

**STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: October 12, 2021**

ITEM 1 Request for a Zone Change (ZC-19;10-1) from R1, Single Family Residential, to C2, Heavy Commercial, for ±0.74 combined acres to establish uniform zoning on the Jackson Gate North project site. APN's 044-030-024 and 044-030-026.

Applicant: RTR Investments, Inc., et. al.

Supervisorial District: 1

Location: 12461 Jackson Gate Rd and 12454 Depot Rd, Jackson, northeast of the intersection of State Highway 49 and Jackson Gate Road.

- A. General Plan Designation:** RSC, Regional Service Center
- B. Present Zoning:** R1, Single Family Residential
- C. Acreage Involved:** 0.74
- D. Description:** The applicant is requesting a zone change to C2/Heavy Commercial for the +0.74 acres of the project site that is currently zoned R1/Single-family Residential to establish uniform commercial zoning across a +4-acre site. The project site is currently vacant. The request seeks to rezone ±0.37 acres of APN 044-030-024 and ±0.37 of APN 044-030-026 from the R1, Single-family Residential zoning district to the C2, Heavy Commercial zoning district

The zone change will allow for additional permitted (by right) or conditional (discretionary) commercial uses.

Permitted uses in the C2/Heavy Commercial district include:

- Wholesale, service and storage uses, conducted within a building
- Retail outlets and offices incidental and accessory to above uses
- Business and personal service uses conducted within a building
- Service stations, repair garages
- Mini-warehouses
- Emergency shelters, and transitional/supportive housing

Conditional Uses include:

- Drive-in uses, including theaters
- Outdoor areas, nurseries, boat docks and boat repairs
- Lumber and building materials yards
- Sale, rental, repair, and storage of new or used autos, trucks, trailers, boats, buses, construction and farm equipment
- Nurseries, garden supplies
- Veterinary hospitals or clinics

- E. TAC Review and Recommendation:** The Amador County Technical Advisory Committee met on November 13, 2019 to review the project for completion and again on December 18, 2019 to review the revised application. TAC then met on January 22, 2020 to evaluate potential environmental impacts, propose conditions and mitigation measures, and make a project recommendation to the Planning Commission. TAC has no technical objection to the Planning

Commission recommending approval of this Zone Change with the Condition of Approval included with the Staff Report, along with the adoption of the Negative Declaration.

- F. Airport Land Use Commission Recommendation:** The Amador County Airport Land Use Commission (ALUC) met on September 1, 2021 to review the project for consistency with both the adopted 1990 Westover Field Airport Land Use Compatibility Plan (ALUCP) and Safety Zone 3 of the draft 2018 ALUCP Update. The ALUC has no technical objection to the Planning Commission recommending approval of this Zone Change with the Condition of Approval and findings included with the Staff Report, along with the adoption of the Negative Declaration.
- G. Planning Commission Action:** The first action of the Planning Commission should be a decision on the adequacy of the environmental document, proposed to be a Negative Declaration.

Next, the Commission must make a recommendation to approve or deny the requested Zone Change to the Board of Supervisors. Should the Planning Commission recommend approval of the zone change to the Board of Supervisors, the condition and findings below are recommended for inclusion with the motion to approve.

H. Recommended Findings:

1. A review of the proposal was conducted by staff and the Technical Advisory Committee who, through their own research, found that the Zone Change will not have a significant effect on the environment and a Negative Declaration will be filed with the County Recorder.
2. On the basis of the administrative record presented, the Planning Commission finds that there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration included in the Staff Report reflects the Commission's independent judgment and analysis.
3. There are no project-specific significant effects which are peculiar to the project or its site.
4. There is no substantial new information which was not known at the time of the General Plan Environmental Impact Report certification that supports findings of new or more severe impacts than those addressed in the General Plan.
5. There are no identified significant impacts caused by this project, and therefore no corresponding feasible mitigation measures identified in the General Plan Environmental Impact Report.
6. The proposal is consistent with the General Plan. The proposed Zone Change is consistent with the goals, objectives, and policies of the Land Use Element of General Plan and the Regional Service Center land use designation.
7. The project consisting of rezoning +0.74 acres from the R1/Single-family Residential zoning district to the C2/Heavy Commercial zoning district is compatible with Overflight Zone 3 of the adopted 1990 Westover Field Airport Land Use Compatibility Plan (ALUCP) and Safety Zone 3 of the draft 2018 ALUCP Update, subject to the Land Use Compatibility tables of both documents.
8. The project does not propose construction projects which penetrate the Westover Field Airspace Protection Zones (height limits) of the 1990 ALUCP and the draft 2018 ALUCP Update;
9. The project is compatible with the Noise Restriction Areas of the 1990 ALUCP and the draft 2018 ALUCP Update; and

I. Conditions:

Obtain FAA approval of Notice of Proposed Construction or Alteration pursuant to 14 CFR Part 77 prior to any new construction.



**PLANNING DEPARTMENT
LAND USE AGENCY**

COUNTY ADMINISTRATION CENTER

810 Court Street • Jackson, CA 95642-2132
Telephone: (209) 223-6380

website: www.co.amador.ca.us
e-mail: planning@co.amador.ca.us

APPLICATION FOR ZONE CHANGE

Application for a zoning change shall include the following:

1. A. Name of Property Owner R.T.R Investments, Inc. et al
Mailing Address POB 338
Jackson, CA 95642
Phone Number 209 223-3583
- B. Name of Applicant Ronald T Regan, President
Mailing Address POB 338
Jackson, CA 95642
Phone Number 209 263-1122
- C. Name of Representative Ronald T Regan, President
Mailing Address _____
Phone Number _____

2. Assessor Parcel Number(s) Portion of 044-030-024 and 044-030-026-530
3. Letter of application explaining purpose of request, description of proposed uses, and other pertinent information. **Note: It is to your benefit to be as specific as possible with your application information. See Exhibit "Nature of the Scope of Activities"**
4. Letter of authorization if landowner is being represented by another party. **See Tenant's in common-Sign**
5. Submit a plot plan of parcel showing location of project in relation to property lines and any existing structures/improvements (roads, parking areas, etc.) on the property as well as all proposed structures/improvements (may wish to make separate maps). NOTE: An Assessor Plat Map can be obtained from the Surveying and Engineering Department _____ for the purpose of aiding in drawing of the plot plan. **Rezoning to establish "Uniform Zoning" consistent with the rest of the parcels (Heavy commercial)**
6. Copy of deed(s) to property. **See Exhibit Grant Deeds**
7. Completed Environmental Information Form and Indemnification Agreement.
8. Filing fee of \$_____ (see attached schedule of fees).
9. Application Form to be signed at the time of project presentation in the Planning Department.

ENVIRONMENTAL INFORMATION FORM

(To be completed by applicant; use additional sheets as necessary.)
Attach plans, diagrams, etc. as appropriate.

GENERAL INFORMATION

Project Name: RE-ZONING OF A PORTION OF TWO PARCELS TO COMMERCIAL

Date Filed: File No.

Applicant/ Developer: R.T.R Investments, Inc. et al Landowner: R.T.R Investments, Inc. et al

Address: POB 338 Jackson, CA 95642

Phone No.: 209 223-3583

Assessor Parcel Number(s): 044-030-024 & 044-030-026-550

Existing Zoning District: Residential

Existing General Plan: Commercial

List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state, and federal agencies:

NO ADDITIONAL MINISTERIAL OR ACTION ARE REQUIRED

WRITTEN PROJECT DESCRIPTION (Include the following information where applicable, as well as any other pertinent information to describe the proposed project):

- 1. Site Size 1 acre
2. Square Footage of Existing/Proposed Structures to be determined
3. Number of Floors of Construction to be determined
4. Amount of Off-street Parking Provided (provide accurate detailed parking plan) N/A
5. Source of Water City of Jackson
6. Method of Sewage Disposal Amador Water Agency
7. Attach Plans N/A
8. Proposed Scheduling of Project Construction
9. If project to be developed in phases, describe anticipated incremental development. Incremental development
10. Associated Projects N/A
11. Subdivision/Land Division Projects: Tentative map will be sufficient unless you feel additional information is needed or the County requests further details. N/A
12. Residential Projects: Include the number of units, schedule of unit sizes, range of sale prices or rents and type of household size expected. None
13. Commercial Projects: Indicate the type of business, number of employees, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities. to be determined
14. Industrial Projects: Indicate type, estimated employment per shift, and loading facilities. N/A
15. Institutional Projects: Indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project. N/A
16. If the project involves a variance, conditional use permit, or rezoning application, state this and indicate clearly why the application is required. None

ADDITIONAL INFORMATION Are the following items applicable to the project or its effects? Discuss below all items checked "yes" (attach additional sheets as necessary).

YES NO

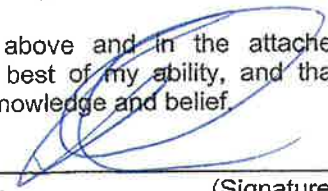
- 17. Change in existing features or any lakes or hills, or substantial alteration of ground contours.
- 18. Change in scenic views or vistas from existing residential areas, public lands, or roads.
- 19. Change in pattern, scale, or character of general area of project.
- 20. Significant amounts of solid waste or litter.
- 21. Change in dust, ash, smoke, fumes, or odors in the vicinity.
- 22. Change in lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns.
- 23. Substantial change in existing noise or vibration levels in the vicinity.
- 24. Site on filled land or has slopes of 10 percent or more.
- 25. Use or disposal of potentially hazardous materials, such as toxic substances, flammables, or explosives.
- 26. Substantial change in demand for municipal services (police, fire, water, sewage, etc.).
- 27. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).
- 28. Does this project have a relationship to a larger project or series of projects?

