

S. Taylor BOS 12/17/2019 # 58

12-17-19

To the El Dorado County  
Board of Supervisors  
330 Fairlane  
Placerville, CA 95667

Re: Comments on the recommendation of the Planning Commission on the Creekside Plaza project to request a Rezone (Z10-0009), a Tentative Parcel Map (P10-0012), and a Planned Development (PD10-0005) on property identified by Assessor's Parcel Numbers 327-211-014, 327-211-016, and 327-211-025, consisting of 4.39 acres, in the Community Region of Diamond Springs, submitted by Grado Equities VI, LLC; and the Planning Commission recommending the Board take the following actions:

- 1) Adopt Resolution 233-2019 certifying the Environmental Impact Report (Attachment C), subject to California Environmental Quality Act Findings (Attachment D);
- 2) Adopt the Mitigation Monitoring Reporting Program (Attachment E) detailing the recommended Mitigation Measures in the Environmental Impact Report, in compliance with California Environmental Quality Act Guidelines Section 15097(a);
- 3) Approve Z10-0009 rezoning Assessor's Parcel Numbers 327-211-014, 327-211-016, and 327-211-025 from Community Commercial-Design Control to Community Commercial-Planned Development and Open Space-Planned Development based on the Findings (Attachment G) presented;
- 4) Approve Tentative Parcel Map P10-0012 subdividing the project site into four parcels including a 0.22-acre portion of Forni Road Right of Way subject to a General Vacation based on the Findings (Attachment G) and subject to the Conditions of Approval (Attachment H) as presented;
- 5) Approve Planned Development PD10-0005 as the official Development Plan for the proposed Creekside Plaza commercial center containing three buildings totaling 30,560 square feet with on-site parking, lighting, signage, and landscaping based on the Findings (Attachment G) and subject to the Conditions of Approval (Attachment H) as presented; and
- 7) Adopt Ordinance 5118 for said Rezone.

Dear Board of Supervisors,

The following is excerpts from the 2015 TGPA/ZOU that was approved by the Board of Supervisors.

## **8.2 Master Response 1: Specificity of Environmental Review**

*A number of commenters have suggested that the environmental analysis in the DEIR should be more specific and provide environmental impact information at the parcel level. The EIR for the TGPA/ZOU is characterized as a "program EIR." That is, an EIR prepared for a series of actions that can be characterized as one large project and that are related in connection with the issuance of regulations and plans (paraphrasing CEQA Guidelines1 Section 15168). The proposed TGPA/ZOU is the project for which the EIR was prepared.*

*As described in Section 1.1.3 of the DEIR, the TGPA/ZOU program EIR (TGPA/ZOU EIR) differs from the typical "project EIR" that is prepared for a site-specific project such as a highway interchange or large development proposal. The degree of specificity in the TGPA/ZOU EIR corresponds to the degree of specificity contained in the proposed TGPA/ZOU, consistent with CEQA Guidelines Section 15146.*

*Because the TGPA/ZOU does not include site specific development projects, it does not have the degree of specificity that would be expected of the EIR prepared for a development project. This approach corresponds with CEQA Guidelines Section 15146(b), which states:*

*An EIR on a project such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the adoption or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow.*

*The ZOU includes site specific zone changes, but does not propose any specific development on any of those sites. The zone changes are being undertaken in order to make the zoning consistent with the General Plan's land use map, as required by California Government Code Section 65860, various policies of the General Plan, and General Plan Implementation Measure LU-A. As a result, there are no parcel specific development proposals that could be examined for environmental impact.*

*The ZOU zone changes will result in zoning that is consistent with the adopted General Plan. As discussed in Master Response 2, the analysis in the TGPA/ZOU EIR references the conclusions of the 2004 General Plan EIR regarding the impacts of the General Plan, while taking into account existing conditions. This provides the general level of environmental review and disclosure required by CEQA for this type of project.*

