

**EL DORADO COUNTY DEVELOPMENT SERVICES
ZONING ADMINISTRATOR
STAFF REPORT**



Agenda of: December 3, 2008
Item No.: 4.c.
Staff: Thomas A. Lloyd

COMMERCIAL PARCEL MAP

FILE NUMBER: P08-0019

APPLICANT: A. J. Hall

AGENT: Gene E. Thorne and Associates, Inc.

REQUEST: A tentative parcel map creating two parcels, ranging in size from 3.05 acres to 3.93 acres from an existing 8.03 acre parcel. The resultant acreages reflect a Boundary Line adjustment of 1.05 acres to the El Dorado County Fire Protection District to be processed concurrently (Exhibit D).

LOCATION: On the east side of Pleasant Valley Road, 0.2 miles west of the intersection with Mt. Aukum Road in the Pleasant Valley area, Supervisorial District II. (Exhibit A)

APN: 078-270-06 (Exhibit E)

ACREAGE: 8.03 acres

GENERAL PLAN: Commercial (C) (Exhibit B)

ZONING: Commercial (C) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Negative Declaration

RECOMMENDATION:

Staff recommends that the Zoning Administrator take the following actions:

1. Adopt the Negative Declaration based on the Initial Study; and
2. Approve parcel map P08-0019 as the required findings can be made as noted in Attachment 2 based on the analysis in the staff report and the conditions itemized in Attachment 1.

BACKGROUND: The subject parcel was created by parcel map recorded in April, 1983 as Parcel 1 of Book 32 of Parcel Maps, Page 43 (Exhibit E). The existing house and accessory structure were permitted in 2005 by both Planning and Building Services as non-conforming uses (Permit numbers 159382 and 15383). At that time, it was determined that the new construction could serve as a replacement for a previously demolished home built in the 1800s.

STAFF ANALYSIS

Project Description: The project is a tentative parcel map request to create two parcels, ranging in size from 3.05 acres to 3.93 acres from an existing 8.03 acre parcel. The resultant acreages reflect a Boundary Line adjustment of 1.05 acres to the El Dorado County Fire Protection District to be processed concurrently. The donation of the land to the Fire District has been proposed and accepted in lieu of fire development fees.

Site Description: The project area is located in the western slope of the central Sierra Nevada Mountains, in an area classified as the Yellow Pine Belt. The project area lies at an elevation of approximately 2,200 feet. Species identified within and near the project area include black oak, yellow pine, incense cedar, interior live oak, Manzanita, willow, California blackberry, buckbrush, and kit-kit-dizze. One intermittent channel exists in the western portion of the project area. This channel is identified on the USGS Camino quad as an unnamed tributary of Clear Creek. Most of the project area is covered with annual grasses and widely scattered oaks, with the exception of along the creek corridor that includes a dense stand of oaks and willow, with scattered pines. No permanent water exists within the project area. The site has been developed with a single-family dwelling and a garage. Future plans include an office building and required parking lot, permits for which have already been issued by Building Services.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	C	C	Single-family residence, Barn, Permit issued for office building
North	R2A	MDR	Single-family residences
East	R2A	MDR	Single-family residences
South	RE-5/R2A	MDR	Single family residences
West	C	PF	El Dorado County Fire Protection District (Pleasant Valley)

General Plan: The General Plan designates the subject site as Commercial (C). Pursuant to *Policy 2.2.1.2*, this designation allows a full range of commercial retail, office, and service uses including, but not limited to, those proposed on the site. The County determined in 2004 that the construction of a house on the parcel as a replacement for a house built in the 1800s and removed by a previous owner would be permissible as a continuation of a nonconforming use. This allowed approval by

Building and Planning Services of Permit Numbers 159382 and 15383, thereby legitimizing the residential use in the Commercially designated General Plan land use area.

Policies 5.2.3.5 and **5.3.1.2** prohibit the creation of parcels less than 5 acres when the parcels rely on both onsite sewage disposal systems and water wells.

