

**ELDORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: September 25, 2008

Item No.: 7.b

Staff: Jonathan Fong

REZONE/PLANNED DEVELOPMENT/TENTATIVE PARCEL MAP

FILE NUMBER: Z07-0028/ P07-0030/ PD07-0027

APPLICANT: Clarksville Professional Business Park, LLC

REQUEST: Request for a Rezone, Planned Development and Parcel Map.

The Rezone would change the parcel zoning from One-Acre Residential (R1A) to Commercial- Planned Development (C-PD).

The Planned Development would allow the construction of ten commercial buildings totaling 98,992 square feet. Each building would range in size from 5,100 to 44,992 square feet.

The Parcel Map would create ten parcels ranging in size from 0.37 to 2.26 acres. Each of the proposed buildings would be located on a separate parcel.

One Design Waiver has been requested to allow the following:

1) To limit the sidewalk improvements to one side of Road 1.

LOCATION: The project site is located on the north side of White Rock Road, 1,400 feet west of the intersection with White Rock Road/ Joerger Cutoff Road, in the El Dorado Hills Area, Supervisorial District II. (Exhibit A)

APN: 121-280-03

ACREAGE: 9.52-acres

GENERAL PLAN: Commercial (C) (Exhibit B)

ZONING: One- Acre Residential (R1A) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

SUMMARY RECOMMENDATION: Recommend conditional approval

BACKGROUND: The project application was submitted on June 18, 2007 and included a Rezone and Parcel Map request. Following the TAC Meeting on August 13, 2007 Planning Services staff recommended that the Planned Development application be included to allow for a comprehensive review of the project and to allow flexibility in the Development Standards of the Commercial Zone District.

The original project submittal included a proposed looped road system through the Lakehills Community Convent Church to provide access to White Rock Road. The applicant submitted revised plans in March 2008 with a revised access proposing a connection to the existing Joerger Cutoff Road and a new road onto White Rock Road.

The Department of Transportation requested an alternative design for the connection to Joerger Cutoff Road due to a proposed roadway design that would be 15% in slope and would be inconsistent with Standard Plan 101A which establishes a maximum roadway grade of 12%. On July 31, 2008 the applicant and DOT agreed to an alternative design utilizing the existing 20 foot wide Road and Public Utilities Easement as secondary access for the project.

ISSUES: The primary issue regarding the project is the adjacency to the Clarksville Cemetery. The project parcel is located directly adjacent to the Clarksville Cemetery which is an active, privately maintained cemetery. The cemetery currently receives access via a 20 foot Road and Public Utilities Easement which crosses the project parcel providing access to Joerger Cutoff Road.

The cemetery site is directly south of the project site and located at a relative high point in the project vicinity. The preliminary grading plan indicates that a new access road would be constructed to provide access to the cemetery from the proposed parking area.

Letters of from the El Dorado County General Services Department and the Pioneer Cemeteries Association have been submitted questioning the potential impacts of the project on the cemetery and requesting that protective measures and conditions be placed on the project to protect the cemetery. Both correspondences have been included as attachments of the staff report.

The applicant has submitted a Ground Penetrating Radar (GPR) survey with the application which did not identify any interred remains that would be affected by the project. The applicant has contacted the manager of the Clarksville Cemetery to review the proposed impacts to the cemetery site. No letter to the file has been submitted by the cemetery manager; however, the applicant has indicated the manager of the Cemetery would produce evidence of acceptance of the proposed modifications at the Planning Commission Hearing.

STAFF ANALYSIS: Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the permit request and issues for Planning Commission consideration are provided in the following analysis:

Project Description:

The application request is for a Rezone, Planned Development and Parcel Map.

Rezone: The Rezone would change the parcel zoning from One-Acre Residential (R1A) to Commercial (C) and would include the Planned Development Zoning Overlay to change the parcel zoning to (C-PD). The Rezone request would be consistent with the Commercial (C) General Plan Land Use Designation.

Planned Development: The Planned Development would allow for the construction of ten commercial buildings totaling 98,992 square feet.

Parcel Map: The commercial parcel map would create ten parcels ranging in size from 0.37-acres to 2.26-acres. Each of the proposed buildings would be located on a separate parcel. A table is included in Attachment 1 of the staff report which includes a tabulation of the proposed buildings, sizes, and proposed parcel acreages.