ENVIRONMENTAL SETTING

- 29. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site (cannot be returned). None
- 30. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity (cannot be returned). Cultural study completed
- 31. Describe any known mine shafts, tunnels, air shafts, open hazardous excavations, etc. Attach photographs of any of these known features (cannot be returned). None

Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date 11/20/19



(Signature)
For P.T.R. Investments, Inc



Amador County Recorder
 Sheldon D. Johnson
DOC- 2006-0012046-00

Acct 2-First American Title Co
 Friday, OCT 13, 2006 11:31:00
 Ttl Pd \$1,568.00 Nbr-0000136325
 SDJ/R1/1-5

RECORDING REQUESTED BY
 First American Title Company

AND WHEN RECORDED MAIL TO:
 RTR Investments Inc.,
 P.O. Box 338
 Jackson, CA 95642

Space Above This Line for Recorder's Use Only

* This Document is signed in counterpart and is deemed but one document

A.P.N.: 044-030-025-510 and 044-030-025-520 and 044-030-024-510 and 044-030-024-520 and 044-030-024-530 and 044-030-024-540 and 044-030-026-000

File No.: 0301-2432438 (RK)

GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$1,540.00; CITY TRANSFER TAX \$0.00; SURVEY MONUMENT FEE \$10.00

- computed on the consideration or full value of property conveyed, OR
- computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
- unincorporated area; City of Jackson, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **ANGELA PATRICIA CASAZZA, ALSO KNOW AS ANGELA JORGESEN AND ANGIE CASAZZA AND ANGELO PETER CASAZZA, ALSO KNOWN AS PETER CASAZZA AND DEBORAH L. ARNESE, ALSO KNOWN AS DEBBIE ARNESE AND KATHLEEN STENBERG, WHO ACQUIRED TITLE AS KATHLEEN ROSA CASAZZA ALSO KNOWN AS KATHLEEN CASAZZA**

hereby GRANTS to **RTR Investments Inc., a California corporation, as to an undivided 50 interest and Robert W. Goodwin as Trustee of the Robert W. Goodwin Revocable Trust created 11-21-2000 as to an undivided 50% interest a**

the following described property in the Unincorporated area of Jackson, County of Amador, State of California:

As to 63.64% undivided interest in real property
 Parcel One:

PARCEL 2 OF PARCEL MAP NO. 1837 ACCORDING TO THE OFFICIAL MAP THEREOF FILED FOR RECORD JULY 10, 1979 IN BOOK 32 OF MAPS AND PLATS, AT PAGE 4 AMADOR COUNTY RECORDS.

Parcel Two:

A NON-EXCLUSIVE EASEMENT FOR CONSTRUCTION, MAINTENANCE, REPAIR, WATER LINE AND INCIDENTAL RIGHTS THERETO AS CONVEYED BY EASEMENT GRANT DEED FROM JOHN R. GARAMENDI AND PATRICIA W. GARAMENDI RECORDED AUGUST 2, 1995 AS INSTRUMENT NO. 1995-5495, AMADOR COUNTY OFFICIAL RECORDS.

Dated: 10/09/06

Mail Tax Statements To: **SAME AS ABOVE**

RECORDING REQUESTED BY
First American Title Company

**AND WHEN RECORDED MAIL DOCUMENT
AND TAX STATEMENT TO:**
2004 Adams Family Trust
16414 Camellia Ter
Los Gatos, CA 95032-3605



Amador County Recorder
Sheldon D. Johnson
DOC- 2008-0008885-00

Acct 2-First American Title Co
Friday, OCT 31, 2008 09:30:00
Ttl Pd \$735.00 Nbr-0000171767
CT2/R1/1-2

Space Above This Line for Recorder's Use Only

A.P.N.: 044-030-024 and 044-030-025 and
044-030-026

File No.: 0301-3146260 (RK)

GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$715.00; CITY TRANSFER TAX \$;
SURVEY MONUMENT FEE \$10.00

- computed on the consideration or full value of property conveyed, OR
 computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
 unincorporated area; City of JACKSON, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **RTR Investments Inc., a California corporation and Robert W. Goodwin, Trustee of Robert W. Goodwin Revocable Trust Created November 21, 2000**

hereby GRANTS to **James L. Adams and Sharon Adams, Trustees of The 2004 Adams Family Revocable Living Trust dated December 1, 2004 as to 21.67% interest of Their 63.64% Interest**

the following described property in the Unincorporated area of **JACKSON**, County of **AMADOR**, State of **California**:

PARCEL ONE:

PARCEL 2 OF PARCEL MAP NO. 1837 ACCORDING TO THE OFFICIAL MAP THEREOF FILED FOR RECORD JULY 10, 1979 IN BOOK 32 OF MAPS AND PLATS, AT PAGE 4 AMADOR COUNTY RECORDS. CERTIFICATE OF CORRECTION RECORDED JUNE 22, 2007 AS INSTRUMENT NO. 2007-007095

PARCEL TWO:

A NON-EXCLUSIVE EASEMENT FOR CONSTRUCTION, MAINTENANCE, REPAIR, WATER LINE AND INCIDENTAL RIGHTS THERETO AS CONVEYED BY EASEMENT GRANT DEED FROM JOHN R. GARAMENDI AND PATRICIA W. GARAMENDI RECORDED AUGUST 2, 1995 AS INSTRUMENT NO. 1995-5495, AMADOR COUNTY OFFICIAL RECORDS.

Mail Tax Statements To: **SAME AS ABOVE**

INDEMNIFICATION

Project: R.T.R. Investments, Inc dba Jackson Gate North

In consideration of the County's processing and consideration of the application for the discretionary land use approval identified above (the "Project") the Owner and Applicant, jointly and severally, agree to defend, indemnify, and hold harmless the County of Amador from any claim, action, or proceeding against the County to attack, set aside, void or annul the Project approval, or any action relating related to the Project approvals as follows:

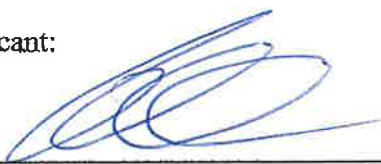
1. Owner and Applicant shall defend, indemnify, and hold harmless the County and its agents, officers or employees from any claim, action, or proceeding against the County or its agents, officers or employees (the "County") to attack, set aside, void or annul the Project approval, or any prior or subsequent determination regarding the Project, including but not limited to determinations related to the California Environmental Quality Act, or Project condition imposed by the County. The Indemnification includes, but is not limited to, damages, fees, and or costs, including attorneys' fees, awarded against County. The obligations under this Indemnification shall apply regardless of whether any permits or entitlements are issued.

2. The County may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the County defends the claim, action, or proceeding in good faith.

3. The Owner and Applicant shall not be required to pay or perform any settlement by the County of such claim, action, or proceeding unless the settlement is approved in writing by Owner and Applicant, which approval shall not be unreasonably withheld.

IN WITNESS WHEREOF, by their signature below, Owner and Applicant hereby acknowledge that they have read, understand, and agree to perform the obligations under this Indemnification.

Applicant:



Signature Ronald T Regan, President

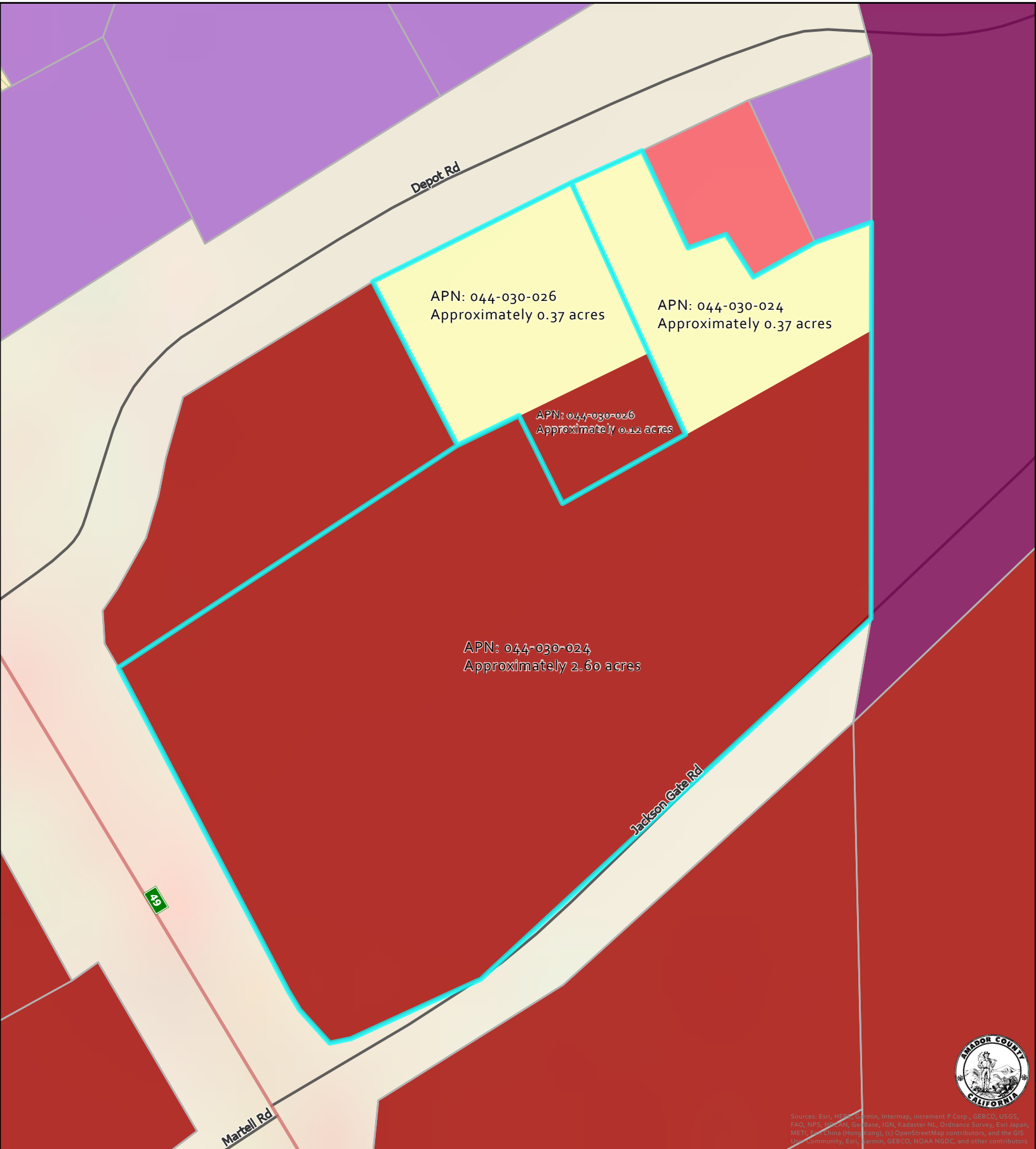
Owner (if different than Applicant):

Signature _____

Project Description -EXHIBIT

Nature of the Scope of Activities

The proposed project involves applying for a zone change for a portion of two parcels (044-030-024 and 026) consisting of approximately an acre. The two parcels currently have a split zoning where a portion of each of the subject properties is reflected as having both residential and commercial zoning. This split zoning is not consistent with the applicant's desire for maximum development under the General Plan's designation as a Regional Service Center (RSC). The Applicant's intent is to have commercial zoning consistent with RSC. With the proposed zone change this island of residential zoning will be in conformity with that intent.