Discussion: The existing, permitted on-site septic system serving proposed parcel two has been reviewed and approved by the Environmental Management Department. As a requirement of project submittal, an onsite sewage disposal feasibility report was prepared and provided to the Department. This report has been approved by Environmental Management, assuring adequate septic capability for the undeveloped parcel (parcel one). Any septic system required during site development will be required to be permitted by Environmental Management

Policy 5.7.1.1 directs that applicants demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or will be provided concurrent with development.

Discussion: Both the developed site (parcel two) and the as of yet undeveloped site (parcel one) would be served by public water from the El Dorado Irrigation District. A facility improvement letter (FIL), dated March 31, 2008, was provided by the District. This letter addresses the location and approximate capacity of existing water service facilities in the project vicinity. The letter calls out the need for the applicant to extend existing service from either Alameda Road (to the east) or Pleasant Valley Road (to the southwest). Satisfactory easements can be found near Pleasant Valley Road, with the easement roughly parallel to the road and actually crossing the subject parcel. Further, the El Dorado County Fire Protection District has reviewed the project for conformance with minimum standards. The District determined that minimum fire flow for the project would be 1,500 gallons per minute at 20 psi for two hours, that the project meets this standard, and that the existing fire hydrants shown on the map are sufficient. As such, no Fire District Conditions have been placed on the project.

Policy 6.2.3.2 directs that the applicant must demonstrate adequate access or ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Discussion: Access to the project parcels is via Pleasant Valley Road which fronts both proposed parcels along the entire southwestern property line. There is an existing paved encroachment which serves proposed lot two (developed). This encroachment passes over the southeast corner of proposed parcel one, and a 30 foot access easement is proposed. The Department of Transportation has conditioned the project to require construction of a standard type 103D encroachment onto Pleasant Valley Road. The parcel also fronts Alameda Road along the eastern boundary and Beau Val Lane bisects the lot through the far western portion of the parcel.

Policy 7.3.3.4 requires the County to apply a minimum setback of 100 feet from all perennial streams, rivers, and lakes, and 50 feet from intermittent streams and wetlands.

Discussion: As shown on the tentative parcel map and further described in the *Biological Resources Evaluation for the Hall Tentative Map Project*, prepared by Sycamore Environmental Consultants, Inc., areas of seasonal stream drainage as well as potential wetland areas do occur on the subject

parcel, specifically along the southwestern corner and near the proposed western boundary. These areas have been delineated and protected pursuant to Policy 7.3.3.4 by a 50 foot non-building setback, to be recorded on the map.

Policy 7.4.4.4 establishes the native oak tree canopy retention and replacement standards and requires that 85 percent of the existing oak tree canopy coverage for the parcel be retained.

Discussion: As part of application submittal, the applicant was required to submit a tree canopy exhibit which has been confirmed with aerial photography. This exhibit identifies a total of 27 percent of oak canopy over the entire 8.03 acre site. As shown in Table 1, this 27 percent of existing oak canopy coverage requires 85 percent retention pursuant to General Plan Policy 7.4.4.4. As each of the proposed parcels will have adequate developable area, no oak trees will be removed and no replacement would be required. At 100 percent, overall canopy retention shown in Table 1 exceeds the provisions of Policy 7.4.4.4.

Proposed Parcel	Oak Canopy (%) Pre-Project	Oak Canopy (%) Post-Project	Proposed Project Retention (%)	7.4.4.4 Retention Standard (%)
Parent Parcel	27	27	100	85

Policy TC-4i seeks the inclusion of pedestrian/bike paths connecting to adjacent development and to schools, parks, commercial areas and other facilities in Rural Centers where feasible.