Building Number	Building Area (sq. ft.)	Parcel Number	Parcel Area (acreage)
A	44,992	1	1.27
B	6,720	2	0.42
C	6,720	3	0.37
D	6,720	4	0.86
E	6,720	5	0.81
F	6,720	6	1.39
G	5,100	7	0.60
H	5,100	8	1.09
J	5,100	9	0.47
K	5,100	10	2.26
Total Buildings: 10	Total Building Area: 98,992 s.f.	Total Parcels: 10	Total Parcel Area: 9.52 acres

Road Improvements: The project would require off-site improvements to provide two points of access from the project site to White Rock Road. Off-site improvements would include the construction of a new access road (Road 1) which would extend from the project site southeast to White Rock Road. The existing Joerger Cutoff Road would be improved to 20 feet to provide for a secondary access point onto White Rock Road. Road improvements to Joerger Cutoff Road would require road widening of the entire length of the road from the intersection at White Rock Road and across the northern portion of the PG&E substation. Joerger Cutoff Road is a County Maintained Road from the intersection with White Rock Road to the existing PG&E access onto Joerger Cutoff Road. The applicant has obtained recorded roadway access easements across the parcel to the west to allow the construction of Road 1 as proposed.

Site Description: The project site is located directly south of U.S. Highway within the El Dorado Hills Community Region. The project site has been previously developed with a single family residence and accessory buildings. Vegetation on-site is limited to non-native landscaping and native grasslands. Slopes on-site are hilly with varied slopes. The project request would also involve the construction of an off-site roadway utilizing undeveloped lands to the east and the widening of the existing Joerger Cutoff Road. Separate biological resources evaluations were performed for the off-site impacts which identified wetlands, riparian channels, and suitable habitat for protected animal species. As discussed in greater detail below, the project would include Mitigation Measures to reduce the impacts to biological resources.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	R1A	C	Existing Single Family Residence
North	TC	AP	U.S. Highway 50
South	CG/ R1A	AP/C	Lakehills Covenant Community Church/ Clarksville Cemetery
East	AE	R&D	Undeveloped
West	CG	AP	Undeveloped (Town Center East)

General Plan: The General Plan designates the subject site as Commercial (C). The proposed office and medical office project would be consistent within the C land use designation.

Policy 2.2.1.3 establishes a maximum Floor Area Ratio (FAR) of 85 percent within the C district. The maximum allowable FAR for the 9.52-acre parcel would be 8.09-acres (352,488 square feet). The development would construct 98,992 square feet of building space on the project parcel. This would yield a FAR of 24 percent which would be consistent with Policy 2.2.1.3

Policy 2.8.1.1 directs that nighttime light and glare from parking area lighting, signage, and buildings be reduced while combined with related design features, namely directional shielding for parking lot and outside building lighting, that could reduce effects from nighttime lighting. The project would include outdoor lighting for the proposed parking areas. The submitted photometric plan indicates that the proposed lighting would include shielding and other glare reducing measures to reduce the nighttime impacts of the proposed lighting.

The project site is located adjacent to agriculture-zoned lands to the east. As required by **General Plan Policy 8.1.4.1** the project was reviewed by the Agricultural Commission to evaluate the potential impacts of the project on the AE-zoned parcel to the east. The AG Commission recommended approval of the project subject to the 200-foot agricultural setback pursuant to **General Plan Policy 8.1.3.2.**

Pursuant to the **Interim Interpretative Guidelines for General Plan Policy 8.1.3.2** adopted June 22, 2006 and amended on September 28, 2006, the project would not be required to maintain the 200 setback. The parcel is not located within an Agricultural District and is less than 10-acres which in accordance with the Interim Guidelines Application Questionnaire, does not require the 200-foot setback.

As required by **General Plan 2.2.5.3** future rezoning shall be evaluated based on the General Plan's direction as to minimum parcel size or maximum density and to assess whether changes in conditions would support a higher density. Specific Criteria to be considered include, but are not limited to, the following:

1. Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;

The project would be required to connect to EID public water and sewer services. The District determined that the project site is currently located outside of the District boundaries and would require annexation prior to obtaining service. The District determined that adequate water and sewer services would be available for the project upon annexation. The project would require LAFCO approval for annexation prior to receiving service.

2. Availability and capacity of public treated water system;

See #1 above.

3. Availability and capacity of public waste water treatment system;

See #1 above.

4. Distance to and capacity of the serving elementary and high schools;

The project site is located within the Buckeye Union School District. The District was distributed the project during the initial 30-day review and did not provide comment. The commercial development would not affect the existing capacity of schools within the District.

5. Response time from nearest fire station handling structure fires;

The project area would receive emergency service from the El Dorado Hills Fire Department. The Department reviewed the project and determined that the proposed roadway improvements and additional fire protection measures would allow for adequate emergency services for the project.

6. Distance to nearest Community Region or Rural Center;

The project site is located within the Cameron Park Community Region.

7. Erosion hazard;

All grading activities are subject to the provisions of the El Dorado County Grading, Erosion, and Sediment Control Ordinance which would reduce potential erosion hazards to a less than significant level.

8. Septic and leach field capability;

The project would be served by EID public water and sewer facilities. No septic systems or leach fields are proposed.

9. Groundwater capability to support wells;

The project would be served by EID public water and sewer facilities. No well systems are proposed.