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeBCO, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Legend

Amador Boundary

Assessor Parcels

Zoning

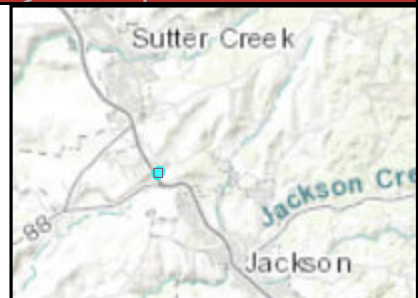
- C1
- C2
- M

Transportation

- MM
- R1
- R1A
- State Highways
- County Maintained Roads

**ZC-19;10-1
ZONING
DESIGNATIONS**

0 60 120
US Feet



PUBLIC REVIEW DRAFT
NEGATIVE DECLARATION
AND INITIAL STUDY

FOR

Zone Change 19;10-1 – Regan – R1 to C2

September 2021

Prepared by:
Amador County
Planning Department
810 Court Street
Jackson, CA 95642
(209) 223-6380

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Project Description:

| | |
|-------------------------------------|---|
| Project Title: | Zone Change 19;10-1 R1 to C2 |
| Lead Agency Name and Address: | Amador County Planning Department 810 Court Street, Jackson, Ca 95642 |
| Contact Person/Phone Number: | Ruslan Bratan, Planner I 209-233-6380 |
| Project Location: | 12454 Depot Road Jackson, CA 95642 (APN 044-030-026) and 12461 Jackson Gate Road, Jackson CA 95642 (APN 044-030-024) |
| Project Sponsor's Name and Address: | Ronald Regan PO Box 338 Jackson, CA 95642 |
| General Plan Designation(s): | Regional Service Center (RSC) |
| Zoning: | Single Family Residential (R1) |

Background and Description of Project:

This Initial Study was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines to review the request for a Zone Change for portions of two contiguous parcels from "R1," Single Family Residential to "C2," Heavy Commercial to establish uniform zoning. This environmental review document provides an assessment of the potential impacts caused by the potential changes resulting from the conversion of combined .74 acres from residential to commercial.

The project consists of a rezone of two parcels totaling approximately 3.46 acres. The current zoning for both parcels is a mix of "R1," Single Family Residential and "C2," Heavy Commercial, .74 acres of which is zoned R1. The applicant is requesting a zone change to C2 for the R1 portions to establish uniform zoning. The project site is currently vacant While no additional development is currently proposed, the change to the zoning will allow for additional permitted or discretionary commercial uses. Permitted uses include: wholesale service/storage uses conducted within a building, Retail offices/Business offices, service stations, and repair garages. The proposed rezone would also allow for increased percent coverage; from 35% to 90%.

Description of project:

Project Components

1. Rezone

The project consists of the conversion of combined .74 acres of Single Family Residential zoning to Heavy Commercial Zoning.

2. Access

Access to APN 044-030-026 can only be through Depot Road, while APN 044-030-024 can be accessed through both Depot Road from the north and Jackson Gate Road from the south.

Surrounding land uses and setting:

Regional and local Setting

The subject property is located directly east of State Highway 49. It is surrounded by a mix of Heavy Commercial and Manufacturing to the west, Light Manufacturing to the North, Manufacturing to the east, and Heavy Commercial to the south. Adjoining parcel sizes range from .50 to 20 acres.

Existing Site Character

The project site has been graded to “blue top” conditions. No development has been proposed as of yet.

Other public agencies whose approval is required (e.g, permits, financing approval, or participation agreement.)

Airport Land Use Committee

Prior to being heard by the Amador County Planning Commission, the proposed rezone has gone before the Airport Land Use Committee for a consistency finding.