*The TGPA/ZOU EIR is not required to, nor does it speculate about the specific development that might someday be proposed on the zone change sites. CEQA does not require lead agencies "to engage in speculation in order to analyze a 'worst case scenario'" (Napa Citizens for Honest Government v. Napa County Bd. of Supervisors (2001) 91 Cal.App.4th 342, 373). CEQA Guidelines Section 15151 describes the standard for adequacy of an EIR as follows:*

*An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible.*

*Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.*

*CEQA will apply to future specific projects, even after the Final TGPA/ZOU EIR is certified. The CEQA analyses prepared for those proposed projects will provide decision-makers and the public with information on the potential project-specific impacts, as well as mitigation measures. The holding in *Town of Atherton v. California HighSpeed Rail Authority* (2014) \_\_ Cal.App.4 \_\_ explains the expected level of detail in a program EIR in relation to that expected in a project-level CEQA document.*

*... Requiring a first tier program EIR to provide greater detail as revealed by project-level analyses, "undermine[s] the purpose of tiering and burden[s] the program EIR with detail that would be more feasibly given and more useful at the second tier stage." (Bay-Delta, supra, 43 -Cal.4th at p. 1173.) While significant new information must be included in an EIR, requiring a program EIR to include everything discovered in project-level analyses before the program EIR is certified would result in "endless rounds of revision and recirculation" of EIRs that the Legislature did not intend. (Laurel Heights Improvement Assn. v. Regents of University of California (1993) 6 Cal.4th 1112, 1132.) Petitioners' position would require an agency to stop all level analysis until after the program EIR was certified in order to avoid endless revisions. ...*

### **8.2.1 Future Use of the TGPA/ZOU EIR**

*Certifying the TGPA/ZOU EIR does not eliminate the need to analyze the potential environmental impacts of later actions. CEQA Guidelines Section 15168 establishes two important limitations on this streamlined process.*

*First, the later action must be "within the scope" of the program EIR. That means that (1) the action is part of the project described in the program EIR and (2) all of its significant impacts were examined in the program EIR. If the later action was not part of the project or would have new significant impacts that were not examined previously, then the action would be subject to CEQA's usual requirements for preparation of an EIR.*

*Second, when the later action is within the scope, it must be examined to determine whether it would result in a substantial increase in the severity of any of the significant impacts that were previously analyzed in the program EIR. The increase in severity could be related to any of the following: (1) the extent to which the later action is a change to the project; (2) the extent to which changes have occurred in the circumstances that existed when the program EIR was certified; or (3) whether there is new information that was*

*not known and could not have been known when the program EIR was certified. (CEQA Guidelines Section 15162) If the later action would increase a significant impact's severity, then a "subsequent EIR" would be required by CEQA. The subsequent EIR would focus its attention on that impact.*

*In conclusion, once it is certified, the TGPA/ZOU EIR will offer opportunities for streamlining the CEQA process for later actions. The extent to which this will occur will depend on the characteristics of proposed later action and will be determined on a case-by-case basis.*

The historic zoning on Creekside was residential. None of the General Plans that were adopted by the County analyzed the impact of the conversion of those properties to Commercial. When the 2004 General Plan was adopted the mitigation for matching the zoning to the Land Use was contained in General Plan Policy 2.2.5.3:

***Policy 2.2.5.3 The County shall evaluate future rezoning:***

*(1) To be based on the General Plan's general direction as to minimum parcel size or maximum allowable density; and*

*(2) To assess whether changes in conditions that would support a higher density or intensity zoning district. The specific criteria to be considered include, but are not limited to, the following:*

- 1. Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;*
- 2. Availability and capacity of public treated water system;*
- 3. Availability and capacity of public waste water treatment system;*
- 4. Distance to and capacity of the serving elementary and high school;*
- 5. Response time from nearest fire station handling structure fires;*
- 6. Distance to nearest Community Region or Rural Center;*
- 7. Erosion hazard;***
- 8. Septic and leach field capability;*
- 9. Groundwater capability to support wells;*
- 10. Critical flora and fauna habitat areas;*
- 11. Important timber production areas;*
- 12. Important agricultural areas;*
- 13. Important mineral resource areas;*
- 14. Capacity of the transportation system serving the area;***
- 15. Existing land use pattern;*
- 16. Proximity to perennial water course;***

17. Important historical/archeological sites; and
18. Seismic hazards and present of active faults.
19. Consistency with existing Conditions, Covenants, and Restrictions.

