height and are adequately located, shielded, and directed such that no direct light falls outside the property line, or into the public right-of-way. The lighting plans and documentation show that the maximum allowed lumens would not be exceeded for the site (Exhibit J). The project is consistent with this policy.

3.6 The project is consistent with 130.35 (Off-street Parking and Loading Requirements).

Section 130.35 of the Zoning Ordinance establishes off-street parking and loading requirements for commercial developments.

Rationale: The submitted plans demonstrate compliance with the County's Parking and Loading requirements. The project provides 56 stalls, two (2) of which are electric vehicle charging spaces, two (2) of which are Americans with Disabilities Act (ADA) accessible, and three (3) are oversized for trailer parking. Additionally, there are six (6) bicycle stalls and parking for 12 vehicles within the fueling canopy. The project is consistent with this policy.

3.7 The project is consistent with 130.36 (Signs).

The proposed signs for the project must comply with Chapter 130.36 of the Zoning

Ordinance, Signs. The new buildings will each have their own attached signs. According to Table 130.36.070.21b- Rural Center Area Signage Standards for Permanent On-Site Signs, building attached signs in the CG zoning district are limited to 50 square feet of max signage area per establishment with no more than 12 feet in height for freestanding signs (one [1] allowed per street frontage).

Rationale: This project proposal includes two (2) freestanding monument signs. The first frontage does not exceed the allowed 80 square feet, and the second frontage (off State Highway 193) does not exceed the allowed 40 square feet. Each establishment, including the fuel canopy and carwash would have building-attached signs that do not exceed the allowed 50 square feet. Therefore, the project is consistent with this policy.

3.8 **The project is consistent with 130.40.140 (Drive-Through Facilities).**

Section 130.40.140 of the Zoning Ordinance identifies the development standards for drive-through restaurant facilities. The development standards in this section are intended to supplement the standards in the underlying zone for drive-through facilities.

Rationale: The submitted plans demonstrate compliance with the design criteria of 130.40.140 Drive-Through Facilities by being at least 12 feet wide; demonstrate that an American Association of State Highway Transportation Officials (AASHTO) Passenger (P) Vehicle can negotiate any curves or turns in the drive-through lane; the inside radius is 20 feet; drive-through entrance/exits exceed required 50-foot minimum from property lines with residential uses or zones; and the entrance/exit does not face a residential zone or residential use. The drive-through lanes are separated from the standard parking lot area. The project will have the drive-through facility maintained and is subject to Conditions of Approval. The project is consistent and complies with the Drive-Through Facilities requirements.

3.9 **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 County Zoning Ordinance, Design Review Permit. This process is applied to commercial projects with a Design Review-Community (-DC) 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, the use is allowed in the CG zone. The project is located within the Cool Rural Center, which does not have a specific community design standard and as such, 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 traditional, historic western false front architecture, utilizing typical building elements such as parapet roofs and wainscotting that are similar to the overall design (Exhibit F). Building colors would include earthtone sand, earthtone brown and terracotta trim.

4.0 DESIGN REVIEW FINDINGS

4.1 Design Review – Community Combining Zone

The project site is within a Design Review Community Combining Zone, subject to design review by the CPHAC. The project was heard by the CPHAC at their regularly scheduled meeting held on March 31, 2023. The CPHAC initially expressed concerns about whether there is a need for another gas station, and traffic. A second meeting was voluntarily held on May 15, 2023, by the applicant to present the project, revised to address many of the comments and concerns.