DRAFT

FIGURE 1: PROJECT REGIONAL LOCATION

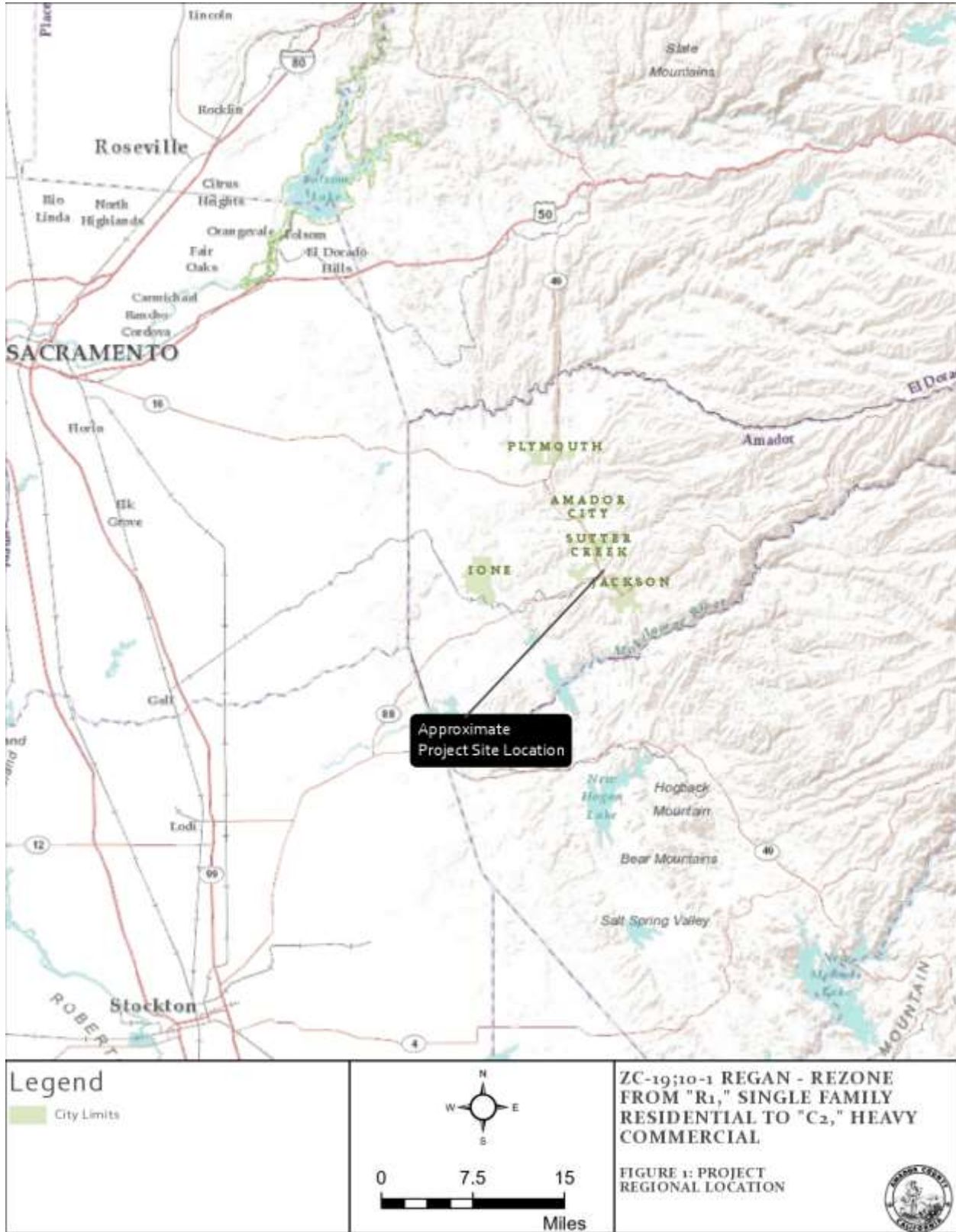


FIGURE 2: PROJECT VICINITY



FIGURE 3: PROJECT LOCATION – AERIAL



FIGURE 4: GENERAL PLAN LAND USES

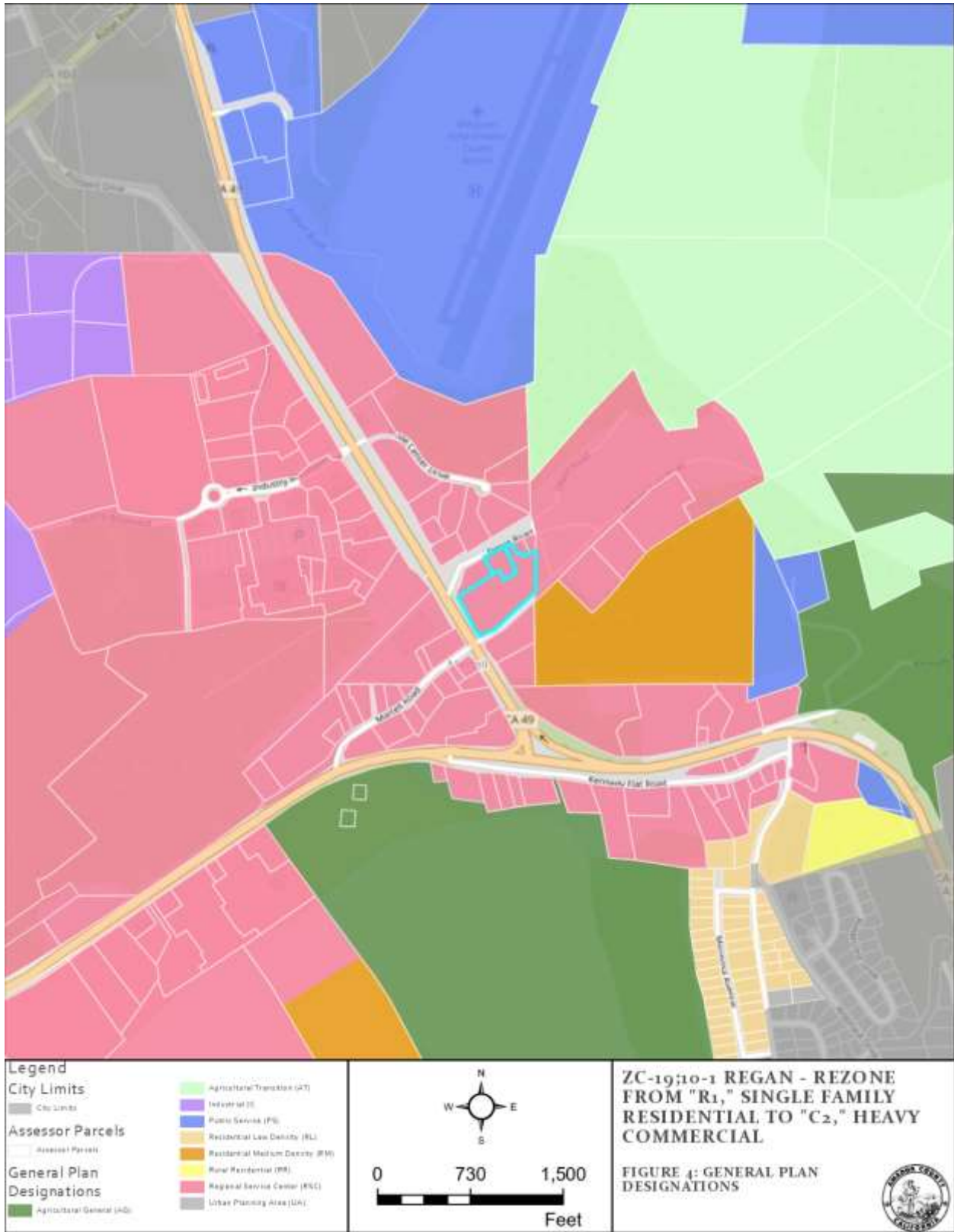


FIGURE 5: ZONING DESIGNATIONS

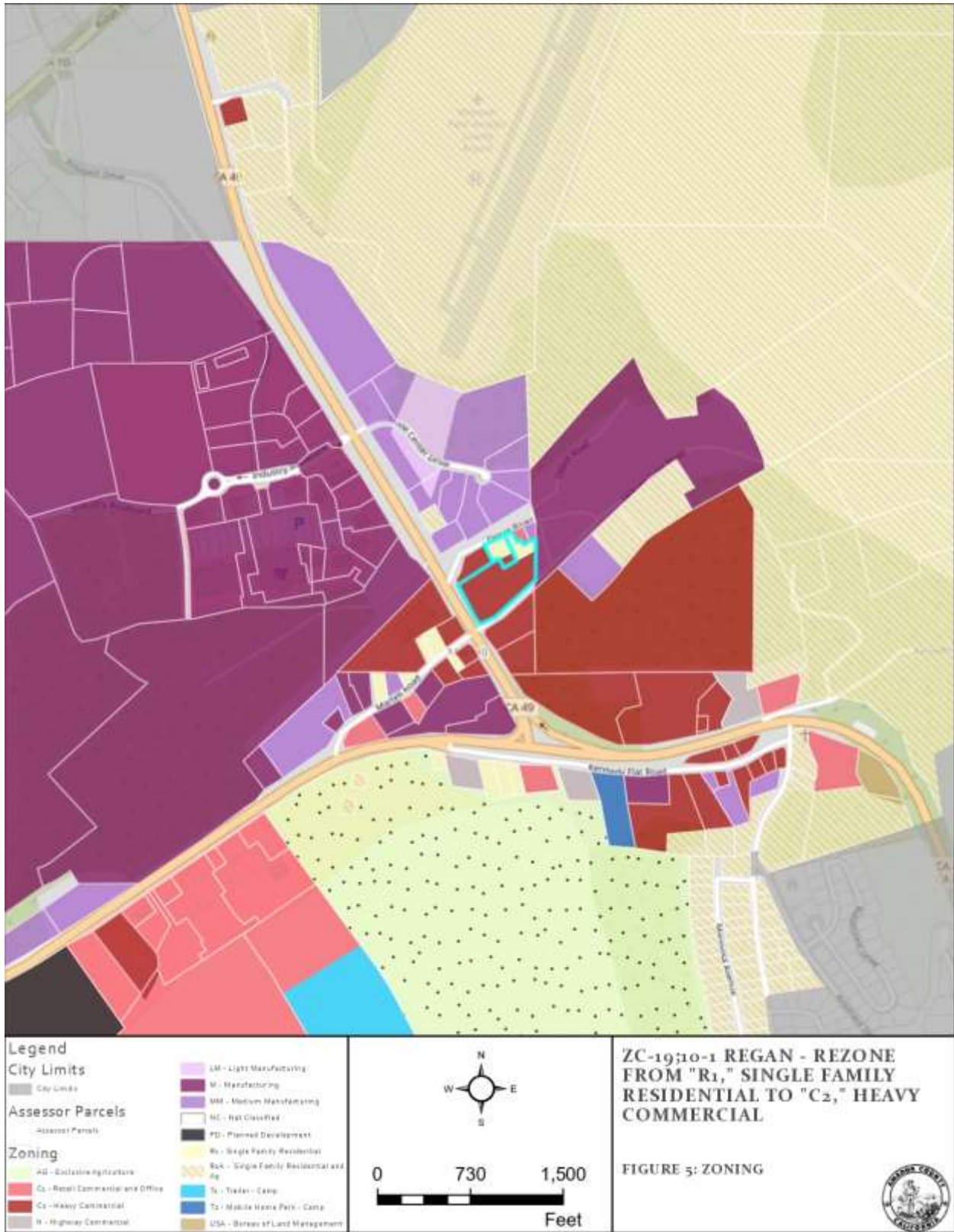


FIGURE 6: Current Airport Zones

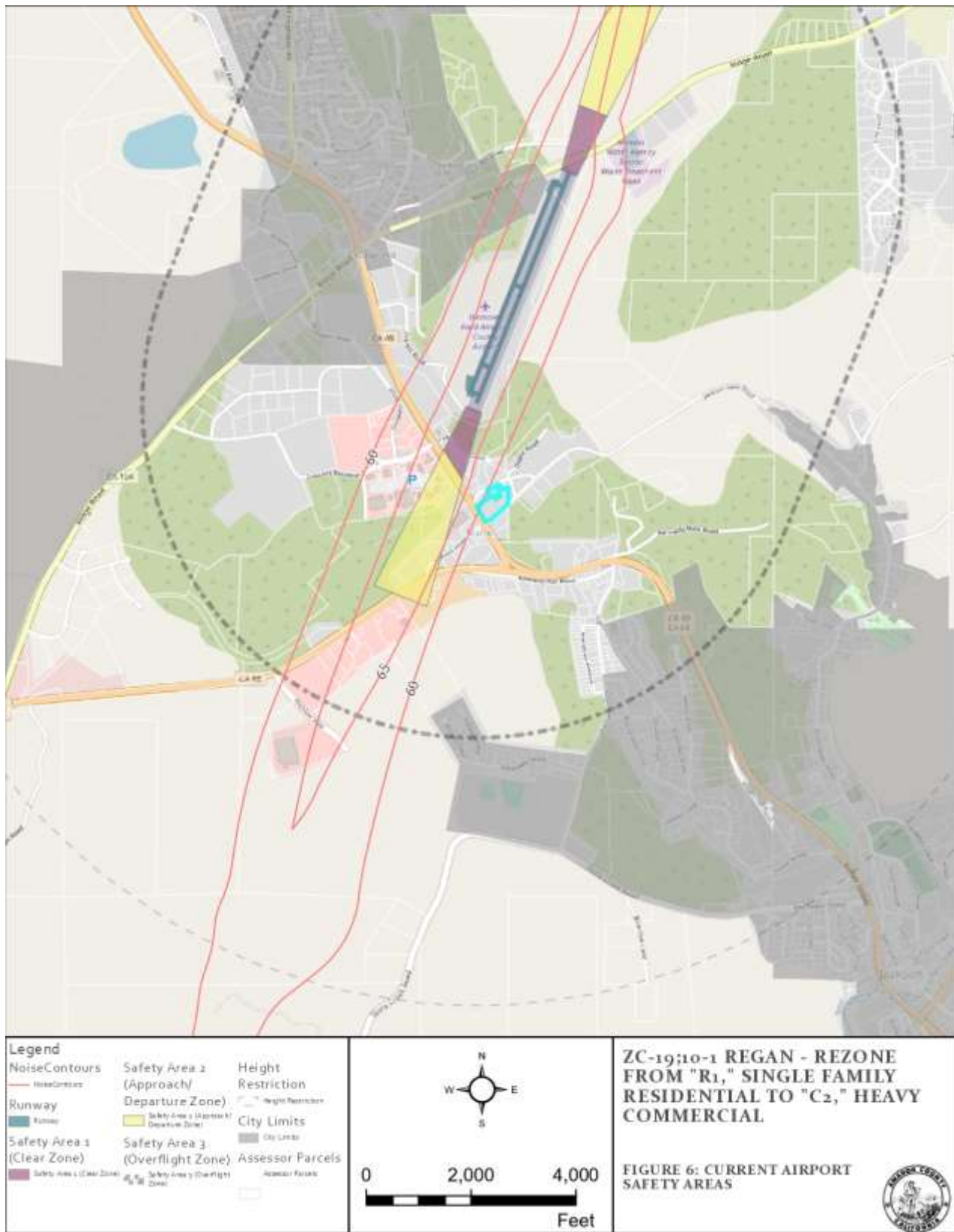
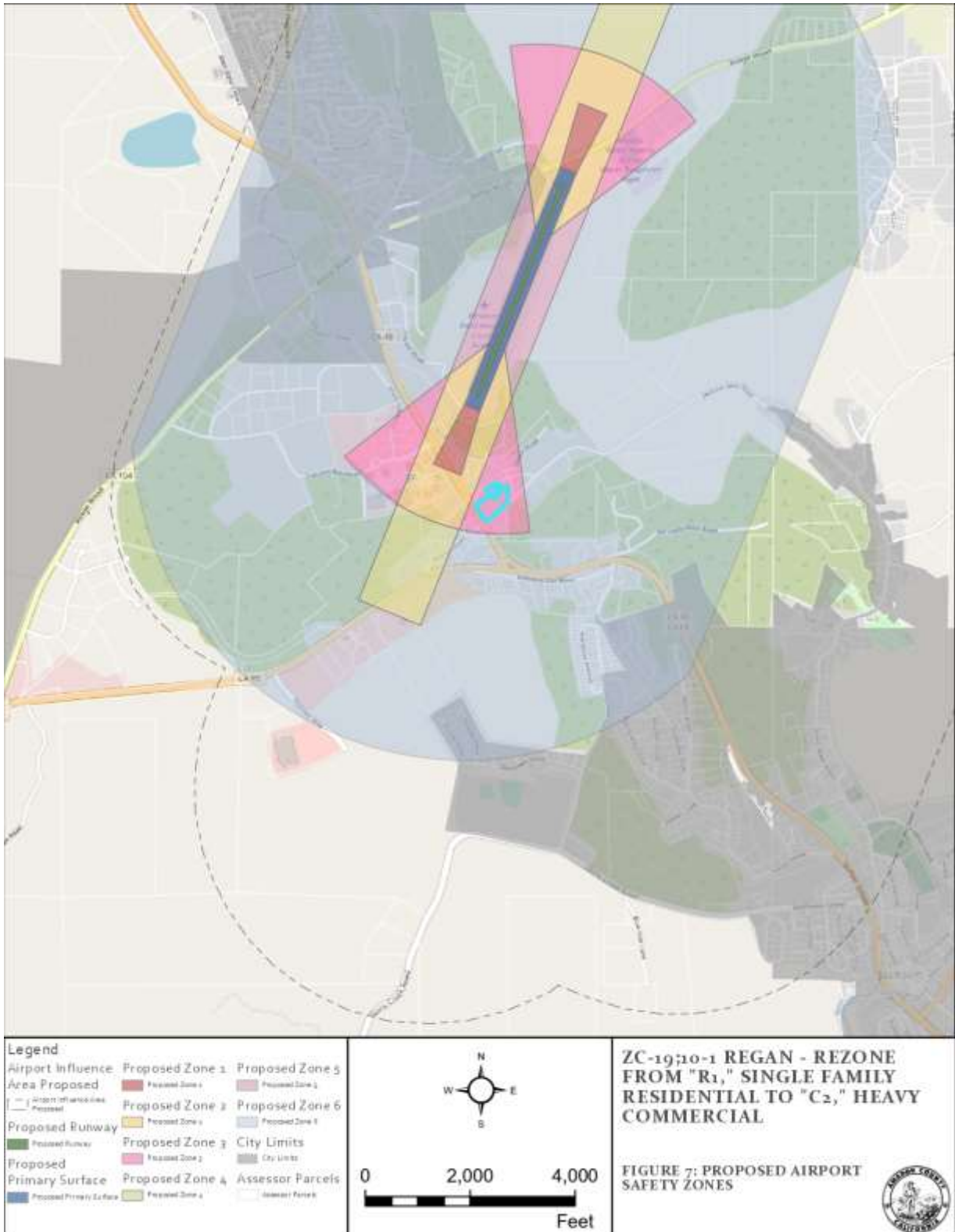