10. Critical flora and fauna habitat areas;

The biological resources evaluation conducted on the project site determined that no special status plant or animal species are located on the project site. A separate evaluation conducted for the off-site improvements which identified suitable habitat for animals protected by federal and state law. The project would include Mitigation Measures for pre-construction surveys to be conducted prior to issuance of any grading permits and protective measures to be implemented during project construction.

11. Important timber production areas;

The project site is not located within or adjacent to important timber production, agricultural or mineral resource areas.

12. Important agricultural areas;

See #11 above.

13. Important mineral resource areas;

See #11 above.

14. Capacity of the transportation system serving the area;

The project would be required to perform road improvements as conditions of approval for the project. The existing Joerger Cutoff Road would be widened to 20 feet along the entire length of the road from White Rock Road to the project site. A new off-site road would be constructed and would be built to the requirements of Standard Plan 101A. The Department of Transportation has reviewed the Traffic Impact Study prepared for the

project and determined that the road improvements and payment of Traffic Impact Mitigation Fees at building permit issuance would mitigate potential traffic impacts in the area.

15. Existing land use pattern;

The project site is surrounded by undeveloped land within the El Dorado Hills Community Region. The Commercially designated land to the west is located within Town Center East.

16. Proximity to perennial water course;

The biological resources study that was performed on the project site determined that no perennial water courses or other riparian features on-site would be impacted. The project would require off-site road improvements to the existing Joerger Cutoff Road which currently crosses an existing intermittent stream and wetlands areas.

A separate biological resources evaluation was required to address the impacts of the off-site road impacts. The evaluation determined that wetlands and intermittent streams would be potentially impacted as part of the required road improvements. The project includes Mitigation Measures which would require the project obtain permits from State and Federal agencies prior to issuance of any grading permits for the road improvements.

17. Important historical/ archeological sites;

The cultural resources study performed on the project site determined that no important historical sites are located on the project site. The site is located directly adjacent to the Clarksville Cemetery which is an active, operating Cemetery. The application submittal included a geophysical survey which included an analysis of the project site for the presence of any interred human remains outside of the Cemetery boundaries. The study determined that no human remains are located on the project site. Standard conditions of approval would be applicable to the project which would require implementation of protective measures upon the accidental discovery of important historical or archeological resources during project construction.

18. Seismic hazards and present active faults.

The project site is not located in an area known to be exposed to seismic hazards or located near active faults.

19. Consistency with existing Conditions, Covenants, and Restrictions.

The site does not currently have any CC&R's. The project would be required to record CC&R's in order to maintain the onsite parking areas and landscaping. All CC&R's would be subject to review and approval by the El Dorado Hills CSD.

The project has been reviewed in accordance with applicable General Plan policies and it has been determined that the project is consistent with the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

Zoning/ Planned Development: The project request includes a Planned Development Application. The PD would allow flexibility in the Development Standards of the Commercial (C) Zone District. The proposed Office and Medical uses would be consistent with the permitted uses of the C Zone District.

Section 17.32.030 A through E of the Zoning Ordinance establishes development standards for projects within the Commercial Zone District. Below is an analysis of those standards.

A. Minimum lot area, five thousand square feet;

The project would create ten commercial parcels. The minimum lot size would be 0.37-acres (16,117 square feet). The proposed parcels would be consistent with the minimum lot size of the C Zone District.

B. Maximum building coverage, sixty percent of the lot;

The project would construct ten commercial buildings resulting in a building coverage of 76,496 square feet. On the 9.52-acre site, the project would result in a building coverage of 18% which would be consistent with the coverage requirements of the C Zone District.

C. Minimum lot width, fifty feet;

Lot 9 would be the narrowest width of 68 feet. All proposed parcels would be consistent with the lot width requirements of the C Zone District.

D. Minimum yard: front, ten feet; sides and rear, five feet, or zero feet and fireproof wall without opening; provided, however, that all hotels, motels or multifamily dwellings shall have at least five feet side and rear yards;

The proposed buildings would be located on individual parcels. The buildings have been sited to comply with the setback requirements of the C Zone District.

E. Maximum building height, fifty feet. (Prior code §9413(c))

The project would construct ten commercial buildings from three building plans. Building A would be a split-level design with a maximum height of 39 feet 8 inches. Buildings B and G would be a single-level design with a maximum height of 24 feet 9 inches. The proposed building designs would be consistent with the maximum height requirement of the C Zone District.

Planned Development Permit Request:

Parking: The project proposed to allow a mix of office and medical uses. As shown on the Site Plan, the project would construct 98,992 square feet of commercial space. Approximately 30% of the site would be for medical uses and approximately 70% would be for office use.