After adopting the 2004 General Plan discretionary and ministerial projects were reviewed based on this criteria. That was stopped with the adoption of the TGPA/ZOU and the public was told that the TGPA/ZOU was a program EIR and future changes that had not been analyzed under the TGPA/ZOU, such as this project would be analyzed individually. Also that TGPA/ZOU does not use the existing General Plan as the baseline because the General Plan illustrates the future uses of land, not existing conditions. Now we are at that point and this project is heavily relying on the TGPA/ZOU and not as if we were looking at existing conditions.

The TGPA/ZOU EIR stated that "Where the 2004 General Plan EIR identified mitigation measures that were adopted as General Plan policies, the TGPA/ZOU EIR **identifies those prior mitigation measures** and the extent to **which they reduce the impact of future development that is consistent with the General Plan**"(SECTION 8.3.1. Use of the 2004 General Plan EIR). **Section 2.2.5.3 of the 2004 General Plan was one of those prior mitigation measures expected to take place with this project.** Despite promises from the Board of Supervisors that approved the TGPA/ZOU, never has.

### **Mitigation Measures in the TGPA/ZOU EIR**

*To an extent, the level of detail in the TGPA/ZOU EIR's mitigation measures is limited by the nature of this project. The TGPA/ZOU does not propose any specific development projects. Therefore, the size, intensity, and design of future development that could occur under the TGPA/ZOU cannot be known at this time. For example, the ZOU would allow a Health Resort and Retreat Center in specified zones either by right or upon approval of an administrative or conditional use permit. However, the ZOU's definition of Health Resort and Retreat Center does not provide much detail about what would constitute such a center.*

*As a result, many of the mitigation measures act at the policy or ordinance level. Unlike the mitigation measures that might be adopted for a development project, they are not site-specific. Using the Health Resort and Retreat Center as an example again, in response to the potential impacts of such centers in rural areas, the TGPA/ZOU EIR includes Mitigation Measure AG-1a which would limit these centers to the size of bed and breakfast inns.*

*The mitigation measures for a private development project are typically adopted as "conditions of approval" for that project to ensure they are implemented. The TGPA/ZOU is not a development project, but is instead a set of proposed changes to the County's land use planning policies and zoning regulations. Accordingly, the mitigation measures for the TGPA/ZOU will be included in the approval of the TGPA and ZOU, thereby incorporating them into the General Plan and the proposed Zoning Ordinance to ensure their implementation.*

We are now at that Development stage in which this project must be analyzed as promised in the 2004 General Plan.

## ***Practical Constraints on Future Development under the TGPA/ZOU***

### ***8.6.1 Practical Considerations***

*The TGPA/ZOU EIR does not assume full build-out because there are practical constraints on development that make such an assumption unreasonable. Neither the General Plan designation nor zoning that is applied to any given parcel confers a vested right to develop that parcel at the maximum density provided for under the designation or zone.*

This is saying that just because the applicant can apply for development does not mean that project can be without constraints. Originally this project violated the General Plan, the zoning ordinance, Measure Y and Measure E, 30% slope limitations, the Oak Woodlands Policies, and wetland standards. The project will also require the 50' right of way along Forni Road owned by the County.

See the County's statement below:

Since the rescission of the project approvals, some changes to the General Plan and Zoning Ordinance as part of the Targeted General Plan Amendment and Zoning Ordinance Update (TGPA/ZOU) that was adopted by the County Board of Supervisors on December 15, 2015 have taken place that are relevant to the project. First, the subject parcels were rezoned from One-Acre Residential (RIA) to Community Commercial-Design Control (CC-DC). Second, development restrictions on slopes 30% or greater under General Plan Policy 7.1.2.1, has been codified into the Zoning Ordinance under Section 130.30.060 (*Hillside Development Standards: 30 Percent Slope Restriction*). Third, regulation of oak resource impacts under General Plan Policy 7.4.4.4 has also been codified under Section 130.39 of the Zoning Ordinance implementing the Oak Resource Management Plan (ORMP) (note: this ordinance was not a part of the TGPA/ZOU). Lastly, regulation of impacts to wetlands under General Plan Policy 7.4.4.4 has been codified under Section 130.30.030 of the Zoning Ordinance (*General Development Standards-Setback Requirements-Protections of Wetland and Sensitive Riparian Habitat*).

The project also violates the allowed commercial square footage allowed in the Missouri Flat Corridor. This is without the Creekside Project:

Approved square footage as of 2012.....	500,000
The Crossings approved in 2014.....	120,000
Total known developed commercial within MC&FP Phase 1.....	<u>620,000</u>
Diamond Dorado approved September 11, 2012, but not yet built..	280,515
New Public Safety Facility approved 2015, but not yet built .....	106,331
Total approved commercial within MC&FP Phase 1.....	<u>1,006,846</u>
Pending Sundance Plaza .....	350,000

Total pending and proposed square footage within the MC&FP... 1,356,846

Total square footage capacity of MC&FP Phase 1 .....750,000

Note: This does not include existing or proposed residential development

### **CalTrans:**

Per Jeffrey Morneau, Acting Branch Chief, CalTrans in his January 27, 2015 remarks regarding the Public Facility project:

*"Traffic studies..., such as Piedmont Oak Estates, state that the Missouri Flat Interchange will operate at LOS E and F in the 2035 Plus Project Scenario without improvements to the interchange - a conclusion we agree with. The 2035 Plus Project Scenario LOS for the Missouri Flat Interchange without improvements to the interchange is reported as B and C..., a conclusion we do not agree with. "*

The EIR proposes an alternative with reduced impacts, which still is an unmitigated transportation impact since the traffic has really not been adequately mitigated.:

### **Transportation**

*The Wetland Avoidance Alternative consists of developing 20,060 square feet of office, retail, and restaurant uses on the project site, which represents a reduction of 35 percent or 10,500 square feet relative to the proposed project. Accordingly, fewer corresponding daily vehicle trips would be generated as compared to the proposed project. The reduction in peak-hour trips would avoid or lessen the severity of significant impacts at several intersections and roadway segments; however, **this alternative would still contribute to facilities experiencing unacceptable operations and would require mitigation measures**, similar to the proposed project. Therefore, the Wetland Avoidance Alternative would have similar less than significant transportation impacts as the proposed project, although the severity of impacts would be reduced.*

No matter what this project must comply with Policy TX-Xa #2. and the County has continued to avoid addressing this requirement which was passed by the voters and validated by legal action of the court.:

### **Measure E Applicability to the Project**

*The County has determined that, because the project application was deemed complete before Measure E's adoption and subsequent ruling, Measure E policies do not apply to the project. However, the 2008 Measure Y policies (before Measure E took effect) are applicable (Pabalinas, pers. comm.). The language 2008 Measure Y Policy TC-Xa is provided as follows:*

**Policy TC-Xa**—*The following policies shall remain in effect until December 31, 2018:*

- 1. Traffic from single family residential subdivision development projects of five or more parcels of land shall not result in, or worsen, Level of Service 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.*
- 2. The County shall not add any additional segments of U.S. Highway 50, or any other roads, to the County's list of roads that are allowed to operate at Level of Service F without first getting the voters' approval or by a four-fifths vote of the Board of Supervisors.*

*3. 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 upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county.*

In 2011 Stephen Pyburn, PE, TE performed the traffic study for Creekside. He stated that the addition of the proposed project causes the intersection at Forni Road and Golden Center Drive to change from LOS D to LOS F. The mitigation was to be a signal. Since there was no stacking room for a signal the mitigation was removed from the project and has not been mentioned since. The Staff just dropped the ball on following through with real mitigation once it was determined this was not feasible. There is nothing in this current EIR that addresses peak hour traffic as required by either Measure Y or E:

Current EIR:

5. Traffic and Circulation Traffic and Circulation impacts were evaluated based on a Traffic Impact Analysis (TIA) submitted for the project. The TIA evaluated the traffic conditions (LOS) at 11 existing intersections and three roadway segments primarily along Missouri Flat Road. Traffic conditions reviewed for the project includes verification of Level of Service, Traffic Volume, Traffic Signal Warrants, and Intersection Queues at signalized intersections. The project was also reviewed for consistency with infrastructure needs including bus stop siting, bicycle lane, and pedestrian paths. As discussed in the DEIR, the project was reviewed for consistency with the applicable standards of the Traffic and Circulation Element policies involving Measures Y and E. **Impacts associated with the generation of new vehicular trips have been determined to contribute to unacceptable traffic operations under Existing Plus Project conditions and 2035 plus Project conditions and are considered potentially significant.** Application Mitigation Measure MM TRANS-1, which requires payment of Traffic Impact Mitigation (TIM) fees, has been identified as the appropriate measure to reduce the impact to less than significant. **The generated vehicular trips have also been reviewed for potential impacts to mid-afternoon traffic operations in the immediate area, in particular during school operation hours. As determined, the mid-afternoon traffic conditions in the Existing plus Project and the 2035 scenarios would not result in unacceptable intersection Level of Service or satisfaction of traffic signal warrants.** Impacts would be less than significant. Project design was analyzed for potential substantial increase of hazards and incompatible uses. The design was reviewed against the County's Traffic Impact Study Guidelines and On-Site Transportation Review (OSTR) for site access and circulation, sight distance, parking as well as review of historical vehicular accidents in the area. **The potential impact was considered potentially significant which can be mitigated to less than significant with application of Mitigation Measure MM TRANS-5.**

I ask that the Board of Supervisors continue this project, deny the EIR and require that the project be redesigned to minimize the impacts and to also comply with Measure E, Policy TC-Xa #2.

Sincerely,

Sue Taylor

Save Our County



"If any county road or state highway fails to meet the [given] standards for peak hour level of service...under existing conditions, and the project will 'significantly worsen' conditions on the road or highway, then the impact shall be considered significant." According to General Plan Policy TC- Xe<sup>7</sup>, 'significantly worsen' is defined as "a 2 percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily, or the addition of 100 or more daily trips, or the addition of 10 or more trips during the a.m. peak hour or the p.m. peak hour."

### *Impacts and Mitigation*

#### Existing (2009) plus Proposed Project Conditions

##### *Impacts:*

Missouri Flat Road at Enterprise Drive: As shown in Table 4, this intersection operates at LOS F during the PM peak-hour without the project, and the project contributes more than 10 peak-hour trips to the intersection during the PM peak-hour. ***This is a significant impact.***

##### *Mitigation*

The impact at this intersection can be mitigated with the construction of the Diamond Springs Parkway. The Parkway will significantly reduce the traffic volumes at the intersection resulting LOS C or better, as indicated by the results of the EPAP plus Proposed Project presented in Table 6.

#### Existing plus Approved Projects plus Proposed Project Conditions

##### *Impacts*

There were no impacts created in this scenario.

##### *Mitigation*

None required.

#### Cumulative plus Proposed Project Conditions

##### *Impacts*

Forni Road at Golden Center Drive: As shown in Table 8, the addition of the proposed project causes this intersection to change from LOS D to LOS F. ***This is a significant impact.***

##### *Mitigation*

The impact at this intersection can be mitigated with the construction of a traffic signal at this intersection. With the signal, the intersection will operate at LOS D during both the AM and PM peak hours. The signal at this intersection should be interconnected and coordinated with the signal at the intersection of Forni Road and Missouri Flat Road. Coordinating the timing of the two signals will be necessary to minimize the vehicle queuing between the two signals. LOS analysis worksheets for the mitigated conditions are included in Appendix E. The mitigation results in this impact being less than significant.

### **Other Considerations**

#### *Peak-Hour Traffic Signal Warrant Evaluation*

A planning level assessment of traffic signal warrants was performed for the unsignalized study intersections. This evaluation was performed consistent with the peak-hour warrant methodologies noted in Section 4C of the *California Manual on Uniform Traffic Control Devices (CMUTCD)*,

<sup>7</sup> El Dorado County General Plan, Transportation and Circulation Element, July 2004.

dated September 26, 2006. A summary of the peak-hour warrant results are presented in Table 9. Analysis sheets are presented in Appendix F.

Table 9: Traffic Signal Warrant Results

Intersection	Warrant Satisfied					
	Existing	Existing plus PP	EPAP	EPAP plus PP	Cumulative	Cumulative plus PP
4 Missouri Flat Road at Road 2233	No	No	No	No	No	No
5 Missouri Flat Road at South Site Driveway	No	No	No	No	No	No
8 Missouri Flat Road at China Garden Road	Yes	Yes	Yes	Yes	Yes	Yes
9 Missouri Flat Road at Industrial Drive	No	No	No	No	No	No
10 Missouri Flat Road at Enterprise Drive	Yes	Yes	Yes	Yes	Yes	Yes
13 Forni Road at Golden Center Drive	No	No	No	No	No	No
EPAP = Existing plus Approve Projects; PP=Proposed Project						
PP= Proposed Project						

As shown in Table 9, traffic signal warrants are satisfied at two of the six unsignalized intersections, either with- or without the proposed project.

#### *Intersection Queuing Evaluation*

As required by a representative of the county, vehicle queuing for movements at intersections where queue spillback may occur was evaluated. The traffic impact analysis software was used to estimate the 95<sup>th</sup> percentile vehicle queues at critical movements at six (6) study intersections. The estimated vehicle queue lengths were then compared to the actual storage areas available, or the storage lengths expected to be available with future improvements. Results of the queuing evaluation are presented in Table 10. The tables include the vehicle queues assuming the mitigation measures identified in the "Impacts and Mitigation" section above are implemented. Analysis sheets that include the anticipated vehicle queues are presented in Appendix G.

At the intersections of Missouri Flat Road at the Eastbound US-50 off-ramp, and Missouri Flat Road at Mother Lode Drive, the very close intersection spacing contributes to vehicle queues exceeding the available storage length. This condition is expected to occur with or without the proposed project.

#### *Preliminary Traffic Safety Evaluation*

The site plan for the proposed project was reviewed for general access and on-site circulation. According to the site plan, primary access to the site will be provided via two driveways on Missouri Flat Road and one driveway on Forni Road. As such, the proposed project site has adequate access from the adjacent roadways to accommodate site traffic. In addition, on-site circulation improvements are expected to be adequate for the development.

#### *Bicycle and Pedestrian Facilities Evaluation*

Placement of bikeways in El Dorado County are guided by the *El Dorado County Bicycle Transportation Plan*. The Plan specifies that proposed projects are required to include "pedestrian/bicycle paths connecting to adjacent commercial, research and development, or industrial projects and any schools, parks, or other public facilities."

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XVI. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X	
e. Result in inadequate emergency access?		X	
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?		X	X

**Discussion:** A substantial adverse effect on Traffic would occur if the implementation of the project would:

- Result in an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system;
- Generate traffic volumes which cause violations of adopted level of service standards (project and cumulative); or
- Result in, or worsen, Level of Service "F" traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county as a result of a residential development project of 5 or more units.

a-b. **Traffic Increases, Levels of Service Standards:** Missouri Flat Road and Forni Road are County maintained roadways. The project is located in the El Dorado-Diamond Springs Community Region. The project proposes three new encroachments, one each onto Forni and Missouri Flat Roads and one onto Road 2233 as shown on Sheet S1, provided as Exhibit F-1. The project proposes to share the interior access driveways. Those interior access and circulation roadways have been analyzed by DOT and the Diamond Springs-El Dorado Fire Protection District and found by both to be adequate for interior circulation as conditioned. DOT has determined that this project trips the threshold of the General Plan requiring completion of a Traffic Study.

~~DOT has determined that this project trips the threshold of the General Plan requiring completion of a Traffic Study. A Traffic Study (WO #34) is in process. The traffic study currently includes the construction of the Single Point Urban Interchange (Missouri Flat Interchange Phase 2) which is currently not programmed in our CIP, signal warrants are satisfied at two of the six unsignalized intersections yet un-mitigated, average daily trips and peak hour volumes have not been verified and adequately queueing distances have not been addressed.~~

As required by County policy, a traffic study was prepared to analyze the potential traffic impacts resulting from the project. The Creekside Traffic Impact Analysis dated November 11, 2009, prepared by Stephen Pyburn, PE, TE, for Palos Verdes Properties, provides analysis and conclusions relative to traffic impacts generated by the project. According to the report, the project would cause an increase in traffic on area roadways and intersections. The traffic study concluded that the project would be expected to generate 218 AM and 279 PM peak hour trips, with 2,549 daily trips. (The project was latter modified reducing the project impacts -107 AM and -40 PM trips, with -471 daily trips, however the analysis was not modified.) The proposed project will result in significant impacts under both existing plus proposed project and cumulative plus proposed project conditions. These impacts can be mitigated to meet County General Plan levels of service standards with the incorporation of Condition of Approval number 23, and provide for General Plan consistency.

The traffic study recommended signalization of two intersections. The impacts have been mitigated and meet General Plan consistency requirements, as described below.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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Significant impacts were found at Missouri Flat Road at Enterprise Drive. The impact at this intersection can be mitigated with the construction of the Diamond Springs Parkway (CIP project # 72334). The Parkway will significantly reduce the traffic volumes at the intersection resulting in LOS C or better. General Plan Policy TC-Xf allows for mitigation of the impacts if the identified improvements are included in the County's Capital Improvement Program ("CIP"). This improvement is included in the ten-year CIP.

Significant impacts were also noted at Forni Road and Golden Center Drive. The Traffic Study suggested that a signal be utilized to mitigate the impacts, however, the distance between Golden Center Drive and Missouri Flat Road (approximately 250 feet) is not a sufficient distance to allow for stacking of the vehicles. The recommended minimum distance is 700 feet. The TIS showed the trigger for the signal recommendation was the back up on Golden Center Drive. The addition of turn lanes at the intersection mitigate the impacts.

The DOT recommended Conditions of Approval for the project as proposed include payment of TIM fees, and annexation into the Community Facilities District No. 2002-01, and the following road improvements:

- 23-1) Missouri Flat Road Improvements: The applicant shall construct the improvements along the frontage of Missouri Flat Road as follows:
- Construct 6-foot sidewalk, curb, and gutter
  - Provide 4-foot Class 2 Bike Lane
  - Extend existing center median 60-feet northerly along Missouri Flat Road
  - Left turn pocket onto County Road 2233

The improvements shall be completed to the satisfaction of the Department of Transportation (DOT) or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the Parcel Map.

- 24-2) Forni Road Improvements: The applicant shall construct the improvements along the frontage of Forni as follows:

- Construct 6-foot sidewalk, curb, and gutter
- Provide 4-foot Class 2 Bike Lanes
- Frontage improvements along school frontage
- Crosswalk from the intersection of Golden Foothill Parkway and Forni Road to curb return on eastern side of project

The improvements shall be completed to the satisfaction of the Department of Transportation (DOT) or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the Parcel Map.

- 25-3) Intersection Improvements: The applicant shall make the improvements as described in the table below. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to filing of the Parcel Map.

Table 1		
INTERSECTION DESCRIPTION		IMPROVEMENTS
Missouri Flat Road	Mother Lode Drive	Conversion of the southbound right turn lane on Missouri Flat Road to a through right turn lane, and the addition of a southbound through lane south of Mother Lode Drive.
		Conversion of the dual eastbound right turn lanes from the eastbound US-50 ramps to Missouri Flat Road to a single free right turn lane