

Z06-0018/PD06-0016/P06-0018 – As recommended by the Planning Commission on March 26, 2009

Findings

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

FINDINGS FOR APPROVAL

1.0 CEQA FINDING

- 1.1** El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2** No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3** The project will not affect wetlands, watercourses, riparian lands, unique plant or animal life and habitats, or other terrestrial matters under the jurisdiction of the State Department of Fish and Game. Therefore, the project has a de minimis impact on the environment and a Certificate of Fee Exemption (DFG 753.5-5/91 is applicable).
- 1.4** The documents and other materials which constitute the record of proceedings upon which this decision is based are in custody of the Development Services Department-planning Services at 2850 Fairlane Court, Placerville, CA 95667.

2.0 General Plan Findings

- 2.1** The proposed use and design conforms to the Industrial General Plan Land Use Designation. The project area is located within the Shingle Springs Community Region, the proposed use and developmental density are consistent with both land use designation and floor area ratio policies as well as the natural resources on site being protected pursuant to General Plan Policies 2.2.1.2 regarding Land Use Designations, 2.2.3.1 regarding Planned Developments, 2.2.1.5 regarding building intensities, 2.2.5.3 regarding general policies for evaluating Zone Changes, 2.2.5.21 regarding compatibility with surrounding land uses, Policies 7.3.5.1, 7.3.5.2, and 7.4.4.2 regarding adequate Landscape Plans, 7.4.4.4 regarding oak woodlands and Objective 10.1.5 and Policies 10.1.5.1 and 10.1.5.2 regarding the importance of promoting and encouraging commercial growth within the County.
- 2.2** As proposed, the project is consistent with the Industrial land use designation of the subject site as defined by General Plan Policy 2.2.1.2, because the Industrial land use designation includes light industrial uses as compatible.

- 2.3** In accordance with State law and pursuant to General Plan Policy 2.2.5.3, the County has evaluated the subject Zone Change request based on the requirements of the General Plan relating to minimum parcel size or maximum allowable density and to assess whether changes in conditions are present that would support the addition of the Planned Development Overlay. Based on the analysis contained in the staff report and the conclusions reached, the site is found to be suitable to support the addition of the Planned Development Overlay (-PD).

3.0 Zoning Findings

3.1 The project is consistent with the El Dorado County Zoning Ordinance.

The proposed land uses are permitted by right within the Industrial Zone District. The project would be consistent with the Development Standards of the Industrial Zone District. The Rezone to add the Planned Development Overlay (-PD) and associated Development Plan would allow the creation of individual parcels and shared parking.

4.0 Administrative Findings

4.1 Planned Development

The proposed use and Development Plan conforms to the Zoning Ordinance as follows:

4.1.1 That the PD zone request is consistent with the General Plan;

The project parcel is already zoned Industrial-Design Control (I-DC), so a zone change request to Industrial-Planned Development (I-PD) would not change the base zone district. The General Plan land Use Designation is Industrial and this proposed Development Plan requires the Planned Development process. Based on the analysis, it has been found that the project is consistent with the General Plan.

4.1.2 That the proposed development is so designed to provide a desirable environment within its own boundaries;

The Development Plan has been reviewed by staff and is consistent with the intent of the Barnett Business Park based on adequate development standards for lighting, landscaping, parking, signs, and overall project design. The project would be developed as a light industrial park, providing landscaping which would enhance the environment for the tenants within the business park; therefore, it can be found that the proposed development would provide a desirable environment within its own boundaries.

4.1.3 That any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography;

The project does not propose any exceptions from the development standards of the Industrial Zone District.

4.1.4 That the site is physically suited for the proposed uses;

The topography of the parcel is sloped in a westerly direction with 96.6 percent slopes ranging from 0-29 percent and some isolated areas or 3.3 percent slopes ranging from 30-40 percent, which would be avoided by the developer with only a small percentage being impacted using retaining walls for parking circulation. The site is located within the Barnett Business Park; therefore, it can be found that the site is suited for the light industrial development.

4.1.5 That adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities;

The project site is located within the Barnett Business Park and as such has all necessary infrastructure in place to support the proposed use. The Facility Improvement Letter of November 20, 2008 indicates that water, sewer, and fire flow requirements are of adequate capacity to serve the project in both availability of equivalent dwelling units (EDU's) and in existing infrastructure. A traffic study submitted to the County Department of Transportation indicates that the project will not negatively impact current levels of service for the business park.

4.1.6 That the proposed uses do not significantly detract from the natural land and scenic values of the site.

The project would provide the required landscaping, enhancing the existing environment. Upon review of landscape plans and the existing site, it can be found that the proposed buildings are compatible with the surrounding development and would provide an architecturally consistent appearance to the site.

4.2 Parcel Map Findings

4.2.1 The proposed Tentative Parcel Map, including design and improvements, is consistent with the General Plan policies and Land Use Map.

The proposed application is for a light industrial park. A Development Plan has been submitted in order to allow for the creation of parcels consistent with General Plan policies and land use map.

4.2.2 The proposed Tentative Parcel Map conforms with the applicable standards and requirements of the County's Zoning Regulations and the Minor Land Division Ordinance.

The proposed project has been reviewed by staff and is considered to be consistent with the intent of the Barnett Business Park based on the Industrial Zone District Development Standards for lighting, landscaping, parking, signs, and overall project design. The project would be developed as a light industrial park, providing landscaping which would enhance the environment for the tenants within the business park; therefore, it can be found that the proposed development would provide a desirable environment within its own boundaries.

4.2.3 The site is physically suitable for the proposed type and density of development.

The site is located within the Barnett Business Park, and it has been determined that the site is suited for the light industrial development based on the moderately sloped topography, lack of tree canopy, and access availability.

4.2.4 The proposed Tentative Parcel Map is not likely to cause substantial environmental damage, as it is a commercial Parcel Map for a development within an established business park.

The Parcel Map subdivides a partially developed site to allow the individual ownership of five lots within the overall development. The Parcel Map is a component of the Development Plan and Zone Change, for which, an Initial Study has been prepared in accordance with the CEQA Guidelines. The Initial Study identified that there would be no significant impact on fish, wildlife or habitat from the project.

4.2.5 The design of the Tentative Parcel Map is not likely to cause serious public health hazards.

The design of the Parcel Map is unlikely to create public hazards based on the review by the Department of Transportation and the El Dorado County Fire Protection District.

Conditions of Approval

Planning Services

1. The project, as approved, consists of the following:

A zone change from Industrial-Design Control (I-DC) to Industrial-Planned Development (I-PD), a Development Plan for construction of three warehouse/office buildings in addition to three existing warehouse/office buildings, shared parking, landscaping and

lighting. A Parcel Map to subdivide the 4.87 acre site into five lots ranging in size from 0.49 acres to 1.95 acres. The following table provides proposed parcel details:

Parcel Number	Parcel Size (acres)	Building (sq. ft.)
1	0.94	A: 11,700
2	0.86	B: 11,250
3	0.64	C: 11,250
4	0.49	D: 7,200
5	1.95	E: 5,365 & F: 9,000

Development Plan: Three warehouse/office buildings would be constructed as part of this Development Plan, in addition to three existing warehouse/office buildings (total 55,765 sq. ft.). Buildings C, D, E, & F, would only be allowed a total of 34 parking spaces for potential tenant office space to ensure consistency with County parking ordinance. There are a total of 88 parking stalls including 6 handicapped stalls of the required 54 spaces for the whole development. A shared parking and maintenance agreement would be incorporated into CC&R's for the project.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape Plans) must be submitted for review and approval and shall be implemented as approved by the County.

2. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the Government Code.

The subdivider shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

County shall notify the subdivider of any claim, action, or proceeding and County shall cooperate fully in the defense.

3. Prior to issuance of a grading permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an

inspection by Planning Services if deemed necessary prior to issuance of a grading permit for verification of compliance with applicable conditions of approval.

4. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place and determine its significance. If the find is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after the appropriate measures are taken or the site is determined not to be of significance.
5. In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission.

Development Plan

6. All site improvements shall conform to Exhibit E Site Plan, F1-F6 Building Elevations, G1 & G2 Preliminary Landscape Plans, H1 & H2 Pre and post Phase II Oak Canopy, I Sign Plan, J1 & J2 Lighting Plan.
7. Construction activities shall be limited to the hours of 7 a.m. to 7 p.m. during weekdays and 8 a.m. to 5 p.m. on Saturday. Exceptions are allowed if it can be shown that construction beyond these times is necessary to alleviate traffic congestion and safety hazards. Planning Services shall verify this requirement is placed on the Grading Plans prior to issuance of a grading permit.

Parcel Map

8. All fees associated with the Tentative Parcel Map shall be paid prior to filing the Parcel Map.
9. This Tentative Parcel Map shall expire in 36 months from date of approval unless a timely extension has been filed.
10. Domestic water shall be supplied by a public entity with a minimum six-inch water line to the property being divided, and a water meter award letter or similar assurance from the water purveyor, guaranteeing water service upon demand to each of the parcels created, shall be submitted to the County Surveyor at the time of filing the Parcel Map.
11. At time of filing the Parcel Map, CC & R's shall be submitted and reviewed by Planning Services.

County Surveyor

12. All Survey monuments shall be set prior to filing the Parcel Map.
13. Prior to filing the Parcel Map, a letter to the County Surveyor will be required from all agencies that have conditions placed on the map. The latter shall state that all conditions placed on the Parcel Map have been met.

El Dorado County Fire Protection District

14. Applicant shall submit a \$300.00 site plan review fee.
15. Minimum fire flow shall be 1,500 gpm @20 psi for 2 hours.
16. Additional fire hydrants will be required for this project. The Fire District will determine hydrant locations prior to issuance of a building permit.

Department of Transportation

17. The developer shall obtain an encroachment permit and construct a modified Std. Plan 103G driveway for the access connection onto Commodity Way. This work must be substantially complete, as determined by the Department of Transportation, prior to occupancy of any unit of this project.
18. The applicant shall provide a reciprocal access and parking agreement, guaranteeing access for all parcels involved in this parcel map to use all access points from Commodity way and Business Drive, prior to the filing of the map.
19. All applicable existing and proposed easements shall be shown on the project plans.
20. The proposed project must form an entity for the maintenance of any shared or common area including: private roadways, parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roadways, parking facilities, landscaping, signs, and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the parcel map.
21. The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Conditions and Restrictions (CC&Rs).
22. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the

Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.

23. The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
24. The developer shall enter into a Parcel Map Improvement Agreement (PMIA) with the Department of Transportation for onsite roadway, drainage infrastructure, grading, etc. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the PMIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map. This condition shall appear as a note on the recorded parcel map.
25. Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
26. A commercial grading permit is required for the project. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the DOT and/or Development Services (whichever is applicable) for review and approval. The plan shall be in conformance with the County of El Dorado "*Design and Improvement Standards Manual*", the "*Grading, Erosion and Sediment Control Ordinance*", the "*Drainage Manual*", the "*Off-Street Parking and Loading Ordinance*", and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of the DOT and/or Development Services (whichever is applicable) or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.
27. Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation or Development Services (whichever is applicable). The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
28. The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion

control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation or Development Services (whichever is applicable) shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.

29. At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation or Development Services (whichever is applicable). Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
30. The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation or Development Services (whichever is applicable).

The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:

- The site can be adequately drained;
- The development of the site will not cause problems to nearby properties, particularly downstream sites;
- The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
- The ultimate drainage outfall of the project.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. The improvements shall be completed to the approval of the Department of Transportation or Development Services (whichever is applicable), prior to the filing of the parcel map or the applicant shall obtain an approved improvement agreement with security.

31. Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any

variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the parcel map.

32. Pursuant to Section 4.D of the DISM, the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and or on the final map.
33. At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
34. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
35. The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.