FIGURE 7: Proposed Airport Zones



Environmental Checklist – Initial Study

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of the initial evaluation:

| | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. |
| <input type="checkbox"/> | I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. |
| <input type="checkbox"/> | I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. |
| <input type="checkbox"/> | I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. |
| <input type="checkbox"/> | I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. |

Signature – Name

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3) (D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

| Chapter 1. AESTHETICS – Would the Project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- A. Scenic Vistas: For the purposes of determining significance under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. Scenic vistas are often designated by a public agency. A substantial adverse impact to a scenic vista would be one that degrades the view from such a designated location. No governmentally designated scenic vista has been identified within the project area. Therefore, there is **no impact**.
- B. Scenic Highways: The project is not located along a scenic highway. Therefore, there is **no impact**.
- C. The project is regulatory in nature, involving a change in the site’s zoning. No physical change to the natural environment is proposed. Although new construction could occur, these actions would be subject to the County of Amador’s review process with adherence to adopted zoning standards.

The project site is surrounded by heavy commercial and manufacturing zones. The proposed rezone is not proposing any development but the addition of a combined .74 acres more of C2 zoning may have the potential to further impact visual character for nearby business owners. Currently 2.72 combined acres are zoned Heavy Commercial, which has the potential for permitted uses. An additional .74 acres of Heavy Commercial zoning to 2.72 existing Heavy Commercial zoning would have negligible impact in a built out scenario. Since the proposed location is not in a designated scenic vista, and because any proposed construction in the future will be subject to conditions/mitigations from any discretionary uses or if permitted, will be subject to limitations due to the nearby airport, **there is no impact**.

- D. Existing sources of light and glare in the project vicinity include the nearby Amador Ridge shopping center and vehicle headlights from the drivers on State Highway 49. While there is no specific development proposed at this time, it is anticipated that lighting from future development would not generate significant lighting to the project area. It can be assumed that all lighting would be constructed of conventional, shielded, low-glare materials. Any proposed construction in the future will be subject to conditions/mitigations from any uses through a Use Permit or if permitted, will be subject to limitations due to the nearby airport. Therefore, there is **no impact**.

Source: Planning Department.

| <p>Chapter 2. AGRICULTURE AND FOREST RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p> | <p>Potentially Significant Impact</p> | <p>Less Than Significant Impact with Mitigation Incorporated</p> | <p>Less Than Significant Impact</p> | <p>No Impact</p> |
|---|--|---|--|--|
| <p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?</p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input checked="" type="checkbox"/></p> |
| <p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input checked="" type="checkbox"/></p> |
| <p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?</p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input checked="" type="checkbox"/></p> |
| <p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input checked="" type="checkbox"/></p> |
| <p>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input checked="" type="checkbox"/></p> |

Discussion:

- A. Farmland Conversion: The project will not result in the conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance. The project site is located in an area designated as “Urban and Built-Up Land” on the Amador County Important Farmland 2016 map, published by the California Department of Conservation, Division of Land Resource Protection. There is **no impact** to farmland.
- B. The parcel is not included in a Williamson Act contract, therefore there is **no impact**.
- C. The area is not considered forest land, or zoned as forest land or timberland, therefore **no impacts will occur**.
- D. The area is not considered forest land, or zoned as forest land or timberland, therefore **no impacts will occur**.
- E. The project area is within an area designated as Urban and Built-Up Land. The proposed rezone project does not include construction but may include construction in the future. Regardless the project area is not occupied by agricultural uses, therefore **no impacts will occur**.

Source: Amador County Important Farmland Map, 2016; Amador County General Plan; Planning Department; CA Public Resources Code; California Department of Conservation.

| Chapter 3. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|---------------------------------------|--|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- A. As stated on its website, Amador Air District (AAD) is a Special District governed by the Amador County Air District Board. The primary goal of the District is to protect public health by managing the county's air quality through educating the public and enforcement of District rules and California Air Resources Control Board - Air Toxic Control Measures that result in the reduction of air pollutants and contaminants. While there are minimal sources that impact air quality within the District, Amador County does experience air quality impacts from the Central Valley through transport pollutants. The most visible impacts to air quality within the District are a result of open burning of vegetation as conducted by individual property owners, industry, and state agencies for purposes of reducing wild land fire hazards. However, future site development and operations may generate air emissions as well.

There would be no construction or increase in emissions as part of this rezone project therefore there would be no introduction of pollution in excess of existing standards established through the County's air quality guidelines. The addition of .74 acres of Heavy Commercial would allow for more area of both parcels to be constructed on, but the addition is miniscule relative to the existing areas of Heavy Commercial zoning. Therefore there is a **less than significant impact**.

- B. The proposed project would not generate a significant increase in operational or long-term emissions nor result in significant population increase in the area as no new residences are proposed. No development is currently proposed with this project; however, future development on the additional combined .74 acres has the potential to generate direct and indirect emissions. Emissions generated during build-out of the of the additional Heavy Commercial area is not expected to be substantial, and would not significantly violate existing air quality standards, because only a limited area for development would be added. Construction-related emissions are generally created throughout the course of project implementation and parcel development, and would originate from construction equipment exhaust, employee vehicle exhaust, dust from grading the land, exposed soil eroded by wind, and reactive organic gasses (ROGs) from architectural coating and asphalt paving. Construction-related emissions would vary substantially depending on the level of activity, length of the construction period, specific construction operations, types of equipment, number of personnel, wind and precipitation conditions, and soil moisture content. Due to the relative small-scale additional Heavy Commercial zoning on the project site, it would not violate any air quality standards and or contribute to the net increase of PM10 or ozone in the region. Impacts would be **less than significant**.
- C. Sensitive receptors are uses that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units. The nearest sensitive receptors includes the nearby historic Sundance Hotel which has been converted to a ten (10) unit apartment, five (5) of which have been remodeled to include kitchenettes. It is unknown how many units are rented out or how many people reside in it. While construction would take place within the vicinity of sensitive receptors, construction emissions would be limited with standard best management practices (BMPs). Therefore, the small amount of emissions generated and the short duration of the construction period would not expose sensitive receptors to substantial pollutant concentrations. Impacts to sensitive receptors would be **less than significant**.

- D. Future permitted uses would not create significant objectionable odors. However, future construction activities could include objectionable odors from tailpipe diesel emissions and from solvents in adhesives, paints, caulking materials, and new asphalt. Since odor impacts would be temporary and limited to the area adjacent to the construction operations, odors would not impact a substantial number of people for an extended period of time. **Impacts would be less than significant.**

Source: Amador Air District, Amador Planning Department.

DRAFT

| Chapter 4. BIOLOGICAL RESOURCES – Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- A The Information for Planning and Consultation (IPAC) database provided through the U.S. Fish and Wildlife Service and the California Natural Diversity Database (CNDDDB QuickView) were reviewed to determine if any special status animal species or habitats occur on the project site or in the project area. The IPAC database identified two species of threatened amphibians, one species of threatened fish, and one species of flowering plants. Threatened amphibians in the area include: the California Red-Legged Frog (*Rana draytonii*) and the California Tiger Salamander (*Ambystoma californiense*). Threatened fish in the area include: the Delta Smelt (*Hypomesus transpacificus*). Additionally, the Ione Manzanita (*Arctostaphylos myrtifolia*) was also listed as threatened. No critical habitats were identified in this location. The impact to Candidate, Sensitive, and Special Status Species is expected to be less than significant because the site has been significantly graded and contains no nesting habitat for birds. An Elderberry Shrub Survey and Impact Evaluation was prepared by Strange Environmental and reviewed by the U. S. Fish and Wildlife Service in 2008. USFW noted that the single elderberry shrub on the site did not contain historic or fresh beetle exit holes and was not considered to be beetle habitat. That shrub has since been removed from the site therefore there is a **less than significant impact** to the above listed species

- B The majority of the project site is identified as Urban by the Amador County General Plan Environmental Impact Report, and there were no Riparian Habitat or other Sensitive Natural Communities found in the project area. Therefore **no impact** would occur.

- C Federally Protected Wetlands: There are no noted species from the National Wetland Inventory located in the project site, therefore there is **no impact**.
- D Movement of Fish and Wildlife: There is no major impact on the migratory thoroughfare of any fish and wildlife. Migratory birds potentially found in the project area include the Bald Eagle (*Haliaeetus leucocephalus*), Golden Eagle (*Aquila chrysaetos*), Common Yellowthroat (*Geothlypis trichas sinuosa*), Lawrence's Goldfinch (*Carduelis lawrencei*), Nuttall's Woodpecker (*Picooides nuttallii*), Oak Titmouse (*Baeolophus inornatus*), Song Sparrow (*Melospiza melodia*), Spotted Towhee (*Pipilo maculatus clementae*), Wrentit (*Chamaea fasciata*), and the Yellow-billed Magpie (*Pica nuttali*). The California Red-legged Frog (*Rana draytonii*), Tiger Salamander (*Ambystoma californiense*), and Delta Smelt (*Hypomesus transpacificus*) also have a potential suitable habitat area within the 9-quadrangle area surrounding the project, but the project site is small enough as to not greatly affect movement of these species. Impacts are **less than significant**.
- E The proposed rezone project would not conflict with local policies adopted for the protection biological resources. **No impact** would occur.
- F Amador County does not have an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. **No impact** would result.

Source: California Department of Fish and Wildlife BIOS, U.S. Fish and Wildlife Service IPAC, California Department of Fish and Wildlife Habitat Conservation Planning, Migratory Bird Treaty Act, National Wetland Inventory, 2008 Strange Environmental Elderberry Shrub Survey and Impact Evaluation, Planning Department

| Chapter 5. CULTURAL RESOURCES – Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

A According to Amador County EIR exhibit 4.5-2 Cultural Resource Sensitivity, the project site is located in an area considered to have high archeological sensitivity. Per Mitigation Measure 4.5-1b of the EIR, the County will require applicants for discretionary projects that could have significant adverse impacts to prehistoric or historic-era archaeological resources to assess impacts and provide mitigation as part of the CEQA process, and consistent with the requirements of CEQA Guidelines Section 15126.4(b)(3) and Public Resources Code Section 21083.2, or equivalent County regulation. These regulations generally require consultation with appropriate agencies, the Native American Heritage Commission, knowledgeable and Native American groups and individuals, new and updated record searches conducted by the North Central Information Center and federal and incorporated local agencies within and in the vicinity of the project site, repositories of historic archives including local historical societies, and individuals, significance determinations by qualified professionals, and avoidance of resources if feasible. If avoidance is not feasible, recovery, documentation and recordation of resources is required prior to project implementation, and copies of the documentation are forwarded to the NCIC.

On June 15, 2017 the North Central Information Center (NCIC), California State University, Stanislaus responded to a request from Patrick GIS Group, Inc., to conduct a records search to determine the presence or absence of cultural resources and previous studies in and within a one-quarter mile radius of the project area. The following files were consulted: California Inventory of Historic Resources (1976); Office of Historic Preservation (OHP) Historic Property Data File (HPD), including the National Register of Historic Places and California Register of Historical Resources; California State Historical Landmarks (1990); California State Points of Historical Interest (May 1992 and updates); and Office of Historic Preservation (OHP) Archaeological Determinations of Eligibility (Records Search File Number AMA-17-15). Foothill Resources, Ltd., conducted an historic properties survey on July 12, 2017. An evaluation of the built environment concluded the resources are not eligible for listing on the National Register of Historic Places (NRHP) or the California Register of Historic Resources (CRHR). The evaluation allowed the U.S. Army Corps of Engineers and the County of Amador to meet obligations of Section 106 of the National Historic Preservation Act of 1966 (16 USC 470), and procedures of the Advisory Council on Historic Preservation (36 CFR 800), which shall satisfy CEQA compliance. **There is no impact.**

B-C Previously, the site was the subject of a wetland removal project wherein the applicant obtained a permits from the California Water Board as well as from the Army Corp of Engineers. The applicant, Patrick GIS, and Foothill Resources met on-site with the Client and members of the Jackson Rancheria Band of Me-Wuk and the Ione Band of Miwok Indians on November 29, 2016. Those in attendance included: Melinda and Ian Patrick (Patrick GIS, consultants); Judith Marvin (Foothill, consultant); Ron Regan (RTR, project proponent); Rollie Fillmore, Larry White and Orval Flannery (Jackson Rancheria); and Randy Yonemura (Ione Band). The purpose of the meeting was to discuss the project impacts, known sites in the vicinity, and tribal participation.

Patrick GIS conducted an archaeological pedestrian survey on June 21, 2017. Ian Patrick (Field Director) and Melinda Pacheco Patrick (Project Manager) met with Randy Yonemura (Ione Band of Miwok Indians) on-site after the survey to discuss the findings and sensitivity of the project area. The crew performed an intensive pedestrian survey in 10-30 meter transects, which included inspecting all visible ground surfaces with emphasis on areas exposed by animal activity and/or environmental processes (e.g. rodent burrows and erosion), footpaths/game trails, and roads as well as an intuitive examination of drainages and rocks for cultural modification. The survey area landscape and environment has been heavily modified due to the following activity: construction of infrastructure (e.g. structures, drainage ditches), deposits of modern construction debris, and movement of soils. A very large mound of imported fill had been deposited in the center of the project area. Carpet to knee-high grasses and brush covered nearly the entire ground surface of the project area with a wet drainage flowing northeast to southwest.

Extended Phase 1 geoarchaeological trenching took place on June 26, 2017. The team monitored for the presence of cultural resources in three ways. As the trench was dug, the trench floor and wall profiles were inspected for signatures of cultural activity. Team members also monitored and closely inspected the spoils piles and broadcast the spoils as necessary to satisfy concerns regarding the presence/absence of cultural material. The operator segregated soils by depth, piling spoils by depth interval on one side of the trench. Team members spot-screened the soils using ¼ inch (6 millimeter) and 1/8-inch (3 millimeter) shaker screens. A minimum of 10 gallons (.04 cubic meters) of soil was screened from each trench, focusing on samples of intact deposits identified by the team. A total of seven trenches were dug, spread across the project area but concentrated in the north one-half where known historical features were present and soil types were observed indicating the presence of landforms more likely to support human activity and settlement. The survey and Extended Phase I subsurface geoarchaeological investigations failed to identify prehistoric resources in the project area. Additionally, the cultural resource study of the site did not indicate the presence of human remains.

In the event human remains are discovered, the applicant and landowner will comply with California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097." which would reduce impacts to historical and archaeological resources to a **less than significant level**.

Source: Planning Department; North Central Information Center, California State University, Stanislaus; Amador County General Plan Environmental Impact Report

| Chapter 6. ENERGY – Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

A. The project is regulatory only in nature, involving a change in the site’s zoning. No physical change to the natural or built environment is proposed thus no energy consumption is anticipated at this time.

However, the proposed project could eventually consume energy primarily in two ways: (1) construction activities would consume energy through the operation of heavy off-road equipment, trucks, and worker traffic, and (2) future commercial uses would cause long-term energy consumption from electricity, gas consumption, energy used for water conveyance, and vehicle operations to and from the project site. Construction energy consumption would largely occur from fuel consumption by heavy equipment during grading activities associated with road and building site clearance; trucks transporting construction materials to the site during development; and, worker trips to and from the job site. Energy consumption during construction related activities would vary substantially depending on the level of activities, length of the construction period, specific construction operations, types of equipment, and the number of personnel. Despite this variability in the construction activities, the overall scope of the anticipated additional area for construction at the project sites is relatively minor, and therefore would not require a substantial amount of fuel to complete construction. Additionally, increasingly stringent state and federal regulations on engine efficiency combined with local, state, and federal regulations limiting engine idling times and recycling of construction debris, would further reduce the amount of transportation fuel demand during project construction. Considering the minimal amount of added construction activities associated with the project, the proposed project would not result in the wasteful and inefficient use of energy resources during construction and impacts would be less than significant. Long-term energy consumption would occur after build-out of the rezoned parcels. Commercial uses would consume electricity and/or gas for space heating and water heating. Whereas, electricity would primarily be used for lighting and other commercial operations. The project would also generate the potential of additional vehicle trips by additional commercial uses, which would result in the consumption of transportation fuel. State and federal regulatory requirements addressing fuel efficiency are expected to increase fuel efficiency over time as older, less fuel-efficient vehicles are retired, and therefore would reduce vehicle fuel energy consumption rates over time. Therefore, energy impacts related to fuel consumption/efficiency during project operations would be less than significant. Therefore, there is **less than significant impact**.

B. Many of the state and federal regulations regarding energy efficiency are focused on increasing building efficiency and renewable energy generation, as well as reducing water consumption and Vehicles Miles Traveled. Future development will need to comply with Title 24 and CalGreen building code standards at the time of construction. Therefore, the proposed project would implement energy reduction design features and comply with the most recent energy building standards and would not result in wasteful or inefficient use of nonrenewable energy sources , therefore there is **no impact**.

Sources: Amador County Planning Department, Amador County Energy Action Plan.

| Chapter 7. GEOLOGY AND SOILS – Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- A1. The project site is not located within an Alquist-Priolo Earthquake Fault Zone and no active faults are located on or adjacent to the property, as identified by the U.S. Geologic Survey mapping system. Therefore, **no impact** would occur.
- A2-4 Property in Amador County located below the 6,000' elevation is designated as an Earthquake Intensity Damage Zone I, Minor to Moderate, which does not require special considerations in accordance with the Uniform Building Code or the Amador County General Plan, Safety, Seismic Safety Element Pursuant to Section 622 of the Public Resources Code (Chapter 7.5 Earthquake Fault Zoning). The State Geologist has determined there are no sufficiently active or well-defined faults or areas subject to strong ground shaking, liquefaction, landslides, or other ground failure in Amador County as to constitute a potential hazard to structures from surface faulting or fault creep. Standard grading and erosion control techniques during grading activities would minimize the potential for erosion resulting to a **less than significant** impact.
- B. Surface soil erosion and loss of topsoil has the potential to occur in any area of the county from disturbances associated with the construction-related activities. Construction activities could also result in soil compaction and wind erosion effects that could adversely affect soils and reduce the revegetation potential at the construction site and staging areas. During construction-related activities, specific erosion control and surface water protection methods for each construction activity would be implemented on the project site. The type and number of

measures implemented would be based upon location-specific attributes (i.e., slope, soil type, weather conditions). These control and protection measures, or BMPs, are standard in the construction industry and are commonly used to minimize soil erosion and water quality degradation. Grading Permits are reviewed and approved by the County in accordance with Ordinance 1619 (County Code 15.40), and conditions/requirements are applied to minimize potential erosion resulting to a **less than significant** impact.

- C. The issuance of a grading permit, along with implementation of Erosion Control requirements during construction and the stabilized landscaped impervious areas, will minimize potential erosion resulting to a **less than significant** impact.
- D. According to the Natural Resources Conservation Service (NRCS, 2017, the project site is located in an area with: Argonaut (AoD), gravelly loam and clay with 3 to 31 percent slopes, Auburn-Argonaut (AxD) rocky silt loams with 3 to 31 percent slopes, and Mixed alluvial land (Mo) . The project area is well drained with a very high runoff class, but standard grading and erosion control techniques during grading activities would minimize the potential for erosion. Therefore, the impact is **less than significant**.
- E. The project would not require the use of a septic system. **No impact would result.**
- F. The project is not near a unique geologic feature that could be significantly impacted as a result of this project. Therefore, the **impact is less than significant**.

Sources: Soil Survey-Amador County; Planning Department; Environmental Health Department; National Cooperative Soil Survey; Amador County General Plan EIR, California Geologic Survey: Alquist-Priolo Earthquake Fault Zones Maps.

| Chapter 8. GREENHOUSE GAS EMISSIONS – Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|---------------------------------------|--|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

A-B The project is a rezone to change the parcels from a Single Family Residential zone to Heavy Commercial that would contribute greenhouse gas emissions during parcel development, and by subsequent uses. No development is proposed as part of the project. However, current and future development of storage buildings, retail outlets, business offices, or service stations is possible. Therefore, construction-related emissions during parcel development may be generated from construction equipment exhaust, construction employee vehicle trips to and from the work site, architectural coatings and asphalt paving. The project’s construction GHG emissions would occur over a short duration and would consist primarily of emissions from equipment exhaust. The long-term regional emissions associated with the project would primarily occur from the creation of new vehicular trips, commercial uses and indirect source emissions, such as electricity usage for lighting. The project is subject to compliance with AB 32 greenhouse gas emission reduction goals, which are to reduce statewide GHG emissions to 1990 levels by 2020. Additionally, development on the project site would be subject to Title 24, California Building Code, which includes CalGreen standards. These standards include mandatory measures that addresses planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. Impacts would be **less than significant**.

Sources: Amador County General Plan, Amador County Municipal Codes, Assembly Bill 32 Scoping Plan.

| Chapter 9. HAZARDS AND HAZARDOUS MATERIALS – Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---------------------------------------|--|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

A-B. Construction activities associated with the development of the proposed project would involve the use of potentially hazardous materials, including vehicle fuels, oils, and transmission fluids. However, all potentially hazardous materials would be contained, stored, and used in accordance with manufacturers’ instructions and handled in compliance with applicable standards and regulations. In the event of an accidental release, construction personal who are experienced in containing accidental releases of hazardous materials will likely be present to contain and treat affected areas in the event a spill occurs. If a larger spill were to occur, construction personal would generally be on hand to contact the appropriate agencies. Hazardous materials used during construction would ultimately disposed of by a licensed hazardous waste transporter at an authorized and licensed disposal facility or recycling facility.

It is not anticipated that large quantities of hazardous materials would be permanently stored or used within the project site. However, if large quantities are stored at the project site, the owner would be required to obtain a Hazardous Materials Business Plan. It is more likely that only small quantities of publicly-available hazardous materials (e.g., gasoline, diesel fuel, hydraulic fluid, solvents, oils, paint and maintenance supplies) will be routinely used within the project site for the truck maintenance/repair, basecamp uses and future commercial uses. However, these materials are not be used in sufficient strength or quantity to create a substantial risk of fire or explosion, or otherwise pose a substantial risk to human or environmental health. Impacts would be **less than significant**.

- C. No schools are located within ¼ mile of the site. Therefore, schools would not be exposed to hazardous materials, substances, or waste due to the project, and there would be **no impact**.
- D. The project site does not appear on any hazardous material site lists compiled pursuant to Government Code Section 65962.5. In December 2019, Amador County staff searched the following databases for known hazardous materials contamination at the project site:
 - Superfund Enterprise Management System (SEMS) database
 - Department of Toxic Substances Control’s Envirostor database for cleanup sites and hazardous waste permitted facilities
 - Geotracker search for leaking underground fuel tanks

The project site does not appear on any of the above lists, nor are there any hazardous material contamination sites anywhere near around the site. As such there would be **no impacts**.
- E. The project is located approximately 1,250 feet from Westover Field, a general aviation facility owned and operated by Amador County. The site is located in Safety Area 3 (Overflight Zone) of the current (1990) Airport Land Use Compatibility Plan (ALUCP). Additionally most of the area of the two parcels, is located outside of the 60 decibel noise contour with approximately 4,500 combined square feet of lot corners located within it. Furthermore, the site is located in Safety Zone 3 of the Draft Airport Land Use Compatibility Plan.

As the 1990 ALUCP projections are out of date, and the Draft ALUCP is not adopted, in September 2021, the project was taken before the Airport Land Use Committee (ALUC) for a consistency finding. The ALUC found the project to be compatible with both the 1990 ALUCP as well as the Draft ALUCP. Compliance with both plans will effectively mitigate impacts to a **less than significant** level.
- F. The proposed project is for a rezone of portions of two contiguous Zoning land use designations; no development is proposed. At the time of future construction, the applicant would design, construct, and maintain roadways in accordance with applicable standards associated with vehicular access, resulting in the roadways that provide for adequate emergency access and evacuation. Development of the project site would add an additional amount of trips onto the area roadways; however, area roadways and intersections would continue to operate at an acceptable level of service. No road improvements within a County right-of-way is anticipated. The impact is **less than significant**.
- G. The project site is located in an urban development area and is within a non-very high fire hazard severity zoned zone, according to CAL FIRE’s Fire Hazard Severity Zone map for Amador County (2008). **There is less than significant impact** related to risk of wildland fires.

**TABLE 3-3
LAND USE COMPATIBILITY CRITERIA**

| Safety Zone | Maximum Residential Density (du) | Maximum Nonresidential Intensity (people per acre) | Maximum Single Acre (people per acre) |
|-------------|--|--|---------------------------------------|
| 1 | 0 | 0* | 0 |
| 2 | 1 per 10 ac | 40 | 80 |
| 3 | 1 per 2 ac | 70 | 210 |
| 4 | 1 per 2 ac | 100 | 300 |
| 5 | 1 per 1 ac | 70 | 210 |
| 6 | No limit – consider noise and overflight standards | 200 | 800 |

NOTE:

* Exceptions can be made agricultural activities, roads, and automobile parking, provided that FAA criteria are established.

Source: California Department of Transportation (Caltrans). 2011. California Airport Land Use Planning Handbook. October

| Chapter 10. HYDROLOGY AND WATER QUALITY – Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|---------------------------------------|--|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) result in a substantial erosion or siltation on- or off-site; | | | | |
| ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; | | | | |
| iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or | | | | |
| iv) impede or redirect flood flows? | | | | |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

A Though the potential for erosion is low, future development of the project site would require grading, excavation and general site preparation activities (grading has already been completed on a portion of the site), which could result in erosion of onsite soils and sedimentation during storm or high wind events. Erosion of on-site soils may temporarily impact surface water quality and water quality within nearby waterways. Downstream impacts from erosion may include increased turbidity and suspended sediment concentrations in waterways. Eroded soils also contains nitrogen, phosphorous and other nutrients, that when deposited in water bodies, can trigger algal blooms that reduce water clarity, deplete oxygen, and create odors. During construction-related activities, specific erosion control and surface water protection methods for each construction activity would be implemented on the project site by construction personnel. The type and number of measures implemented would be based upon location-specific attributes (i.e., slope, soil type, weather conditions). These control and protection measures, or BMPs, are standard in the construction industry and are commonly used to minimize soil erosion and water quality degradation. Future construction activities may be subject to the National Pollutant Discharge Elimination System (NPDES) General Construction Activities Storm Water permit program if one acre or more of land is disturbed. Construction activities that result in a land disturbance of less than one acre, but which are part of a larger common plan of development, may also require a permit issued by the California Regional Water Quality Control Board. This program requires implementation of erosion control measures during and immediately after construction that are designed to avoid significant erosion during the construction period. Project operations that are under a NPDES permit would also be subject to the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) to control pollution in stormwater runoff from the project site. A condition of

approval reflecting the requirement of the applicant to obtain a NPDES permit, prior to grading activities, will be included with project approval. Therefore, impacts to water quality or waste discharge would be **less than significant**.

B Domestic water to existing and planned uses on the project site is anticipated to be provided by Amador Water Agency. The proposed project would not require the use of, or otherwise interfere with, groundwater supplies. **No impact** would result.

C I. During construction-related activities, specific erosion control and surface water protection methods for each construction activity would be implemented on the project site by construction personnel. The type and number of measures implemented would be based upon location-specific attributes (i.e., slope, soil type, weather conditions). These control and protection measures, or BMPs, are standard in the construction industry and are commonly used to minimize soil erosion and water quality degradation. Application of BMPs administered through the construction process would minimize the potential increase of surface runoff from erosion. Impacts would be **less than significant**.

II. The minor increase in impervious surface area from the additional area for build-out of the site is not anticipated to be enough to alter existing drainage patterns or cause offsite flooding. While an increase in stormwater runoff may be expected due to the reduced absorption rate created from new impervious surfaces added to the site, such as from structures, future development would be reviewed by the Amador County Public Works Department to ensure any potential drainage concerns are addressed, and to ensure no net increase in stormwater runoff leaves the project site. Impacts would be **less than significant**.

III. Potential future build-out would generate a minor increase in runoff from the future development of the site. Improvements are relatively small and conveyed through a system of existing roadside ditches and culverts to area waterways. The minor increase runoff would not exceed the capacity of the existing stormwater drainage systems or substantially increase polluted runoff. Impacts would be **less than significant**.

IV. The project site falls within Zone X, which is determined to be outside designated floodplains, as mapped by the Federal Emergency Management Agency (2010). **No impact** would result.

D The project site is not located in an area that would be impacted by a seiche, tsunami, or mudflows, nor is it located near a levee or a dam. **No impact** would result

E Amador County does not have a water quality control plan or sustainable groundwater management plan. **No impact** would result.

Sources: Environmental Health Department; Public Works Agency.

| Chapter 11. LAND USE AND PLANNING – Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- A The project area is located in an urban area, adjacent to other existing manufacturing and commercial zones. The Project involves a rezone, fronting SR 49 between the City of Jackson and the City of Sutter Creek, on an existing vacant parcel, adjacent to existing businesses to the north, south, east, and west. There is physically no potential to divide the existing Martell community. Therefore, **no impact** is anticipated.
- B The proposed project does not conflict with any applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The proposed Zone Change is consistent with the intent of the Amador County General Plan’s Land Use Element and its goals and objectives. If the proposed Zone Change is approved, the applicant would need to submit a building permit application per the County Land Use Ordinance Title 19, Chapter 24 Section 040 list of permitted uses; therefore, **less than significant impacts** are expected.

Sources: Amador County General Plan, Amador County Municipal Codes.

| Chapter 12. MINERAL RESOURCES – Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

A & B The California Geological Survey (CGS) has classified the project site as being located in a Mineral Resource Zone 3a (MRZ-3a) which are areas underlain by inferred mineral resources where geologic information indicates that significant inferred resources are present, Areas underlain by geologic settings within which undiscovered mineral resources similar to known deposits in the same producing district or region may be reasonably expected to exist (hypothetical resources). Land areas classified MRZ-3a are underlain by geologic settings which are favorable environments for the occurrence of specific mineral deposits Though there are known mineral resources in the vicinity, there are no known resources on this parcel. Therefore, **less than significant impacts** are expected.

Sources: Planning Department, California Department of Conservation Division of Mines and Geology - MINERAL LAND CLASSIFICATION OF THE SUTTER CREEK 15 MINUTE QUADRANGLE, AMADOR AND CALAVERAS COUNTIES, CALIFORNIA

| Chapter 13. NOISE – Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|--------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

A Surrounding uses include commercial to the north, west and south and residential to the east. Existing noise generating sources include the existing commercial operations in the vicinity as well as traffic on State Highway 49. Noise levels contributed by the proposed project would include construction noise during future development and future commercial uses on the project site. Future potential construction noises associated with development of the project site would primarily be from the use of heavy equipment, generators, employee vehicle trips and power tools. Construction-related noises would be temporary and intermittent, and would not result in long-term noise impacts.

Typical noises contributed by commercial uses include, vehicle traffic and heating and cooling systems. The noises generated by these activities are not atypical to, or unusual in commercial/manufacturing zoned properties in the project area. Additionally, the proximity to the airport indicate that additional .74 acres of heavy commercial zoning would have a negligible addition of ambient noise. In the event noise levels exceed applicable noise standards, the County will review complaints in accordance with the recently adopted Amador County Code Chapter 9.44 regarding nuisance noise. Impacts would be **less than significant**.

B The proposed project may involve temporary sources of groundborne vibration and groundborne noise from the operation of heavy equipment during future development and use of the project site. The type of heavy equipment typically used during construction would only generate localized groundborne vibration and groundborne noise that could be perceptible at residences or other sensitive uses in the immediate vicinity of the construction site. However, since the duration of impact would be infrequent and would occur during less sensitive daytime hours (i.e., between 7:00 a.m. and 7:00 p.m.), the impact from construction-related groundborne vibration and groundborne noise would be less than significant. . Impacts would be **less than significant**.

C The project is located approximately 1,250 feet from Westover Field, a general aviation facility owned and operated by Amador County. A portion of the project site (approximately 4,500 combined square feet) is located within the airport’s 60-decibel noise contour, as identified in the 1990 Airport Land Use Compatibility Plan (ALUCP) shown in Figure 6, therefore the project will not expose people working in the project area to excessive noise levels and impacts will be **less than significant**. Additionally, the proposed project has been evaluated by the Airport Land Use Commission.

Source: Planning Department, 1990 Airport Land Use Plan for Westover Field, Amador County.

| Chapter 14. POPULATION AND HOUSING – Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---------------------------------------|--|-------------------------------------|--------------------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

A & B This project would change zoning from Single Family Residential to Heavy Commercial. The project site previously contained two single family homes that have since been demolished by the property owner. Future development activity would not involve construction of additional public roadways or infrastructure such as wastewater treatment facilities so as to indirectly induce population growth. Since housing is not planned nor would population generated by the proposed rezone exceed local and regional growth projections described in General Plan 2030, growth generated by the proposed project would not be substantial. The proposed project would not result in the loss of existing housing, or cause a significant increase in the local population that would displace existing residents, necessitating the construction of additional housing which results in a **less than significant impact**.

| Chapter 15. PUBLIC SERVICES – Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: | | | | |
| a) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- A. Fire protection services in Amador County are provided by CalFire/Amador Fire Protection District. The nearest fire station is Station 2 located in the City limits of Jackson at 10600 Argonaut Drive, Jackson, approximately 4,000 feet south (driving distance) of the project site. The Fire Department, through agreements with the Amador County Fire Protection District (AFPD) and other entities, provides automatic and mutual aid response to areas outside Jackson City limits. Additional commercial development may incrementally increase the demand for fire protection services. Additionally, Amador County Code requires the payment of fire protection impact fees to help offset the impacts for the new development has on the fire protection services. Such fees would be used to fund capital costs associated with acquiring land for new fire stations, constructing new fire stations, purchasing fire equipment, and providing for additional staff as needed. Fire protection impact fees would be paid at the time of building permit issuance resulting in a **less than significant impact**.
- B. The Amador County Sheriff’s Office provides law enforcement service to the site. Implementation of the proposed project could increase service calls if additional commercial structures are built. It is anticipated that project implementation would not require any new law enforcement facilities or the alteration of existing facilities to maintain acceptable performance objectives. The project’s increase in demand for law enforcement services would be partially offset through project-related impact fees resulting in a **less than significant impact**.
- C. The project site is located within the Amador County Unified School District. Commercial development at the site would not result in an incremental demand for school facilities in the area. A development impact fee for school facilities will be assessed at the time of additional development on the project site. Impact fees would partially offset any potential impact to area school facilities resulting in a **less than significant impact**.
- D-E. The proposed rezone project would not increase the number of residents in the County, as the project does not include residential units. Because the demand for schools, parks, and other public facilities is driven by population, the proposed project would not increase demand for those services. As such, the proposed project would result in **no impacts** on these public services.

Source: Amador Fire Protection District, Sheriff’s Office, Amador County Unified School District, Recreation Agency, Planning Department

| Chapter 16. RECREATION - Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

A&B Increase in the demand for recreational facilities is typically associated with substantial increases in population. As discussed in Chapter 14 - Population and Housing, the proposed project would not generate growth in the local population nor does it require the expansion of existing recreational facilities. Therefore, the project would not increase use of existing parks and recreational facilities in the surrounding area and the parks and recreation district servicing the area. Therefore, the proposed rezone would have **no impact** on recreational facilities.

| Chapter 17. TRANSPORTATION / TRAFFIC - Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|---------------------------------------|--|-------------------------------------|-------------------------------------|
| a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion/Conclusion/Mitigation:

- A. The General Plan Mitigation Measure 4.14.1 requires the County to evaluate discretionary development proposals for their impact on traffic and transportation infrastructure and provision of alternative transportation, and requires applicants/ developments to pay into the traffic mitigation fee program(s) to mitigate impacts to roadways. The County will require future projects to conduct traffic studies (following Amador County Transportation Commission guidance). The purpose of these traffic studies will be to identify and mitigate any cumulative or project impacts (roadways below the County’s standard of Level of Service “C”, or LOS C, for rural roadways and LOS D for roadways in urban and developing areas) beyond the limits of the mitigation fee program(s). Projects will be required to pay a “fair share” of those improvements that would be required to mitigate impacts outside the established mitigation fee program(s). The objective of this program(s) is to substantially reduce or avoid traffic impacts, including cumulative impacts, of development which would occur to implement the General Plan. Measurement of Circulation System effectiveness: The effectiveness of the County Circulation Element is measured by a project’s impact to LOS criteria adopted for roadways within Amador County. The project does not conflict with any plan, ordinance, or policy establishing measure of effectiveness for the performance of the circulation system. Level of Service Standards: The LOS Standard criteria as established in the Circulation Element is the established congestion management program in effect for the County. The proposed project would not cause a substantial increase in traffic, reduce the existing level of service, or create any additional congestion at any intersections. As such, level of service standards would not be exceeded and the project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. Impacts would be **less than significant**.
- B. The proposed project would not conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b). **No impact** would result.
- C. The proposed project does not include any design features that would create a hazard, such as sharp turns in the access road. The proposed project would be consistent with surrounding uses. Therefore, **no impact** would result.
- D. There is no development proposed at this time. Future development would be reviewed for consistency with County’s General Plan policies and design guidelines during the planning permit phase. Impacts would be **less than significant**.

| Chapter 18. TRIBAL CULTURAL RESOURCES – Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|---------------------------------------|--|-------------------------------------|--------------------------|
| a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

Tribal cultural resources” are defined as (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

- (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
- (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

These may include non-unique archaeological resources previously subject to limited review under CEQA. Assembly Bill 52, which became effective in July 2015, requires the lead agency (in this case, Amador County) to begin consultation with any California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report if: (1) the California Native American tribe requested to the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification and requests the consultation (Public Resources Code Section 21080.3.1[b]).

A. As defined by Public Resources Code section 21074 (a) there were no tribal cultural resources identified in the project area therefore the project would not cause a substantial adverse change in any identified tribal cultural resources. Additionally, the Ione Band of Miwok Indians, the Buena Vista Band of Me-Wuk Indians, the Shingle Springs Band of Miwok Indians, and the Washoe Tribe of Nevada and California were notified of this project proposal and did not submit any materials referencing tribal cultural resources affected by this project

For a previous wetland removal project and prior to the archeological survey, Patrick GIS and Foothill Resources met on-site with the Client and members of the Jackson Rancheria Band of Me-Wuk and the Ione Band of Miwok Indians on November 29, 2016. Those in attendance included: Melinda and Ian Patrick (Patrick GIS); Judith Marvin (Foothill); Ron Regan (RTR);Rollie Fillmore, Larry White and Orval Flannery (Jackson Rancheria); and Randy Yonemura (Ione Band). The purpose of the meeting was to discuss the project impacts, known sites in the vicinity, and tribal participation. No archaeological resources were encountered during survey or Extended Phase I investigations, nor were any prehistoric resources identified in the area. . If during the AB 52 consultation process information is provided that identifies tribal cultural resources, an additional Cultural Resources Study or EIR may be required. Impacts are **less than significant**.

Sources: Amador County Planning Department, California Public Resources Code; National Park Service National Register of Historic Places.

| Chapter 19. UTILITIES AND SERVICE SYSTEMS - Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|---------------------------------------|--|-------------------------------------|--------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- A The project will not demand substantially more water, treatment or storm water drainage, electric power, natural gas, or telecommunications facilities than uses allowed by right. The impact is **less than significant**.
- B & C The project would not entail substantial increase in the use of water supplies or wastewater treatment and therefore no new or expanded entitlements or services are potentially needed for the project or its long-term operation. The impact is **less than significant**
- D The project will not introduce an increase in solid waste disposal needs therefore, there is **a less than significant impact**, on landfills and solid waste disposal or solid waste reduction goals.
- E Future potential construction will be required to comply with California Building Codes (Cal Green) that mandate construction and demolition recycling requirements and Chapter 7.27 of the Amador County Municipal Code which mandates recycling and diversion of construction and demolition debris. Compliance with these regulations will bring **impacts to less than significant** levels.

| Chapter 20. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---------------------------------------|--|-------------------------------------|-------------------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- A. There would be no lane closures involved in the proposed project that would constrict emergency access or interfere with an emergency evacuation plan. Additionally, the project site is not located near a state responsibility area, nor is it located in or near a very high fire hazard severity zone. There is **no impact**.
- B. The project does not exacerbate wildfire risks through change in slope, prevailing winds, or other factors. In 2017, the state of California adopted an Emergency Plan, which outlines how the state would respond in an event of natural or man-made disaster. The project would not interfere with this plan. All new development under the plan would be required to comply with County standards for the provision and maintenance of emergency access. Therefore, there is a **less than significant impact**.
- C. The project site is located between the Cities of Jackson and Sutter Creek. The project site is located in the Martel urban area and outside of a fire hazard severity zone or a state responsibility area. No associated infrastructure that may exacerbate wildfire risk is proposed. