

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: November 8, 2007
Item No.: 10
Staff: Roman Anissi

REZONE AND TENTATIVE PARCEL MAP

FILE NUMBER: AZ05-0001/P05-0010

OWNER: Frank D'Ambrosio Jr. Family Trust

AGENT: George Caputo

ENGINEER: Gene Thorne & Associates

REQUEST: A request to rezone a 10.54-acre lot from Estate Residential Ten-Acre-Airport Safety (RE-10-AA) to Planned Commercial-Airport Safety (CP-AA) and a tentative parcel map to subdivide the lot into a 6.05-acre parcel 1 and a 4.46-acre parcel 2. Staff would be recommending that a Design Control (DC) overlay be added to the rezone because a formal project was not submitted and only a preliminary development concept was provided for review. A preliminary development concept is being used solely to analyze General Plan consistency and for the environmental analysis necessary to process this application, and would not be used to justify overall impacts for a formal project scope that would need to be proposed on parcel 1 or 2 in the future.

LOCATION: East side of Cameron Park Drive, approximately 560 feet north of the intersection with Meder Road, in the Cameron Park Community Region, Supervisorial District IV. (Exhibit B)

APN(s): 083-020-29

ACREAGE: 10.54 acres

GENERAL PLAN: Commercial (C) (Exhibit D)

ZONING: Estate Residential Ten-Acre-Airport Safety (RE-10-AA) (Exhibit E)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND:

This property is parcel 1 of 2 of final parcel map 46-75 recorded November 7, 1997. The current application was submitted on May 25, 2005, requesting a General Plan amendment, rezone, and tentative parcel map to subdivide the 10.54 acre parcel 1 of that map into two new parcels. Parcel 2 of the map is a 49.08 acre lot located in the Cameron Park Unit of the Pine Hill Preserve managed by the Bureau of Land Management (BLM). Since the time of the submittal, the County initiated a countywide General Plan amendment to correct designations on certain properties. The designation on a portion of this 10.54 acre site was corrected from High Density Residential (HDR) to Commercial (C). This entire lot is now comprised of the C designation and there is no need to pursue a General Plan amendment as part of this application.

At its February 22, 2007 meeting, the Planning Commission reviewed this application as a Conceptual Review. No formal decisions or actions were made at that meeting; however, the Commissioners provided a general consensus that the applicant should continue to process this application. Many of the General Plan policy issues were raised and discussed at that meeting and a major milestone was resolved when the County Department of Transportation (DOT) identified that primary access could be taken from the Cameron Park Drive frontage instead of the access easement that extends from Meder Road across Bureau of Land Management (BLM) land onto this site. Because of this, potential impacts to sensitive resources would be greatly reduced for any formal projects proposed under a required and future discretionary review process necessary for either of the two newly proposed parcels. In addition, coordination related to access with the BLM could potentially be eliminated. This application was deemed complete for processing on July 24, 2007.

STAFF ANALYSIS

Project Description: This application is primarily a rezone to allow a commercial subdivision of land and there is no formal project being considered for development at this time. The information provided for the application identified a preliminary development concept with a 9.6-acre on-site development footprint, as well as off-site improvements for road and emergency access in order to assess this application for consistency with County policies and for environmental analysis. Rather than analyze a worst case scenario for maximum build-out, staff used the applicant's proposed preliminary development concept for parcel 1 and 2 in its assessments. For parcel 1, a 62,640 square foot 2-story multi-purpose preliminary development concept facility was provided illustrating, in plan view; a 36-lane bowling alley; an arcade with miniature golf course; a maximum 200 seat restaurant with bar; and 146 full-size, 119 compact, 5 handicap parking spaces, and one loading area. Parcel 2 provided a preliminary development concept illustrating, in plan view, a 39,722 square foot 2-story office building with 158 full-size, 32 compact, 4 handicap parking spaces, and one loading area. It is important to note that additional reviews during subsequent Design Review (DR)

application processes for parcel-specific projects would be required for any formal development proposed on parcel 1 or 2. This is a result of the environmental document that adds a mitigation measure requiring that the Design Control (DC) overlay be implemented with the rezone.

Site Description: This property is adjacent to the Cameron Park Unit of the Pine Hill Preserve. The Cameron Park Airport is located about 200 feet west of the property. The site elevation ranges between 1,402 feet at its highest point along the eastern property line and transitions to about 1,290 feet along the western boundary adjacent Cameron Park Drive. Fifteen percent of the site is comprised of slopes 30 percent and steeper. A large concentration of chamise vegetation communities and rare plants exist on this property. The site is located within Rare Plant Mitigation Area 1 and is entirely comprised of gabbro soils. Oak woodland tree canopy covers 2.9 percent of the property and there are two ephemeral wetlands on-site.

Adjacent Land Uses: Exhibits D and E illustrate how the area consists of a variety of zones and land use designations. Most of the designations and uses adjacent this portion of Cameron Park Drive are commercial in nature. This property is within the airport influence area and is subject to the restrictions established by the Cameron Park Airport Comprehensive Land Use Plan (CLUP) for the 7:1 transitional surface, Safety Area 3 (Overflight Zone), and noise contours. The site is not located within the rare plant preserve or rare plant recovery area. The following table identifies current zoning, land use designations, and uses on adjacent parcels:

| | Zoning | General Plan | Land Use/Improvements |
|-------|-------------------|--------------|--|
| Site | RE-10-AA | C | Vacant |
| North | CP-DC-AA/RE-10-AA | C/OS-EP | Commercial/Cameron Park Unit of Pine Hill Preserve |
| South | CPO-AA | PF | County Courthouse Building |
| East | RE-10-AA | OS-EP | Cameron Park Unit of Pine Hill Preserve |
| West | CG-DC-AA | C | Commercial/Cameron Park Airport |

Project Issues: Discussion items for this application, based on a preliminary development concept assessing related impacts, include: land use and zone compatibility; future design reviews; transportation/circulation/fire issues; El Dorado Irrigation District (EID) improvements; slopes and preliminary grading and improvement plans; site resources; oak woodlands and future landscaping; noise; air quality; public services; and economic factors.

Land Use and Zone Compatibility

The site’s land use designation has already been changed to Commercial (C). The request for the rezone to change the existing RE-10-AA zone of the property to the CP-AA zone would establish consistency with the current C land use designation. Because a mitigation measure required by the environmental document would necessitate that the Design Control (DC) overlay be added to the

zone, the actual scope of the rezone would be adjusted to reflect rezoning from RE-10-AA to the new zone of CP-DC-AA for the entire property.

The airport is located to the west across Cameron Park Drive and is highly visible from this site. Based on the C designation and the CLUP provisions that apply to this property, a wide range of commercial retail, office, and service type uses could be established on-site that would support and serve the residents and businesses of the area, as well as the visitors that may visit the site once it is developed. Based on the preliminary development concept of bowling alley with amusement facilities and an office building, these more specific commercial uses have been considered and have been found to be consistent with the C and CLUP use provisions. Mixed-use projects proposing commercial and residential components could also be permitted under certain circumstances on this property. The CLUP's 7:1 transitional surface applies to the property and is discussed in the slopes and preliminary grading and improvement plans section outlined later in this report. Future reviews for overall C and CLUP consistency would also be made as part of a required Design Review (DR) process for both new parcels. The DR requirements are discussed in the next section.

The adjacent lots on the north and the lots to the west across Cameron Park Drive have been developed as multi-tenant commercial centers. The property and building to the south houses a County court facility. The other properties that surround this site are maintained by the Bureau of Land Management (BLM) as part of the Pine Hill Preserve lands that protect special-status plant species in perpetuity. There is a residential subdivision located about 400 feet further east of this site. That neighborhood would be largely separated from any future commercial development proposed on this property. This is because preliminary grading plans for the preliminary development concept would situate building pads about 20 to 30 feet above the Cameron Park Drive road easement. In addition to that, the existing and surrounding topography of the area, as well as the location of the preserve parcel that buffers this site from the residential subdivision would provide further separation between the residential and commercial parcels. Other residential developments are scattered further south across Meder Road and north along Mira Loma Drive. Each of these residential areas are separated from this property by open space and commercial lots.

Future Design Reviews

Prior to the County issuing any permits for grading, improvements, or building activities on either of the proposed parcels, the applicant would be required to process a parcel-specific staff level Design Review (DR) application. This is a result of a mitigation measure implemented by the environmental document that would require that the DC overlay be added to the zone. The DC overlay triggers a staff level discretionary DR process. It is possible that after approval and following the recordation of the final map that either parcel could be sold. However, any subsequent property owners of either parcel would be required to comply with the mitigation and conditions outlined for this application. Specifically, the requirement to process a DR application would continue to apply and would allow the County to assess a specific project on both new parcels before commencement of any development activity.

Future DRs would allow County staff an opportunity to consider a scope-specific review for aesthetics, site planning, landscaping, and other specific issues. A DR application could be

submitted separately for each new parcel or could combine a specific project scope for both parcels with one DR application. Future DR applications must also be circulated to the Cameron Park Design Review Committee, as well as other internal and external agencies for review and input. DR applications have an available appeal mechanism. Appeals for the staff level DR application can be made to the Planning Commission as well as to the Board of Supervisors.

If the Planning Commission has concerns with Planning Staff having the final approval authority that is available by the DR process, the Commission could consider adding the Planned Development (PD) instead of the DC overlay to ensure that any formal project on either new parcel would be decided upon by the Planning Commission at a noticed public hearing. An option that would allow the Commission to add the PD overlay is outlined in the recommendations section of this report.

Specific and necessary DR application submittal items are clarified in the mitigation and conditions that have been prepared for this application. Should the Commission choose to add the PD and not the DC overlay, then the mitigation and conditions would continue to apply to the PD. The only effect would be that a PD application with comprehensive assessment as part of a PD review would be processed prior to the County issuing grading, improvement, and/or building permits on either new parcel.

Although a majority of the environmental assessments have been made for the preliminary development concept that was submitted for analysis, additional reviews would be necessary for noise and air quality under the DR (or PD) process. Other topics based on specific elements may also need to be assessed. Should the scope of the preliminary development concept shift dramatically or not substantially conform as part of a future parcel-specific DR (or PD) application, then additional review or changes to the mitigation and conditions may be necessary. As part of a future DR (or PD) process, staff anticipates that a supplemental to the Mitigated Negative Declaration (MND) would need to be prepared for any parcel-specific and formal project scope presented for parcel 1 or 2.

Transportation/Circulation/Fire Issues

Based on the preliminary development concept, major road improvements would be necessary. Department of Transportation (DOT) reviewed the Traffic Study prepared by PRISM Engineering, which identified a traffic generation model producing 5,701 additional daily vehicle trips. Trips during morning peak hours would be 232, while the evening peak would generate 299 vehicle trips. Because of these figures, DOT would require road widening on the Cameron Park Drive frontage, installation of two traffic signals with timing elements, encroachment improvements for primary access, sidewalks, and other improvements. Specific DOT improvements based on the preliminary development concept include:

- A signalized intersection at the primary access road easement onto Cameron Park Drive;
- A signalized intersection off-site at Cameron Park Drive and Virada Road;
- 34-feet of roadway improvements along the entire Cameron Park Drive frontage including two 12 foot wide through lanes, a 12 foot wide left turn lane, a 4-foot paved shoulder, and a 6 foot wide sidewalk (along the frontage);
- 48-feet of on-site primary access road improvements to include two inbound lanes, two outbound lanes, and a 6 foot wide sidewalk;
- An on-site roundabout and 6 foot wide sidewalk;
- Curb and gutters for all of the road improvements noted above;
- Class II bike lane from Mira Loma Drive south to Meder Road;
- On and off-site acquisitions required to make road improvements; and
- Other minor items referenced by the permit conditions.

However, such improvements would not be necessary with the process of the final map. Instead, appropriate conditions have been placed into the permit to require bonding at the final map filing stage for all of the required DOT improvements. Because of the Design Reviews (DRs) that would be necessary for parcel 1 and 2, DOT improvements would only be made following formal DR processing that would be made concurrently or following final map recording. Assessments under the DR process could reduce or increase the DOT requirements, depending on the intensity that would be proposed with a parcel-specific project.

In addition to bonding that would associate the DOT and preliminary development concept requirements to the newly created lots, a timing condition has been added to the permit. The condition would require offsite and frontage plans to be reviewed and approved concurrently with the on-site grading plans and on-site building permits. That condition would also not allowed any building permits to be issued for any new buildings on either property until the bid ready plans have been approved and the funds have been received by DOT for such improvements and after formal DR processing. DOT would also require payment of Traffic Impact Mitigation (TIM) fees for commercial development and the applicant would need to coordinate with DOT and El Dorado Transit for necessary public transit improvements. The County would accept the dedications for road and slope easement along the entire property frontage with the processing of the final map.

For primary access, DOT would allow only one point for primary vehicular access to occur along the Cameron Park Drive frontage. Because of this, a reciprocal access agreement would need to be established between parcels 1 and 2 with the filing and recording of the final map. There is a one foot non-vehicular access restriction that currently exists on the Cameron Park Drive frontage that would be removed. This would be done during final map processing in order to allow for the improvement necessary to allow access and to improve the primary driveway encroachment leading onto the site.

Because only a preliminary development concept has been presented for analysis, it is premature to determine the level of improvements necessary for emergency access for any formal project that may be proposed on parcel 1 or parcel 2. During the parcel-specific Design Review (DR) phase and prior to issuance of building permits for either new parcel, emergency access and fire related improvements would be further clarified based on an actual parcel-specific project scope.

Emergency access would not require dedications of easements and would only require that improvements be made based on Cameron Park Fire Department protocols. Fire Department conditions have been added to the permit that would require comprehensive analysis during DR processing to verify requirements for fire hydrants, water pressure and delivery, access, and necessary fire improvements.

For the preliminary development concept of a bowling alley with amusement facilities on parcel 1, the primary point of access may be sufficient. Should parcel 2 develop with the preliminary development concept of an office building, then emergency access may be necessary. If required, emergency access for parcel 2 would most likely occur onto the adjacent courthouse property. There may be other options and alternatives available for emergency access to occur on the commercial lot on the north, or limits to the types and intensity of a formal development that could be proposed on parcel 2.

Emergency access could be designed as a public benefit that would combine pedestrian, bike, and emergency elements onto a shared and improved pathway. Non-emergency vehicular access could be limited with installation of bollards at the property line that would continue to allow for the free movement of pedestrians and bicycles between the properties. The path could make non-vehicular opportunities available to the site via the courthouse property and to residential properties located further south and east of Meder Road. It is not known whether there are access rights available in favor of this property over and across the BLM access easement extending off Meder Road. Overall, a formal secondary access may not be required and would depend on what is proposed on parcel 1 or 2 to be reviewed as part of a future DR application. The final decision about emergency access would be made by the Cameron Park Fire Department.

EID Improvements and Connections (Water/Wastewater)

The El Dorado Irrigation District (EID) provided a Facilities Improvement Letter (FIL) that identified adequate water availability and wastewater capacity within the EID system for the preliminary development concept. Should a formal project be submitted based on the preliminary development concept, then EID would allow such a project to connect to the existing 12-inch water line and to either an existing 6-inch or 8-inch sewer line, all of which currently exist within Cameron Park Drive.

For water and fire suppression, the preliminary development concept of a bowling alley with amusement facilities on parcel 1 would be able to connect directly to the existing water line located in Cameron Park Drive in order to provide water for potable and fire suppression purposes. On parcel 2, the preliminary development concept of an office building would require that a looped 8-inch water line extension be installed. That looped line would connect to the available water lines located within Cameron Park Drive. Water necessary for fire suppression would be available to charge the fire sprinkler and necessary fire hydrants, all of which would be considered during future parcel-specific Design Review (DR) processes.

Slopes/Preliminary Grading/Improvements

At the Conceptual Review meeting that was held to preliminary review this application, the Planning Commission was informed that 15 percent of the site is comprised of slopes 30 percent and steeper. The commercial nature of the property and the preliminary development concept were discussed in association with the slope preservation *Policy 7.1.2.1* and the current interim guidelines regulating development on steep slopes. The Commission did not have an issue with the process of a commercial tentative parcel map application that illustrated a preliminary grading plan for the preliminary development concept. The concept would impact most, if not all, of the site's sensitive slopes. It was discussed that the interim guidelines do not limit the amount of impacts to protected slopes for 'non-residential' commercial proposals and provides flexibility for the applicant to request reasonable use as part of a discretionary application.

For the preliminary development concept, plans were submitted that identified the level of grading for site specific improvements that would be necessary to prepare the site for anticipated future development on the property. This would most likely be required regardless if the concept is chosen or not, and would be further assessed as part of a formal project review for more in-depth specifics. The necessary and future large-scale grading that would be required is largely because of the effects that the CLUP's 7:1 transitional surface has on this property. The preliminary plans identified that 416,700 cubic yards of material would need to be excavated to prepare the site for structural improvements, with most of it being exported off site and only a limited quantity of 315 cubic yards that would be redistributed on the property. In addition, large-scale slopes of 80 to 100 feet would need to be created on-site along the eastern property line. Future buildings and structures must all be located below the transitional surface which defines the Federal Aviation Administration (FAA) air space. Final grading designs would need to be engineered to meet County standards.

Excavated material would need to be exported off-site and a location for the storage or use area for such materials have not yet been determined. The County Department of Transportation (DOT) has preliminarily expressed interest and may consider receiving a portion or all of it. DOT could use the material for County improvement projects. Other options exist for the off-site removal of excavated material, but those are not yet finalized. Regardless, a commercial grading permit would be required for all on and off-site grading activities associated to a formal parcel-specific project and additional environmental analysis may be necessary if a receiver site is found that lacks a County issued grading permit or an appropriate level of environmental analysis for the storage or use of such materials.

For drainage, a preliminary drainage plan identified that pre-development conditions are adequate to handle the flow for a 100-year storm event, which would not exceed the capacity of the 30-inch pipe located adjacent to Cameron Park Drive at the northwest corner of the property. However, post-development flow of the preliminary development concept and shown development footprint identified by the preliminary plans would increase runoff by 2.7 percent in excess of what the existing system could handle. By installing an underground detention basin on-site, the flows would be controlled to pre-development conditions. The improvements necessary for the underground detention facility for the preliminary development concept would also include a 12-inch and two 6-inch pipes to control the peak discharge at the locations of manholes 3d and 2d identified in the preliminary drainage study plans. There would be an upsize in existing off-site pipes that would terminate at the on-site underground detention facility. Such improvements would only be made

following parcel-specific Design Reviews (DRs). Best Management Practices (BMPs) would also be implemented for erosion and sediment controls pre- and post-construction.

Site Resources

Assessments for biological resources were made by Sycamore Environmental on and adjacent to the property. As a result, a large number of rare plants species were discovered on the property and easement extending from Meder Road. Rare plants including the existence of an estimated 20,000 Red Hills soaproot, 4,039 El Dorado County mule ears, 3,591 Pine Hill ceanothus, 165 Layne's butterweed, and nine Bisbee Peak rush-rose plants. There were no Stebbins' morning glory, Pine Hill flannel bush, or El Dorado bedstraw found on the property during the survey of the site. These three species are considered to potentially possess a greater level of biological importance to the wildlife agencies than the other five that were discovered on-site. The property is not within an Ecological Preserve or within a US Fish and Wildlife Services Recovery Plan area. The County provides an option of payment of in-lieu fees to address related impacts because the site is within Rare Plant Mitigation Area 1. The in-lieu fee option that is available for a formal commercial development would be assessed at the building permit stage, following a parcel-specific process of a Design Review (DR) application.

Based on the suggestions of the biologist, special-status animal species would be protected during development activities that would only be allowed to proceed following subsequent DR approvals. Such species include birds-of prey listed under the Migratory Bird Treaty Act, as well as the California horned lizard which have been found in the vicinity of this property. Mitigation measures protecting such resources have been developed based on the footprint for development identified by the preliminary development concept, as well as for related on and off-site road improvements. The two ephemeral channels that occur on the property have been suggested to have low to no biological value. The identified development footprint would impact these channels. Jurisdictional wetlands do not exist on-site.

Although comprehensive assessments were made and mitigation has been identified for the development footprint based on County adopted policies, as well as for on- and off-site improvements, the payment of the Rare Plant Mitigation Area 1 in-lieu fees would satisfy the County's requirements and achieves consistency with applicable policies of the General Plan. It is important to note that such assessments and the mitigation developed for this project by the County would not relieve the applicant from the responsibility in obtaining state and federal take authority or permits, as required and necessary. Such permits are typically required for removal of listed (and specific) rare, threatened, and endangered plant or animal species, or for impacts to classified wetlands.

Oak Woodlands and Future Landscaping

Currently, General Plan *Policy 7.4.4.4* and its interim guideline offers the Option A for protection and replacement of oak woodland tree canopy based on a percent allocation and the canopy attributes of the property. Option B is being developed and is not yet available, but may be available by the time grading permits are issued for a parcel-specific project should a future Design Review (DR) be approved. Option B could provide opportunities for enhanced in-lieu payments or off-site mitigation for impacts to oak canopy that exceed the retention standards available under Option A. These issues are currently being considered by the County and are not yet formalized.

As assessed, there are 2.20 acres of oak woodland tree canopy on the property and the preliminary development concept would propose to retain about .70 acres of that canopy. The impacts would not be consistent with the 90 percent retention standard currently required by Option A and only 27.6 percent of the healthy oak canopy would be retained for the preliminary development concept. Of the 60 oaks on-site, eight were evaluated by the arborist to be in good health. Thirty eight were rated as fair and 14 were in poor health. Twenty-five oaks within the good and fair health categories would be removed, accounting for the 1.50 acres of canopy that would need to be impacted to build the preliminary development concept.

Since the applicant has only provided a preliminary development concept, mitigation has been developed that would require a formal project to retain and replace the necessary oak canopy based on adopted County policies available when the parcel-specific DRs are processed. If the preliminary development concept is realized, then the formal submittal as part of a DR application would need to prepare an oak plan that conforms to Option A, or to Option B if it is available. Currently, Option A requires preservation and on-site replacement based on allowed impacts with a replacement standard of 200 (1) gallon sapling replacement per net acre of canopy impacted or a 3:1 acorn to sapling replacement should acorns be used instead of saplings.

Preliminary landscape plans were not submitted for the replacement of oak canopy or for the preliminary development concept because that would be subject to change. However, a formal landscape plan would be submitted to support an appropriate canopy plan and parcel-specific project. Such a plan would provide for comprehensive replanting and irrigation of oak replacements as well as necessary project landscaping based on a formal project as part of the Design Review (DR) application process.

Noise

The property and surrounding area are affected by two noise sources. The first is from anticipated traffic that would be generated by sources associated to future development of the parcels. The second is the noise contours of the Overflight Zone (Safety Area 3). During a project-specific Design Review (DR) application, both of these issues would be assessed at the appropriate time to ensure that noise is addressed and sound attenuations or necessary project improvements are included to address noise impacts associated to a formal project on either of the two new parcels. A condition has also been added to the permit that would require an Avigation Easement be recorded on the deed for the new parcels. Temporary construction noise would occur during future grading

activities and specific mitigation about the hours of operation for construction activities have been included in the permit. This would also be reviewed as part of a formal DR process and would be implemented for construction activities in order to limit temporary construction noise.

Air Quality

Air quality would need to be assessed during the review of subsequent Design Review (DR) applications. Such an assessment would need to be considered based on the County's Air Quality Management District (AQMD) criteria in order to determine levels of particulate matter, direct and indirect ozone precursors (ROG or NO_x), pollutants (CO₂, PM₁₀, SO₂, and NO₂), and other regulated air contaminants based on pre- and post-construction activities.

Public Services

There would be no impacts to public schools because of the commercial nature of the property based on the preliminary development concept. The Cameron Park Fire Department and the County Sheriff's Department would provide fire, emergency medical, and police protection to the property. The closest fire department is located off of Country Club Drive about 2 miles south of this site. It is within an 8 minute response time to the property.

Economic Factors

Overall, the jobs-to-housing relationship pursuant General Plan *Policy 10.1.9.1*, the promotion of job generating land uses pursuant *Policy 10.1.9.3*, and the positive economic factors pursuant *Policy 10.2.5.2* could all be realized should the preliminary development concept be developed. The preliminary development concept would add a point of entertainment, interest, and would be a potential attractor of tourism to the County. Both the bowling alley with amusement facilities and the office building concept would generate employment opportunities should they be built.

General Plan: This application is consistent with applicable policies of the adopted 2004 El Dorado County General Plan. Findings for consistency with the General Plan are provided in Attachment 2. The policies and issues that affect this application are discussed below.

The rezone associated to this application would create consistency between the CP-DC-AA zone and the existing Commercial (C) land use designation of the property. In support of the matrix and consistency assessment required as part of *Policy 2.2.5.3*, all rezones must consider, in part, a comprehensive list of 19 evaluation measures. Of the 19 conditions that require General Plan analysis for rezones, only conditions 1-3, 5-7, 10, and 14-18 would apply to this application and would not necessitate a response. Conditions 4, 8, 9, 11-13, and 19 would not apply because the property has a commercial land use designation or the issue is resolved by responses to other conditions that would apply. Below is a discussion about General Plan policies and conditions that apply to this application based on a preliminary development concept:

- The FIL letter would address conditions 1 - 3. There is adequate capacity for both new parcels to connect to the existing EID water and wastewater lines located within Cameron

Park Drive. Parcel 1 would be served by a direct connection to EID service lines to provide potable, fire suppression, and wastewater services. Parcel 2 would need to provide an on-site looped water system to provide adequate pressure for fire suppression and would also connect to the existing water and wastewater EID lines. Because future projects on either parcel would need to connect to the EID system, this discussion also addresses *Policy 5.2.1.3* and *5.3.1.1* which require (formal) projects within the Community Region connect to the public water and wastewater systems should they exist.

- Conditions 5 and 6 would be addressed because the site is located within 2 miles of the Cameron Park Fire Department. There would be adequate response times to this property based on its location within the Cameron Park Community Region.
- Conditions 7 and 18 identify the issues of erosion hazards, seismic hazards, and the presence of active faults. The Rescue series soil types found on the property (primarily RgE2, very small percentage RfC) is considered to be moderately stable soils. There are no faults or fault buffers found on the property. The ultimate construction of the preliminary development concept, referenced by the submitted development footprints (and necessary off-site improvements) would not result in unstable earth conditions because a formal project would be engineered to meet County grading and design standards. Any future commercial development and buildings must be designed to meet *Uniform Building Code (UBC)* Seismic Safety Zone 3 construction standards that would address seismic safety.
- Condition 10 identifies the issues of critical flora and fauna habitats. The property is not located within the Cameron Park Unit of the Pine Hill Preserve. It is also located outside of a designated Ecological Preserve identified by the General Plan. Information provided with the application identified specific species for plants and animals on the property and the applicant would be required to pay the Rare Plan Mitigation Area 1 in-lieu fee based on adopted County policy for commercial development following formal Design Review (DR) processes. Other mitigation has been prepared to protect certain animal species. In addition, the applicant or future property owners would not be relieved of their responsibilities to meet applicable policies of state and/or federal wildlife agencies. This may require the applicant or future property owners to obtain incidental take or permit authority from the appropriate agencies before removing state and federally protected plant and animal species.
- Condition 14 addresses the capacity of the transportation system. As part of the preliminary development concept, certain transportation related improvements would be necessary should it be built following a formal DR process. This would include on-site as well as off-site improvements necessary for pad grading, primary access, emergency access, circulation, pedestrian elements, and public transportation. Such issues would be addressed with a formal project as part of a DR process in order to provide necessary, adequate, and safe transportation improvements for a formal parcel-specific project. Conditions have been included in the permit addressing these issues.
- Condition 15 addresses the existing land use and development pattern of the area. This property and its surroundings are highly suitable for commercial type uses and development,

and specifically more suitable should the preliminary development concept be built on-site. Existing commercial development is located in near proximity. The Pine Hill Preserve property and topography separates this site from residential development located to the east. This would also address *Policy 2.2.5.21* for compatibility.

- Condition 16 addresses perennial watercourses. There were no such water courses found on the property and none would be affected by this application. Future reviews and assessments may be necessary as part of a parcel and scope-specific Design Review (DR) application required for parcel 1 and/or 2.
- Condition 17 addresses cultural resources. There were no such resources discovered on the property and typical permit conditions address procedures for accidental subsurface discoveries to be implemented with DR processing and for future construction activities.

As part of the preliminary development concept, consistency can be reached for *Policy TC-1b* that identifies and requires road improvements for safe and effective vehicular and emergency circulation. Sidewalks and public transportation features have also been considered and would need to be implemented as part of a formal DR review. Because this application is only at a preliminary development concept stage, noise and air quality would be assessed as part of subsequent Design Review (DR) processes prior to County issued approvals for parcel-specific improvements attributable to traffic and related development. Based on the preliminary development concept, a consistency review with *Policy 2.2.5.13* found that the site is consistent for the location, use, and height restrictions associated to the Cameron Park Airport Comprehensive Land Use Plan (CLUP). This commercial property is located in an area that is largely designated for and has been built with commercial development and uses.

The preliminary development concept of a bowling alley with amusement facilities, as well as an office building would require the removal of approximately 1.50 acres of oak woodland tree canopy and proposes to retain about 0.70 acres. The impacts are not consistent with the 90 percent retention standard required by *Policy 7.4.4.4* Option A because only 27.6 percent of the healthy oak canopy, comprised of interior live and blue oak trees, would be retained. Specific mitigation has been developed that would address the issue. It outlines the options that would be available as part of a required oak replacement plan that would need to be developed for parcel-specific DR processing. Prior to the County issuance of grading permits, the oak issues would need to be completely resolved based on Option A, or based on Option B should that option be available.

Fifteen percent of the property is comprised of slopes 30 percent and steeper. *Policy 7.1.2.1* addresses protection of slopes and there are interim guidelines that provide further direction for the policy. As a result, there would be no limit for the amount of protected slope that could be impacted because of the 'non-residential' commercial nature of the property. There would be flexibility for the applicant to request reasonable use as part of this application and with future discretionary DR processes. This issue was discussed and was found to be a non-issue when the project was heard by the Commission as part of the Conceptual Review.

Since this site is entirely located within Rare Plant Mitigation Area 1, in-lieu fees would be assessed based on adopted County policies during future building permit review phases. As such, *Policy 7.4.1.1* would be addressed. Specific preserve areas identified by *Policy 7.4.1.4* are located throughout the County which protects such species in perpetuity. These areas are overseen and managed by the California Department of Fish and Game (CDF&G), US Fish and Wildlife Services (USFWS), and Bureau of Lands Management (BLM).

A Cultural Resources Study was prepared for this application based on the preliminary development concept to address *Policy 7.5.1.3*. The study identified no historical, archaeological, or paleontological resources. No further site assessments are recommended for the preliminary development concept and typical conditions have been added to the permit to address procedures for subsurface discoveries following parcel-specific Design Review (DR) procedures processing and with future construction activities.

Economic factors have been considered and would be promoted by the processing of this application and based, in part, on the preliminary development concept. Such factors would include considerations made for jobs-to-housing proximity and opportunities pursuant to *Policy 10.1.9.1*, promotion of job generating land uses pursuant to *Policy 10.1.9.3*, and positive economic factors by generating commerce pursuant to *Policy 10.2.5.2*.

Zoning: As designed for this application, the preliminary development concept for a bowling alley with amusement facilities and an office building may not necessarily meet all of the development regulations established by the Zoning Ordinance, in particular the off-street parking and loading standards. It would meet minimum Planned Commercial (CP) for mapping, lot size and lot dimension standards. The CP zone would require a minimum parcel size of 5,000 square feet. It would also require a minimum parcel width and road frontage of 50 feet. Both new parcels address and provide the necessary lots standards required by the CP zone. No deviations to such standards would be required as part of the current application.

As information, there is a time limit of three years from the date of tentative parcel map approval to record a final map; otherwise the tentative map would expire. In addition to the three years, there are currently five one-year time extensions available to record the final map. Time extensions for the final map processing of a tentative parcel map would require that a timely filing be made a minimum of 60 days before the tentative parcel map expires.

Because this application requests a rezone and tentative parcel map application, no development would commence as part of the current application. Subsequent DR applications would be processed for a formal project. When a DR application is submitted for review, more detailed scope-specific information based on a formal project would be assessed for consistency with zoning, as well as subdivision ordinance standards.

As discussed earlier in this report, staff would be recommending that the DC overlay be added to the requested rezone. The Planning Commission could opt to add the PD overlay instead. Should the PD be chosen, future Planned Development (PD) applications would be required. As such future

assessments under a PD process would be made based on the regulations established by the zoning ordinance at the appropriate time.

Agency and Public Comments: Appropriate conditions based on input received by reviewing agency are included in the permit (Attachment 1). The following agencies provided comments and/or conditions for this application:

Cameron Park Fire Department/California Department of Forestry
El Dorado County Department of Transportation
El Dorado County Environmental Management
El Dorado County Air Quality Management District
Office of the County Surveyor
El Dorado Irrigation District
El Dorado County Resource Conservation District
El Dorado Transit
California Department of Fish and Game
US Department of the Interior Fish and Wildlife Services
Bureau of Land Management, Pine Hill Preserve

ENVIRONMENTAL REVIEW

Staff prepared an Initial Study (Exhibit M) to determine related impacts on the environment as part of this application. Based on the Initial Study, staff determined that this application would have a less than significant impact on the environment and a Mitigated Negative Declaration (MND) has been prepared pursuant to the guidelines established by the California Environmental Quality Act (CEQA).

NOTE: This property is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was forwarded to the California Department of Fish and Game for review and comments. In accordance with State Legislation (California Department of Fish and Game Code Section 711.4 and Senate Bill 1535), this application is subject to a fee of \$1,800.⁰⁰ after approval, but prior to the County filing the Notice of Determination on the application. This fee, plus a \$50.⁰⁰ processing fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The fee is used to help defray the cost of managing and protecting the state's fish and wildlife resources and will be forwarded to the California Department of Fish and Game via the County Recorder's Office.

RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation that the Board of Supervisors take the following action:

1. Adopt the findings, including CEQA (Attachment 2);
2. Adopt the Mitigated Negative Declaration based on the Initial Study (Exhibit M); and
3. Approve AZ05-0001 modifying the zoning to CP-DC-AA; and
4. Approve P05-0010 subject to the conditions in Attachment 1.

Optional recommendation for the Planning Commission:

In lieu of adding the DC overlay to the new zone, the Planning Commission could add the Planned Development (PD) overlay instead as part of AZ05-0001. This would change recommendation 3 (above) from 'CP-DC-AA' to read a new zone of 'CP-PD-AA.'

SUPPORT INFORMATION

Attachments to Staff Report:

| | |
|--------------------|--|
| Attachment 1 | Conditions of Approval |
| Attachment 2 | Findings |
| Exhibit A | Plan Set/Concept Proposal |
| Exhibit B | Vicinity Map |
| Exhibit C | Aerial Map |
| Exhibit D | General Plan Land Use Map |
| Exhibit E | Zone Map |
| Exhibit F | Cameron Park CLUP/Preserve Area Map |
| Exhibit G | CLUP Noise Map (staff generated for footprint) |
| Exhibit H | 1995 USFWS National Wetlands Inventory Map |
| Exhibit I | Fault Line and Buffer Map |
| Exhibit J | Soils Map |
| Exhibit K | Parcel Map 46-75 |
| Exhibit L | Assessor's Map |
| Exhibit M | Initial Study (CEQA) |

ATTACHMENT 1

CONDITIONS OF APPROVAL

FILE NUMBER AZ05-0001/P05-0010

CONDITIONS OF APPROVAL

Project Description

1. This rezone and tentative parcel map is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits A-M dated November 8, 2007, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

The project description is as follows:

Approval of this application allows only the following: rezone of the 10.54-acre lot referenced as Assessor's Parcel Number 083-020-29 from Estate Residential Ten-Acre-Airport Safety (RE-10-AA) to Planned Commercial-Design Control-Airport Safety (CP-DC-AA), and a tentative parcel map to subdivide the lot into a 6.05-acre parcel 1 and a 4.46-acre parcel 2.

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 must be submitted for review and approval and shall be implemented as approved by the County.

CONDITIONS FROM THE MITIGATED NEGATIVE DECLARATION

All mitigation measures listed in this section shall be placed on a plan sheet on all subsequent grading and/or improvement plans.

2. Concurrent with the Design Review (DR) application required for any site specific project on parcel 1 and/or 2, the applicant shall develop an Air Quality Study to assess air quality impacts, based on the County's Air Quality Management District (AQMD) and General Plan policy requirements. In part, specific mitigation shall be developed to reduce source emissions below the thresholds allowed by the County, including that of 82 lbs/day of ROG and NO_x. **[MM Air Quality-1]**

Timing/Implementation: *Design Review applications*

Enforcement/Monitoring: *El Dorado County Planning/AQMD*

3. Prior to the issuance of building permits, the applicant shall pay the Rare Plant Mitigation Area 1 in-lieu fee for commercial development that is in effect at the time of building permit issuance. The fee shall offset impacts within this mitigation area based on adopted County policies. **[MM Bio-1]**

Timing/Implementation: *Prior to building permit issuance*

Enforcement/Monitoring: *El Dorado County Planning*

4. The applicant shall submit a report to be included in the project file addressing the following **[MM Bio-2]**:
 - a. Twenty-four hours prior to construction activities, a qualified biologist shall conduct a preconstruction survey for California horned lizard.
 - b. All horned lizards found on the areas to be disturbed (on and/or off-site), the preconstruction survey shall identify and relocated found species to the property on the east, or as recommended by a qualified biologist.
 - c. A qualified biologist shall be present on-site for all clearing and grubbing activities. All horned lizards found during clearing and grubbing shall be relocated to the property on the east, or as recommended by a qualified biologist.

Timing/Implementation: *Prior to clearing and grubbing*

Enforcement/Monitoring: *El Dorado County Planning*

5. A qualified biologist shall conduct a survey within 3 weeks prior to the start of grading, clearing, or other construction activities for active nests. The survey shall be conducted within the property and for areas identified by the development footprint, and areas necessary for road, primary, and ~~secondary~~emergency access improvements. **[MM Bio-3]**
 - a. If no active nests are found, no further avoidance measures shall be necessary.
 - b. If an active nest is located within 200 ft of a construction area, the biologist shall record the location(s) on a site map.
 - o If the species is listed under the federal or state endangered species acts, the appropriate federal or state agency shall be contacted for guidance.

- If the species is not federal or state listed, but protected under the federal Migratory Bird Treaty Act of 1918, the biologist shall establish a minimum 100 ft buffer (Environmentally Sensitive Area) around the nest tree.
- The biologist shall delimit the buffer zone with yellow caution tape, surveyor's flagging, pin flags, stakes, etc. The buffer zone shall be maintained until young have fledged. No construction activities shall occur within 100 ft of a nest tree while young are in the nest.
- A biologist shall monitor the nest weekly during construction to evaluate potential disturbance caused by construction activities. The biological monitor shall have the authority to stop construction if the nesting birds appear to be adversely affected by construction activities.

Timing/Implementation: Prior to clearing and grubbing

Enforcement/Monitoring: El Dorado County Planning

6. The landscaping plan must show that only plants associated with gabbroic northern mixed chaparral shall be planted on graded slopes surrounding the property. **[MM Bio-4]**

Timing/Implementation: Prior to clearing and grubbing

Enforcement/Monitoring: El Dorado County Planning

7. Prepare tree replacement plan showing the replacement of trees to conform to the El Dorado County Policy 7.4.4.4, Option A and the Interim Guidelines. In the event that Policy 7.4.4.4 Option B is available, the replacement plan shall be prepared in accordance with Option B and/or the Interim Guidelines prepared for that option. Interior live oak saplings are recommended for replaced oak canopy on the property. **[MM Bio-5]**

Timing/Implementation: Prior to grading permit approval

Monitoring/Enforcement: El Dorado County Planning

8. Final landscape plans shall show replacement of oak canopy, pursuant to MM Bio-6⁵. **[MM Bio-6]**

Timing/Implementation: Design Reviews/prior to grading permit approval

Monitoring/Enforcement: El Dorado County Planning

9. A Design Control (DC) zone overlay to control development activity shall be added to the Planned Commercial-Airport Safety (CP-AA) zone. **[MM Land Use-1]**

Timing/Implementation: As part of this rezone and tentative parcel map (AZ05-0001, P05-0010) application

Enforcement/Monitoring: El Dorado County Planning Services

10. A complete Design Review (DR) application must be processed prior to building permit approvals for either parcel 1 and/or 2. A CEQA document shall be prepared to address project-specific impacts not identified in the current analysis. Submittal checklist items that shall be required for the DR application (revised 8/02) include the following: 1-9, 10 (site specific oak assessment based on Option A or B noted in the Biological Resources section), 13 (Noise Study for ‘acoustical analysis’ based on the Noise section), 17 (Air Quality Study based on the Air Quality section), all ‘Site Plan Requirements’ 1-19, all ‘Landscape Plan Requirements’ 1-5, and all ‘Plan of Building Elevations’ 1-3. On/off site impact for Archaeological resources (#11), wetland investigation (#12), biological resources/special status plant and animal species (#14), preliminary grading and drainage (#16), have been provided for the preliminary development concept for this application rezone and based on the preliminary grading and drainage plans. The traffic study prepared for this application assesses a preliminary development concept scope. Should site-specific projects on parcels 1 and/or 2 substantially conform to the preliminary development concept scope, then additional assessment may not be required, as determined by the Department of Transportation (DOT). In case the scope does not substantially conform to the preliminary development concept currently analyzed, then modifications or new studies must be submitted for review and assessment based on a formal site-specific project scope. All submittal checklist items for the DR must provide adequate information to ensure consistency with County General Plan, Zoning, and subdivision policies. **[MM Land Use-2]**

Timing/Implementation: Design Review application

Enforcement/Monitoring: El Dorado County Planning Services

11. Prior to the issuance of building permits, the applicant shall illustrate how parcel specific projects conforms to the approved Design Review (DR) application materials submitted for review and upon DR approvals by the County. **[MM Land Use-3]**

Timing/Implementation: Building plan reviews

Enforcement/Monitoring: El Dorado County Planning and Building Services

12. Concurrent with the Design Review (DR) application required for any site specific project on parcel 1 and/or 2, the applicant shall prepare a Noise Study to assess noise impacts for traffic, airport, and/or related noise generating activities. The study shall be prepared based on the Draft Environmental Impact Report (DEIR) for the 2004 adopted General Plan, the policies of the 2004 General Plan, and the approved Final EIR. **[MM Noise-1]**

Timing/Implementation: Design Review applications

Enforcement/Monitoring: El Dorado County Planning/AQMD

13. The applicant shall install two traffic signals. One at Cameron Park Drive and Virada Road and one at the primary property access on Cameron Park Drive. The installation of the traffic signal shall be based on Department of Transportation (DOT) processes, methods, and standards, as identified in the permit and conditions of approval. **[MM Traffic-1]**

Timing/Implementation: Prior to the recordation of the final map

Enforcement/Monitoring: El Dorado County Department of Transportation

14. The applicant shall widen and improve the ~~Cambridge~~ Cameron Park Drive road frontage. The improvements shall be based on Department of Transportation (DOT) processes, methods, and standards, as identified in the permit and conditions of approval. **[MM Traffic-2]**

Timing/Implementation: Prior to the recordation of the final map

Enforcement/Monitoring: El Dorado County Department of Transportation

Planning Services

15. 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 California 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 will cooperate fully in the defense.

16. This tentative parcel map shall expire within 36 months from date of approval unless a timely extension has been filed.
17. The applicant shall make the actual and full payment of planning processing fees for the rezone and tentative map application prior to the County Recorder processing the final map.
18. Prior to the approval of any grading or building permits on parcel 1 or 2, the applicant shall submit a staff level Design Review (DR) application for processing. The staff level DR for either parcel 1 and/or 2 (or combination) shall be distributed to the Cameron Park Design Review Committee for comments and input, and can be appealed first to the Planning

Commission and second to the Board of Supervisors, based on County adopted appeals process.

19. Concurrent with final map recording, the applicant shall record an Avigation Easement on parcels 1 and 2.
20. The 1-foot non-vehicular access along the Cameron Park Drive frontage shall remain in place, except for the portion that is necessary for primary access with the driveway encroachment referenced on the tentative parcel map. This shall occur with the filing and recording of the final map.
21. Concurrent with the final map recording, a reciprocal access agreement shall be recorded between parcels 1 and 2.
22. Prior to the issuance of grading, building, and/or occupancy permits (and only following County approvals of a Design Review application), the applicant shall consult with the Department of Transportation and El Dorado County Transit to provide bus turnouts. Other improvements shall also be considered once deemed feasible, to include, but not be limited to, designated park-and-ride or rideshare drop-off and pick-up areas.
23. In the event a heritage resource or other item of historical or archaeological interest is discovered during future grading and construction activities (and only following County approvals of a Design Review application), the applicant 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. Planning Services shall review the grading plans prior to the issuance of a grading permit.
24. In the event of the discovery of human remains during future grading and construction activities (and only following County approvals of a Design Review application), 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. Planning Services shall review the grading plans prior to the issuance of a grading permit.

Department of Transportation

25. The applicant shall construct the following roadways. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to filing the final map:

| Table 1 | | |
|----------------------------|--|--|
| Road Name | Road Width | Exceptions/Notes |
| Cameron Park Drive | 34 ft roadway (40 ft ROW) from CL 2 Way Left Turn Lane, per Std. Plan 101B | Widen Cameron Park Drive consisting of roadway improvements consisting of a 12' wide left turn lane, 12' through lanes, and a 4' paved shoulder (excluding gutter pan) with Type 2 vertical curb & gutter (per DISM, Std. Plan 104 & 110) and a 6 foot sidewalk along the project frontage. The encroachment onto Cameron Park Drive from the project site will be constructed consistent with Standard Plan 103E. A Class II Bike Lane will be required from Mira Loma Drive to Meder Road. Dedicate right of way, and slope easements as needed. The County shall award and administer public contract(s) for this work. |
| On-Site Access Road | 48 ft roadway (66 ft ROW) per Std Plan 101B, as submitted | Consisting of 2 inbound lanes, 2 outbound lanes, Type 2 vertical curb & gutter per DISM Std. Plan 104 and a 6 foot sidewalk per Std Plan 101B. |
| On- Site Roundabout Circle | Design to comply with AASHTO | Std Plan Type 2 vertical curb and gutter and 6 foot sidewalk, per DISM, Std. Plan 104 & 110. Sidewalks at driveway encroachments. AASHTO design of roundabouts are governed by the maneuvering of the largest vehicles expected to travel through the intersection'. |

Notes for Condition 1 Table 1:

Road widths in the preceding table are measured from curb face to curb face.

26. The applicant shall sign and strip a Class 2 bike lane along both sides of Cameron Park Drive, from the signalized intersection at Meder Road to the intersection of Mira Loma Drive. The Class 2 bike lane shall be constructed as required and according to the provisions of the El Dorado County Bicycle Transportation Plan. The striping and signing shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.
27. The applicant shall provide bid ready plans and funding for a signalized intersection at the project site's access onto Cameron Park Drive, including curb, gutter and sidewalks and shall meet current El Dorado County Standards. The County shall award and administer public contract(s) for this work. The design, signing and striping for this encroachment shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement. Furthermore, the signal installation shall include signal timing coordination with the existing signal at the Cameron Park Drive /

Meder Road intersection and allow for the future coordination of the eventual signalization at the intersection of Cameron Park / Mira Loma Drive intersection. The improvements shall be substantially completed as determined by the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map. The costs associated with the compliance with this condition are not reimbursable to the developer.

28. The applicant shall provide bid ready plans and funding for a signalized intersection at the intersection of Cameron Park Drive and Virada Road and shall meet current El Dorado County Standards. The County shall award and administer public contract(s) for this work. The design, signing and striping for this encroachment shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement. The improvements shall be substantially completed as determined by the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map. Should this intersection be included in the County Capital Improvement Program, the developer may be eligible for reimbursement for some or all of the associated costs related to compliance with this condition.
29. A complete bid-ready package shall include plans, specifications, right-of-way acquisition (if necessary), utility agreements executed with all impacted utility, relocation work completed/scheduled, environmental clearance for both on-site and off-site work complete, all necessary regulatory/encroachment permits secured, and all documents for bidding the contract signed and sealed by a registered civil engineer. If the funding and the complete bid-ready package for the improvements are provided to the County by the applicant prior to final map processing, the final maps can record without need for additional security for these improvements.

The road improvement agreement or subdivision improvement agreement shall be required and shall include provisions that the applicant provides supplemental funds to the County as necessary to pay for any change orders generated through the construction phase, that the developer's engineer be available to provide engineering services in support of the project during construction, and that said designer shall indemnify the County per the County's standard indemnification language.

30. All curb returns, at pedestrian crossing, shall include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp. Pedestrian crossings required at driveway encroachments adjacent to on-site roundabouts.

31. The applicant shall enter into a road improvement agreement (RIA) and bonding with the Department of Transportation for all roadway, frontage, and intersection improvements. The executed agreement and subsequent improvements shall be completed by the following milestones, to the approval of the Department of Transportation:
 - a. The Developer shall have the offsite and frontage plans reviewed and approved concurrently with the on-site grading plans.
 - b. No on-site building plans will be issued until the bid ready plans have been approved and funding received.
 - c. Upon receipt of the plans, funding and execution of the related agreement to ensure reimbursement for a portion of the work, the condition will have been deemed complete.
32. The applicant shall irrevocably offer to dedicate, in fee, any additional right of way and slope easements as required for the approved improvement plans along the entire project frontage of Cameron Park Drive, prior to the filing of the map. The offer will be accepted by the County.
33. Prior to filing of the map, the applicant shall record with the Parcel Map a vehicular access restriction along the entire frontage of Cameron Park Drive, excluding the locations of the approved access encroachment.
34. A commercial grading permit is required for on-site improvements. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Development Services Department 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. The improvements and grading shall be substantially completed, to the approval of the Department of Transportation, prior to occupancy.
35. All on and off-site road improvement requirements required as conditions of approval and/or mitigation measures shall be analyzed in the environmental document for this development project to the appropriate extent under CEQA . Any improvements that are not thoroughly analyzed shall include a discussion and justification under that particular impact analysis within the CEQA document as to the circumstances preventing such analysis along with a method and time frame for any future analysis. Mitigation measures that are included in the 5 year CIP must have the CEQA processing completed to fulfill this condition as funded and programmed per the 2004 General Plan Policy TC-Xf.
36. As specified in the Conditions of Approval, the subdivider is required to perform off-site improvements. If it is determined that the subdivider does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the

County may, at the subdivider's expense and within 120 days of filing the Final Map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map or parcel map, the subdivider shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20% contingency:

- a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
- b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
- c. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements.

In addition to the agreement the subdivider shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of county counsel.

37. 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. 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.
38. Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. 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.
39. 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 shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.

40. Sidewalks may be located outside the right-of-way and meander as a means to provide interest and variety in alignment. The alignment and design of the sidewalks shall be reviewed and approved by the Department of Transportation prior to issuance of building permits. Pedestrian easements shall be provided where necessary. Final lane configurations, including the need for additional rights-of-way, shall be subject to review and approval of the Department of Transportation prior to improvement plan approval.
41. The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).
42. Cross lot drainage shall be avoided. When cross lot drainage does occur, 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. 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.
43. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.
44. 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.
45. Construction activities shall be conducted in accordance with the County noise regulation or limited to the following hours and days: 7:00 a.m. and 7:00 p.m. on any weekday; 8:00 a.m. and 5:00 p.m. on Saturdays; and prohibited on Sundays and holidays.
46. 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.
47. Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.

48. 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.
49. The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete. The fees are due and payable at the time of building permit issuance.

Cameron Park Fire Department/California Department of Forestry

50. Prior to the approval of Design Reviews (DRs) on parcel 1 and/or 2, the Cameron Park Fire Department shall review any parcel-specific DR proposal to ensure that adequate fire-related improvements are included in the design for a parcel-specific project on either new parcel.
51. Based on the preliminary development concept, the required fire flow for parcel 1 is based on a two-story, 62,640 square foot building built to Type V-1 hour construction specifications. With a 50 percent reduction for fire sprinklers, the required fire flow is 2,250 gallons per minute (gpm) for a four hour duration with 20 pounds per square inch (psi) residual pressure. The required fire flow for parcel 2 is based on a two story 39,720 square foot building built to Type V-1 hour construction specifications. With a 50 percent reduction for fire sprinklers, the required fire flow for parcel 2 is 1,750 gpm for a three hour duration with a 20 psi residual pressure.
52. Based on the preliminary development concept, the addition of three new fire hydrants for parcel 1 and two new fire hydrants for parcel 2 will be required. One fire hydrant for each building shall be located with the department connection and post indicator valve for the building. The location of the other fire hydrants and the fire department connections will be determined during civil plan review. Fire hydrants subject to possible vehicular damage shall be adequately protected with guard posts in accordance with Section 801.11.3. For marking, see Section 901.43. For obstruction, see Section 1001.7.
53. A review for emergency access shall be made during the Design Review (DR) process for parcel 1 and parcel 2. The Fire Department shall identify necessary emergency access for either new parcel as part of a formal (DR) project application process.
54. Prior to the approval of Design Reviews (DRs), the applicant shall illustrate the location of propane tanks on the DR plans, if they are to be installed. The location of propane tanks shall comply with provisions set forth in Article 82 of the CFC 1998 edition. Propane tank enclosures shall comply with the provisions set forth in NFPA 58 sec. 3.2.2.9 of the 1998 edition.

Environmental Management

55. Food facilities shall be in compliance with the California Health and Safety Code, 'California Retail Food Code' which requires a set of plans for the proposed food facility be submitted to the County Environmental Health Department for review and approval at the time of construction. The applicant shall obtain a yearly permit to operate a food facility from Environmental Health. In addition, at least one person from the facility must be a certified food handler and hold a food safety certification.
56. Prior to approval of grading and/or improvement plans, the applicant shall provide a Fugitive Dust Mitigation Plan (FDMP) and application with the appropriate fees to be reviewed and approved by the County Air Quality Management District (AQMD). The FDMP shall comply with the requirements of Rule 223 and 223.1.
57. All project construction activities (following Design Review approvals) shall adhere to AQMD Rule 224 for Cutback and Emulsified Paving Materials.
58. Any burning of wastes that result from 'Land Development Clearing' must be permitted through the AQMD. Only vegetative waste material may be disposed of using an open outdoor fire pursuant to AQMD Rule 300.
59. The following measures shall be implemented during construction activities to maintain the air quality standards established by the AQMD. The standards include: use of low emission on-site mobile construction equipment, maintenance of on-site equipment to manufacturer's specifications, retardation of on-site diesel engine injection timing by two to four degrees, use of electricity from power poles rather than temporary gasoline or diesel generators, use of reformulated low-emission diesel fuel, use of catalytic converters on gasoline powered equipment, substitution of electric and gasoline powered equipment for diesel-powered equipment where feasible, inactive construction equipment shall not remain idling for periods in excess of two minutes, materials shall be scheduled for delivery during off-peak hours, configure construction parking to minimize traffic interference, and develop a construction traffic management plan.
60. Prior to the construction or installation of any new point source emission units or non-permitted emission units such as gasoline dispensing facilities, boilers, internal combustion engines, the applicant shall submit an authority to construct application to be reviewed and approved by the AQMD. Submittal of the application shall include facility diagram(s), equipment specifications, and emission factors.

County Surveyor

61. All survey monuments must be set prior to filing the Parcel Map.

62. The roads serving the development shall be named by filing out a completed Road Name Petition with the County Surveyors Office prior to filing the final map.
63. Provide a Parcel Map Guarantee, issued by a title company, showing proof of access to a State or County Maintained Road as defined in 16.44.120(B)(2).

ATTACHMENT 2 **FINDINGS**

FILE NUMBER AZ05-0001/P05-0010

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

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, has been completed in compliance with CEQA, and is adequate for this application.

1.2 The Initial Study identifies that this application proposes a less than significant impact on the environment with specific mitigation outlined within the Air quality, Biological Resources, Land Use, Noise, and Transportation/Traffic categories. By including mitigation for these categories, the effects on the Mandatory Findings of Significant section are also reduced below a level of significance for this application.

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 Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA 95667.

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

2.0 REZONE FINDING

2.1. *That the rezone is consistent with the adopted 2004 General Plan Land Use Designation and the policies of the General Plan.*

The rezone would change the existing Estate Residential Ten-Acre-Airport Safety (RE-10-AA) to Planned Commercial-Airport Safety (CP-AA). With the requirement of the Design Control (DC) overlay to be added to the rezone, development on either the newly created parcel 1 or 2 would need to be reviewed as part of a Design Review (DR) process prior to approval of any County issued permits for grading, improvement or building activities. The rezone will create consistency with the existing Commercial (C) land use designation of the 10.54 acre property. The property is also in an area of Cameron Park along the Cameron Park Drive corridor where commercial designation and

development exists, making this property highly suitable for commercial development. In addition, the economic benefits of this property and potential future development have been considered. Future and specific commercial development on the new parcels would promote the economic factor policies established by the General Plan. A preliminary development concept was provided for assessment that identified a 9.6-acre on-site development footprint for a bowling alley with amusement facilities and an office building. The information has been used to determine General Plan consistency for land use and zone compatibility, transportation and circulation improvements, fire related issues, water availability and wastewater capacity, preliminary grading and drainage improvements, impacts to 30 percent slopes and greater, site resources, oak woodland and landscape issues, noise issues, air quality issues, and public services. Consistency has been reached with applicable policies of the General Plan under the current application.

3.0 TENTATIVE PARCEL MAP FINDINGS

3.1 The proposed tentative parcel map, including design and improvements, is consistent with the General Plan.

All necessary issues have been considered by the reviewing disciplines in order to determine that this tentative parcel map, including preliminary and more formal design and improvements based on a preliminary development concept, is consistent with the policies of the General Plan. The General Plan C land use designation allows for commercial development. However, no development is proposed at this time and the review for consistency for the application was based on a preliminary development concept of a bowling alley with amusement facilities on parcel 1, as well as an office building on parcel 2. Future improvements that would be necessary under a parcel-specific scope would be further assessed during required Design Review (DR) application processes required for both parcels. Although certain improvements are highlighted within this document and the permit, those have been documented because the information that was provided has allowed the County to determine consistency with policies of the General Plan, as well as for necessary environmental assessments. The documentation of such issues will minimize the information that would be necessary during subsequent DR applications made for parcel 1 or 2, or combination thereof. Any formal project shall be required to implement County grading and drainage standards to ensure proper grading and improvements are included in the final design.

3.2 The proposed tentative parcel map conforms to the applicable standards and requirements of the County's zoning regulations and Minor Land Division Ordinance.

With the rezone and tentative parcel map application, no development is proposed. However, the applicable provisions of the Zoning Ordinance have been considered, specifically the creation of the two new parcels exceed the lot dimension and standards required of the CP zone. Such standards require parcels within this zone to be a minimum 5,000 square feet in size with a parcel width of 50 feet and minimum frontage of 50 feet. The necessary level of review have been made to consider this application based on County zoning and land division policies, including anticipated grading and improvements associated to the preliminary development concept of a bowling alley with amusement facilities and an office building. Upon submittal of a formal Design Review (DR) application for a future parcel-specific project on each of the newly created parcels, additional

assessments shall be made to consider development standards outlined by the Zoning Ordinance, as well as the Minor Land Division Ordinance that would support the assessments made by this application. At this time, this application conforms to these requirements.

3.3 *The site is physically suitable for the proposed type and densities of development.*

This property is well suited within an established commercial neighborhood to allow a rezone and tentative parcel map application to be processed for this 10.54-acre property. The preliminary development concept has been assessed and the property has been found to be suitable for future development based on information provided for a development footprint of 9.6-acres and off-site improvements necessary for road and access improvements. Specific mitigation and conditions have been developed to address the preliminary development concept assessing the required impacts for improvements that would be necessary for the concept. Because a requirement is included for this application that will necessitate subsequent Design Review (DR) applications for parcel 1 and 2 prior to the County permitting any formal development activities, that would further determine necessary and parcel-specific improvements should they differ from those developed for the preliminary development concept. The preliminary development concept provided information for an anticipated, but not a formal major development project. It does not provide information for the ultimate potential development of this site or the newly created parcels. Following the potential approval of this rezone and tentative parcel map application, it is not anticipated that more intense development than what was presented by the preliminary development concept would be presented or could be approved on the property. However, such issues would be again reviewed under the DR process required for both new parcels. As such, all necessary assessments have been made to ensure that a major development based on the preliminary development concept could be established on the new parcels. The site is suitable for future commercial development, more specifically, the preliminary development concept that was assessed with this application.

3.4 *The proposed subdivision is not likely to cause substantial environmental damage*

As designed, the preliminary development concept for a bowling alley with amusement facilities and an office building illustrating an on-site development footprint of 9.6 acres provided the necessary information to determine on as well as off-site improvements. Such improvements have been found to not cause substantial environmental damage based on the information provided to process this application. No development is proposed at this time and with the implementation of specific permit conditions and mitigation measures, sensitive resources shall be protected pursuant to adopted County policies. Any County approvals for the current application does not relieve the applicant from observing required state and/or federal laws for the protection of special-status plant or animal species, or for the protection of classified jurisdictional wetlands. Based on the information provided and assessed for this application, no such wetlands exist on the property.