The Zoning Ordinance requires a parking ratio of 1 space per 150 square feet of space for medical use. The proposed 29,698 square feet of medical space would require 198 parking spaces. Office space would require 1 space per 250 square feet of office space. The proposed 69,294 square feet of office space would require 277 parking spaces.

The project would require 475 parking spaces and has provided 485 spaces on the site. The project would be consistent with the off-street parking requirements of the Commercial Zone District.

Signage: The project request would include one monument sign at the entrance to the site located at the northwest corner of the project parcel (Exhibit J). Individual signs would comply with the sign requirements for the C Zone District.

Infrastructure: The project would be served by public water and sewer. The El Dorado Irrigation District has determined that adequate services exist within the El Dorado Hills Business Park to serve the project. No new utilities or services would be required to provide service for the project.

Design Waivers: One Design Waiver has been requested for the following:

- 1) To limit the sidewalk improvements to one side of Road 1.

The Department of Transportation has reviewed the request to limit sidewalk to one side of the road only had recommended approval. The proposed roadway would be located on parcel which has the potential to be developed in the future with similar commercial development. All future development would be conditioned to construct additional sidewalk improvements on the opposite side of the road. Findings of Approval for the requested Design Waiver have been included in Attachment 2 of the Staff Report.

ENVIRONMENTAL REVIEW:

Based on the Initial Study prepared by Planning Services, staff finds that the project could have a significant effect on air quality, biological resources, cultural resources, air quality, noise and transportation. However, the project has been modified to incorporate the mitigation measures identified in the Initial Study which will reduce the impacts to a level considered to be less than significant. Therefore, a Mitigated Negative Declaration has been prepared.

This project 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 referred to the California Department of Fish and Game. In accordance with State

Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,926.75 after approval, but prior to the County filing the Notice of Determination on the project. This fee, less a \$50.00 recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$1,876.75 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the States fish and wildlife resources.

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

1. Adopt the Mitigated Negative Declaration based on the Initial Study reviewed by staff;
2. Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the conditions of approval and mitigation measures in Attachment 1;
3. Approve Rezone Z07-0028 based on the findings in Attachment 2;
4. Approve Planned Development Application PD07-0027 and Tentative Parcel Map Application P07-0030, adopting the development plan as the official development plan, subject to the conditions in Attachment 1, based on the findings in Attachment 2; and
5. Approve the following Design Waiver since appropriate findings have been made as noted in Attachment 2:
 - 1) To limit the sidewalk improvements to one side of Road 1.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1Conditions of Approval
Attachment 2Findings

Exhibit AVicinity Map
Exhibit BAssessor’s Parcel Map
Exhibit CGeneral Plan Land Use Map
Exhibit DZoning Map
Exhibit ESite Plan
Exhibit FTentative Parcel Map
Exhibit GLandscaping Plan
Exhibit HElevations (typical)
Exhibit ISignage Elevations
Exhibit J Letter from General Services
Exhibit KLetter from Pioneer Cemeteries Association
Exhibit LLetter from Clarksville Cemetery Manager
Exhibit MSilva Valley/ US 50 Improvements
Exhibit NBiological Constraints Map
Exhibit OEnvironmental Checklist

ATTACHMENT 1
CONDITIONS OF APPROVAL

FILE NUMBER Z07-0028/ P07-0030 PD07-0027
Clarksville Professional Business Park

Project Description:

1. This Rezone, Parcel Map and Planned Development is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits E-I, approved September 25, 2008, 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:

The project would allow for a Rezone, Parcel Map, and Planned Development.

Rezone: The Rezone would amend the parcel zoning from One-Acre Residential (R1A) to Commercial- Planned Development (C-PD).

Parcel Map: The Parcel Map would create ten parcels ranging in size from 0.37-acres to 2.26-acres. The parcels would conform to the table listed below.

Planned Development: The Planned Development would allow the construction of ten commercial buildings allowing a range of medical and office uses. The project would allow for 29,628 square feet of the building space to be used as medical offices. The project would allow for 69,294 square feet of the building space to be used as offices. The parking lot would contain 277 parking spaces.

Building Number	Building Area (sq. ft.)	Parcel Number	Parcel Area (acreage)
A	44,992	1	1.27
B	6,720	2	0.42
C	6,720	3	0.37
D	6,720	4	0.86
E	6,720	5	0.81
F	6,720	6	1.39
G	5,100	7	0.60
H	5,100	8	1.09
J	5,100	9	0.47
K	5,100	10	2.26
Total Buildings: 10	Total Building Area: 98,992 s.f.	Total Parcels: 10	Total Parcel Area: 9.52 acres

One Design Waiver would allow the following: 1) to allow the sidewalk improvements to be limited to one side of Road 1.

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

CONDITIONS FROM THE MITIGATED NEGATIVE DECLARATION:

The following mitigation measures are required as means to reduce potential significant environmental effects to a level of insignificance:

2. Prior to the issuance of a grading permit, the following Mitigation Measures shall be implemented to protect Valley Longhorn Beetle Habitat on-site:
 - a. Fence and flag all areas to be avoided. Provide a minimum setback of twenty (20) feet from the drip line of each elderberry plant, surrounded by a 100-foot buffer.
 - b. The contractors for the project shall be advised by the applicant on the need to avoid damaging the elderberry plants and the penalties for not complying with these regulations.
 - c. The applicant shall require the contractors to put up signs every 50 feet along the edge of the avoidance areas with the following information: "This area is habitat of the Valley Elderberry Longhorn Beetle, a threatened species and must not be disturbed. Violators are subject to prosecution, fines, and imprisonment." The signs shall be clearly visible from a distance of 20 feet during duration of construction.
 - d. Applicant is to instruct construction crews about the status of the beetle and the need to protect its elderberry host plant.
 - e. Transplant elderberry plants that cannot be avoided. Planning Services shall inspect the project site for the location of elderberry plants which will be impacted due to construction.
 - f. Plant additional elderberry plant seedlings or cuttings, adjacent to the native species; outside the proposed development areas.

MONITORING: The project biologist shall provide to Planning Services written verification that all protection measures including replanting and transplanted, have been satisfied prior to issuance of a grading permit. (MM BIO-1)

3. Prior to any construction activities during the nesting season (February 1- August 31), a pre-construction survey is required to determine if active nests are present on-site. The survey shall be completed no more than 30 days prior to the commencement of construction activities. If nests are found and considered active, construction activities shall not occur within 500 feet of the active nest until the young have fledged or until a biologist determines that the nest is no longer active. The survey result shall be submitted to the California Department of Fish and Game and Planning Services prior to issuance of a grading permit.

MONITORING: The applicant shall provide Planning Services with a letter from the project biologist verifying compliance prior to issuance of a grading permit. (MM BIO-2)

4. The applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Game for each stream crossing or any activities affecting the onsite riparian vegetation. The agreement shall be submitted to Planning Services for review prior to issuance of a grading permit.

MONITORING: Planning Services shall verify the agreement has been obtained and necessary mitigation measures incorporated on the plans prior to issuance of a grading permit. (MM BIO-3)

5. Prior to issuance of a grading permit, the applicant shall obtain a Section 404 permit from the U.S. Army Corps of Engineers and a 401 Water Quality Certification from the Central Valley RWQCB. The project applicant shall incorporate all conditions attached to the permit and certification into the project.

MONITORING: Planning Services shall verify the required permit and certification has been obtained prior to issuance of a grading permit. (MM BIO-4)

6. Mitigation Measure BIO-5: The applicant shall pay the mitigation in-lieu fee for all oak canopy removed as part of road and infrastructure improvements. The mitigation fee shall be paid at a 2:1 ratio as required by the Oak Woodland Conservation Ordinance and shall be based on the fee established by the Board of Supervisors. The applicant shall provide to Planning Services a final arborist report and proof of payment of the mitigation in-lieu fee prior to issuance of a grading permit or removal of any oak trees.

MONITORING: Planning Services shall receive proof of payment of the mitigation in-lieu fee prior to issuance of a grading permit. (MM BIO-5)

Conditions of Approval:

Planning Services

7. **LAFCO Approval:** The applicant shall make applications and pay appropriate fees LAFCO for annexation into the EID Service District to receive public water and wastewater services. The applicant shall annex into EID prior to receiving services.
8. **Meter Award Letter:** The applicant shall submit to Planning Services a meter award or similar document from EID prior to filing the parcel map.
9. **Landscaping Plan:** The final landscape plan shall meet Zoning Code Chapter 17.18.090 and General Plan Policies 7.3.5.1, 7.3.5.2, and 7.4.4.4 and be approved by the Deputy Planning Director or designee prior to installation. The applicant shall install and maintain landscaping in accordance with the approved final landscaping plan in perpetuity.
11. **Lighting Plan:** All outdoor lighting shall conform to the Lighting Plan on file with Planning Services and §17.14.170 and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. External lights used to illuminate a sign or side of a building or wall shall be shielded in order to prevent light from shining off the surface to be illuminated.

Should final, installed lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of Planning Services prior to issuance of a building permit.
12. **Signage:** All signs must comply with signage exhibit attached as Exhibit I. Any signage subsequent to the approval of this permit shall conform to Chapter 17.32.140 (D) and Chapter 17.16 of the El Dorado County Zoning Ordinance and shall be provided to, and approved by Planning Services prior to issuance of a building permit.
13. **Joint Access Agreement:** A joint access and parking agreement shall be provided to ensure on-going access and maintenance of the parking to all property owners within the development and to the Clarksville Cemetery (APN 121-280-05). A copy of said agreement shall be provided to Planning Services for review and approval, and the approved agreement shall then be recorded and a copy shall be provided to Planning Services prior to filing of the parcel map.
14. **Cultural Resources:** In the event that previously unknown cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archeologist shall make recommendations on the measures to be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds, in accordance with § 15064.5 of the

CEQA Guidelines. Cultural resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites.

15. **Human Remains:** If human remains are encountered during earth-disturbing activities within the project area, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. If the remains are determined to be Native American in origin, both the Native American Heritage Commission (NAHC) and any identified descendants shall be notified by the coroner and recommendations for treatment solicited (CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94 and 5097.98).

16. **Payment of Fees:** All Development Services fees shall be paid prior to clearance by Development Services of the parcel map.

The applicant shall submit to Planning Services the Department of Fish and Game filing fee and noticing fee prior to filing of the Notice of Determination by the County. No permits shall be issued or final map filed until said fees are paid.

17. **Hold Harmless Agreement:** 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 applicant 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 applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

18. **Compliance with Conditions:** Prior to filing the parcel map or issuance of any building permit authorized by this permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. Planning Services shall verify compliance prior to filing the parcel map.

The applicant shall also schedule an inspection by Planning Services prior to issuance of a building permit for verification of compliance with applicable conditions of approval.

19. **Expiration:** The map shall remain in effect for three years from the date of approval. If the map has not been recorded within this timeframe, an extension may be requested

prior to expiration of the map. Appropriate fees shall be paid to process the time extension.

El Dorado Hills Fire Department

20. The dead end egress at the north end of the complex shall have a 12 foot wide gate for emergency access only. The applicant shall install a low priority KNOX pad lock installed for emergency access. The Department shall review and approve the gate and lock prior to issuance of any building permit for the project.
21. The 90 degree turn on Joerger Cutoff Road shall accommodate a 56 foot outside radius and a 40 foot inside radius. The Department shall verify compliance with this requirement prior to issuance of a grading permit.
22. The intersection of Joerger Cutoff Road and White Rock Road shall accommodate a 56 foot outside radius and a 40 foot inside radius. The Department shall verify compliance with this requirement prior to issuance of a grading permit.
23. Road 1 shall be named through El Dorado County and the development shall be addressed using that name. If the building address cannot be easily seen from the road, an address monument shall be installed at the entrance of the project. The Department shall review and approve all addressing prior to issuance of a building permit.
24. This development shall install Mueller Dry Barrel Fire hydrants conforming to the El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 300 feet. The exact location of each hydrant and all fire protection system devices shall be determined by the Department. The Department shall review and approve the hydrant locations prior to issuance of a building permit.
25. To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marking the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations. The Department shall verify compliance with this requirement prior to issuance of any building permits for the development.
26. In order to provide this development with adequate fore and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to framing of any combustible members as specified by the El Dorado Hills Fire Department Standard 103.
27. This development shall be prohibited from installing any type of traffic calming devices that utilize a raised bump or a lower dip section of roadway. The Department shall verify compliance with this requirement prior to issuance of a grading permit.

28. All buildings shall be sprinklered in accordance with NFPA-13, 207 edition, and the Fire Department requirements. The Department shall verify compliance with this requirement prior to issuance of a building permit.
29. The applicant shall provide the Department with a CD that contains all the CAD files for this project.

State of California Department of Transportation

30. The applicant shall obtain an encroachment permit from CalTrans Office of Permits prior to any work within the State Right-of-Way.
31. Any signage visible from U.S. Highway 50 or located within 500 feet of the State Right-of-Way shall be reviewed and approved the CalTrans Outdoor Advertising Branch. The applicant shall obtain approval prior to issuance of a building permit.
32. All sound proofing or noise attenuation shall be the responsibility of the applicant not CalTrans.

El Dorado County Department of Transportation

Project Specific Conditions

33. **Access Roads:** The applicant shall construct all roads in conformance with the El Dorado County Design and Improvements Standard Manual (DISM), as shown in Table 1. 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 the filing of the map:

Table 1				
ROAD NAME	DISM REFERENCE	ROAD WIDTH	ROAD RIGHT OF WAY	COMMENTS/NOTES
Entrance Road 1 <i>(from White Rock Road to project site)</i>	Design Std Plan 101A	40 ft	60 ft	Paved 3" AC over 8" Class II AB, 8 ft wide sidewalk on one side (allowed by design waiver), Type 2 Vertical Curb and Gutter both sides
Joerger Cutoff Road <i>(secondary access road from White Rock Road to project site along</i>	Modified Design Std Plan 101A	20 ft	20 ft w/ additional slope easements as needed	Paved 3" AC over 8" Class II AB, no curb, gutter or sidewalks.

<i>US 50 frontage over PG&E property)</i>				
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34. **Secondary Access:** The applicant shall provide a secondary access to this site. Both the primary and secondary off-site accesses shall meet the requirements of El Dorado County Modified Design Standard Plan 101A and Fire Code Standards (a 20 ft wide roadway capable of supporting 75,000 lbs of weight). These off-site improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.

35. **Encroachment Permits / White Rock widening:** The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment from 'Road 1' onto White Rock Road to the provisions of County Standard Plan 103D, prior to the filing of the map. Asphalt dike curbing can be used instead of Type 2 Vertical curb in this encroachment area. The profile of this roadway encroachment onto White Rock Road shall be designed to maintain consistency with the DISM and with the future widening of White Rock Road to a six lane divided roadway (as required in the General Plan).

36. **Encroachment Permit / Joerger Cutoff Road:** The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment from Joerger Cutoff Road onto White Rock Road to the provisions of County Design Std 103D and to improve Joerger Cutoff Road for its entire length to 20 ft. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.

37. **Offer of Dedication:** The applicant shall irrevocably offer to dedicate any slope easement or right-of-way in fee needed along the property frontage adjoining US 50 that is required for the proposed Silva Valley Interchange, as determined by EDC DOT, prior to the filing of the map. This offer will be accepted by the County.

38. **Cut Slopes:** Per the El Dorado County Grading Design Manual Sec B.6, the top of cut slopes shall not be made nearer a permit area boundary line than one fifth the vertical height of cut with a minimum of two (2) feet and a maximum of ten (10) feet. The setback may need to be increased for required interceptor drains. 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 the filing of the parcel map.

39. **Fill Slopes:** Per the El Dorado County Grading Design Manual Sec B.6, the toe of the fill slope shall not be made nearer to the permit area boundary line than one half the height of the slope with a minimum of two (2) feet and a maximum of twenty (20) feet.

Where a fill slope is to be located near the permit area boundary and the adjacent off-site property is developed, special precautions shall be incorporated in the work as the building official deems necessary to protect the adjoining property from damage as a result of such grading. 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 the filing of the parcel map.

40. **Off-site Easements:** Applicant shall provide all necessary recorded easements for the drainage, slope and road improvements crossing the property line prior to approval of the improvement plans.

Standard Conditions

41. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
42. **Road & Public Utility Easements:** The applicant shall provide a 60 foot wide non-exclusive road and public utility easement for the on-site access roadways prior to the filing of the parcel map. Slope easements shall be included as necessary.
43. **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Department of Transportation prior to the filing of the parcel map. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
44. **Sidewalks:** 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.
45. **Curb Returns:** All curb returns, at pedestrian crossing, will need to include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp.
46. **Maintenance Entity:** The proposed project must form an entity for the maintenance of any shared or common: private roads, parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping, signs, and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the parcel map.

47. **Common Fence/Wall Maintenance:** 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).
48. **Water Quality Stamp:** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.
49. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.
50. **DISM Consistency:** 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 parcel map.
51. **Road Improvement Agreement & Security:** The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map.
52. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
53. **Grading Permit / Plan:** A commercial grading permit is required for the project. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado “Design and Improvement Standards Manual”, the “Grading, Erosion and Sediment Control Ordinance”, the “Drainage Manual”, the “Off-Street Parking and Loading Ordinance”, and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of DOT prior to occupancy clearance.
54. **Grading Plan Review:** 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.

55. **RCD Coordination:** 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.
56. **Soils Report:** 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.
57. **Drainage Study / SWMP Compliance:** 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.
The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:
- The site can be adequately drained;
 - The development of the site will not cause problems to nearby properties, particularly downstream sites;
 - The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
 - The ultimate drainage outfall of the project.

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

58. **Drainage, Cross-Lot:** Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the parcel map.
59. **Drainage Easements:** Pursuant to Section 4.D of the DISM, the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and / or on the parcel map.
60. **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
61. **Off-site Improvements (Security):** Prior to the filing of a parcel map, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required offsite improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in the amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.
62. **Off-site Improvements (Acquisition):** As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant 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 applicant'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 applicant 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 applicant 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.

63. **Off-site Access Easements:** The applicant shall provide proof of access to the project site from a State or County maintained road. Said proof shall be provided by and through a "Parcel Map Guarantee" which shall be submitted to the County Surveyor's Office with the first map check for the parcel map.
64. **Electronic Documentation:** 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.
65. **TIM Fees:** The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.

Air Quality Management District

66. The applicant shall prepare and pay applicable fees for an Asbestos Dust Mitigation Plan. The District shall review and approve the plan prior to issuance of a grading permit.
67. The applicant shall comply with all District rules prior to issuance of a grading permit.

El Dorado County Surveyor

68. All survey monuments shall be set prior to filing and recording the parcel map.

69. Prior to filing the Parcel Map, a letter to the County Surveyor shall be required from all agencies that have conditions place on the map. The letter shall state that all conditions placed on the map by that agency have been met.

ATTACHMENT 2
FINDINGS

FILE NUMBER Z07-0028/ P07-0030/ PD07-0027
Clarksville Professional Business Park

1.0 CEQA Findings

- 1.1 El Dorado County has considered the negative declaration together with the comments received during the public review process. The negative declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 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.

2.0 General Plan Findings

2.1 The project is consistent with the General Plan.

The proposed commercial development will allow a range of office and medical uses which are consistent within the Commercial (C) General Plan Land Use Designation.

The proposal is consistent with the intent of General Plan Policies 2.2.1.5, 2.2.3.1, 2.8.1.1, TC-Xf, TC-5b, 5.1.2.1, 7.3.5.1, 7.3.5.2, 7.4.4.2, 9.1.2.4, and 9.1.2.8 concerning the requirement for a Planned Development request, the floor/area ratio, lighting glare, traffic impacts, landscaping, and the inclusions of provisions that promote non-vehicular travel.

3.0 Zone Change Findings

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

The proposed Zone Change would change the parcel zoning from One-Acre Residential (R1A) to Commercial- Planned Development (C-PD). The requested Zone Change will be consistent with the existing Commercial Land Use Designation.

The proposed development will be consistent with the Development Standards of the Commercial Zone District.

4.0 ADMINISTRATIVE FINDINGS

4.1 Planned Development Findings

4.2 The planned development zone request is consistent with the General Plan.

The Planned Development (PD) will allow for a range of office and medical uses which will be consistent within the C Zone District.

4.3 The proposed development is so designed to provide a desirable environment within its own boundaries.

The project has been designed with adequate accessible parking and substantial landscaping through the project. The proposed buildings are clustered centrally on the site to provide a campus-like atmosphere.

4.4 Any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography.

The project will not require any exceptions to the Development Standards of the C Z

4.5 The site is physically suited for the proposed uses.

The project site is flat and would not require significant alterations to the site for development. The proposed development would be constructed on portions of the site already graded under an approved grading permit. No natural features would be negatively impacted as a result of the development.

4.6 Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities.

The project is located within the El Dorado Hills Business Park which has adequate utilities and infrastructure to service the project.

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

The proposed uses do not significantly detract from the natural land and scenic values of the site since it is devoid of native trees and shrubs.

5.0 Parcel Map Findings

5.1 The proposed parcel map, including design and improvements, is consistent with the General Plan policies and land use map.

The proposed office and warehouse uses are consistent within the R&D land use designation. The proposed size of the development would be consistent with the Floor Area Ratio allowed within the R&D land use designation. The project has been designed to comply with applicable General Plan policies.

5.2 The proposed parcel map does conform to the applicable standards and requirements of the County's zoning regulations and the Minor Land Division Ordinance.

Through the application of the PD, the project is consistent with the minimum parcel size requirements of the R&D zone district and is consistent with the Development Standards of the zone district. Adequate parking and landscaping would be provided. All roads and encroachments would be consistent with the County Design Manual.

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

The site contains no natural features that would be impacted by the proposed type or density of development. The proposed land uses would not exceed the FAR of the R&D land use designation. The proposed office and warehouse uses would be suitable for the site.

5.4 The proposed parcel map is not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

The project site is devoid of natural features. No oak canopy or riparian areas are located onsite. The site has been previously disturbed under an approved grading permit.

5.4 The design of the parcel map is not likely to cause serious public health hazards.

The project has been designed to provide adequate circulation through the development. Encroachments onto the County roads are consistent with the Design Manual. The proposed office and warehouse land uses would not be likely to cause public hazards.

6.0 Design Waiver Findings

6.1 Design Waiver #1: To limit the sidewalk improvements to one side of Road 1.

6.1.1 There are special conditions or circumstances peculiar to the property proposed to be subdivided which would justify the waiver,

All road improvements would be located off-site and would allow future commercial development of the parcel to the east. Future development of that site would be conditioned to construct additional sidewalk improvements of the other side of the proposed roadway.

6.1.2 Strict application of the design or improvement requirements of this chapter would cause extraordinary and unnecessary hardship in developing the property,

The project would be required to construct a new roadway consistent with Standard Plan 101A. The requirements to construct a new roadway to this standard would result in substantial costs for the development. The Design Waiver to limit the sidewalk to one side of the road would reduce the hardship in development the site. Future commercial development in the area would be required to construct the additional sidewalk on Road 1.

6.1.3 The waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public,

The project would be required to construct sidewalk improvements one side of Road 1. The sidewalk would allow for pedestrian access from the project side to White Rock Road.

6.1.4 The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.

The Design Waiver would be consistent with the County Design Manual and would meet the objectives of provided non-motorized alternatives as required by the General Plan.