Discussion: The applicant has requested non-enforcement of this Policy. Upon initial review of the project, DOT's conditions included widening Pleasant Valley Road along the more than 900 feet of project frontage to accommodate a four-foot wide paved bike lane on both sides of the road. Supporting documentation provided by the applicant cites numerous hindrances to widening Pleasant Valley Road, including the presence of a seasonal drainage course which passes through the subject parcel and beneath the road (See also Policy 7.3.3.4 above). To accommodate the lanes, a large box culvert which carries the drainage beneath Pleasant Valley would have to be widened or some other means of bridging or filling the drainage would have to be explored. The applicant contends that enforcement of this Policy would place undue financial burdens on the property owner and that the expansion is otherwise infeasible as no adjacent property or any businesses in the Pleasant Valley Rural Center have sidewalks or bike lanes along their road frontage. Upon second review, of the project, DOT reversed their position on the policy.

Planning Services concurs with this opinion, and recommends that the applicant be relieved from the requirements of Policy TC-4i due to infeasibility. The proposed project is a commercial parcel map which proposes two three (3) acre or greater parcels and takes access from a two lane regional road as depicted on the General Plan Circulation Map Figure TC-1. The Department of Transportation has concluded that the permitted commercial office building on proposed Parcel 2 does not trip the threshold for a traffic study. Further, the proposed density resulting from the project would not result in a substantial increase in pedestrian or bicycle traffic on Pleasant Valley Road. No

sidewalks or bike lanes are found on commercial development in the project vicinity. Findings for granting relief have been provided in Attachment 2.

Conclusion: The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies and it has been determined that the project, with relief from Policy TC-4i, is consistent with the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

Zoning: The subject site is zoned Commercial (C) which, pursuant to *Section 17.32.040*, permits a minimum parcel size of 5,000 square feet, but not less than 1,000 square feet for each dwelling or rental unit located on the first and second story; and 750 square feet for each dwelling or rental unit located on the third story and above. Further, the Commercial zone district allows a maximum 60 percent building coverage, a minimum lot width of 50 feet, a minimum ten foot front setback, five feet side and rear setback, or zero feet with a fireproof wall and no openings, and a 50 foot maximum building height. While the existing house and accessory structures found on proposed parcel 2 are inconsistent with the Commercial zone district, these structures were permitted in 2005 by both Planning and Building Services as non-conforming uses (Permit numbers 159382 and 15383). At that time, it was determined that the new construction could serve as a replacement for a previously demolished home built in the 1800s.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project may have a significant effect on the environment. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment, and a 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 State's fish and wildlife resources.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1Conditions of Approval
Attachment 2Findings for Approval

Exhibit AVicinity Map
Exhibit BGeneral Plan Land Use Map
Exhibit CZoning Map
Exhibit DTentative Parcel Map
Exhibit EAssessor’s Map
Exhibit FOak Canopy Exhibit
Exhibit GSlope Map

ATTACHMENT 1

CONDITIONS OF APPROVAL

File Number P08-0019 – Hall Commercial Parcel Map
Zoning Administrator, December 3, 2008

Planning Services

1. This parcel map is based upon and limited to compliance with the project description, the Zoning Administrator hearing exhibits marked A-E and dated December 3, 2008, and the 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:

A tentative parcel map creating two parcels, ranging in size from 3.05 acres to 3.93 acres from an existing 8.03 acre parcel. The resultant acreages reflect a Boundary Line adjustment of 1.05 acres to the El Dorado County Fire Protection District processed concurrently

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.

2. 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.
3. 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).

4. The applicant shall provide a meter award letter or similar document by the water purveyor to Planning Services prior to filing the parcel map.
5. Prior to filing the parcel map, all Development Services fees shall be paid.
6. 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.

Department of Transportation

7. **Frontage Improvements:** The applicant shall construct an El Dorado County standard type 103D (DISM) paved encroachment onto Pleasant Valley Road. The improvements shall be completed to the satisfaction of the Department of Transportation (DOT) or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.

Standard Conditions

8. **Easements:** All applicable existing and proposed easements shall be shown on the project plans and parcel map.
9. **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 occupancy clearance.
10. **Water Quality Stamp:** 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.

11. 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.
12. 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 approval of the project.
13. 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 approval of the project.
14. Import/Export Grading Permit: Any import, or export of fill material to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
15. Grading Permit / Plan: A 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.
16. 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.

17. **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.
18. **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 (supported by the traffic report) and R values, and recommended design criteria for any retaining walls.
19. **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.
 - The ultimate drainage outfall of the project.
20. **Drainage Easements:** 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.
 21. **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.

22. Off-site Improvements (Security): Prior to project approval, 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.
23. 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 project approval, 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 project approval, 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.

24. 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.
25. TIM Fees: The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.

Surveyor's Office

26. All survey monuments must be set prior to filing the parcel map.
27. Prior to filing the parcel map, a letter will be required from all agencies that have placed conditions on the map. The letter will state that "all conditions on P08-0019 by (that agency) have been satisfied." The letter is to be sent to the County Surveyor and copied to the agent and the applicant.

ATTACHMENT 2

FINDINGS

File Number P08-0019 – Hall Commercial Parcel Map Planning Commission, December 3, 2008

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

FINDINGS FOR APPROVAL

1.0 CEQA FINDING

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this 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 ADMINISTRATIVE FINDINGS

2.1 **The proposed parcel map conforms to the El Dorado County General Plan;**

The proposed tentative map is consistent with the Commercial (C) General Plan land use designation.

The proposal, as conditioned, is consistent with the applicable policies of the General Plan, including **2.2.1.2** (Commercial land use designation), **5.2.3.5 and 5.3.1.2** (parcel size and services), **5.7.1.1** (fire protection), **6.2.3.2** (access), **7.3.3.4** (stream and wetland setbacks), **and 7.4.4.4** (oak canopy retention) because the division would be compatible with the base land use designation, there are adequate roadways, utilities, and other public service infrastructure available, the project fits in with the dominant pattern of development in the direct project vicinity, no parcels less than five acres which rely on both onsite sewage disposal systems and water wells will be created, wetland and intermittent stream areas are protected by a 50-foot buffer, and no oaks will be removed as part of the project.

General Plan Transportation and Circulation **Policy TC-4i** seeks the inclusion of pedestrian/bike paths connecting to adjacent development and to schools, parks, commercial areas and other facilities in Rural Centers where feasible. Application of Policy TC-4i has been determined to be infeasible based on the application submittal materials and the

analysis presented in the staff report. This determination has been found to be consistent with the General Plan policy identified above.

2.2 The parcel map conforms to the El Dorado County Zoning Ordinance;

The parcel map will create parcels which will be consistent with the minimum parcel size requirements and the development standards of the Commercial (C) Zone District, pursuant to *Section 17.32.040* of the County Zoning Ordinance.

3.0 TENTATIVE MAP FINDINGS

3.1 That the proposed tentative map is consistent with applicable general and specific plans;

All necessary improvements have been considered by the reviewing disciplines to determine that this tentative parcel map is consistent with the policies of the 2004 General Plan, as described in the staff report.

3.1 The proposal conforms to the County's zoning regulations and Minor Land Division Ordinance;

The Department of Transportation and the El Dorado County Fire Protection District have reviewed the existing road conditions and have determined that the existing improvements in combination with the 103D encroachment required as a condition of approval will provide adequate access. The proposed parcels provide adequate area to meet the development standards of the Commercial (C) zone district.

3.2 The site is physically suitable for the proposed type and density of development;

While each of the two parcels contain some combination of oak canopy and slope, sites do exist on both that would provide area for commercial development. Parcel two is already developed and, despite the non-building setback placed around the wetland and drainage course on parcel one, there is still ample room for commercial development and necessary improvements and facilities.

3.3 The design of the division is not likely to cause substantial environmental damage nor substantial and avoidable injury to fish or wildlife or their habitat;

No riparian features would be affected as a part of the project, nor will any sensitive species be impacted as determined by the Negative Declaration prepared by staff.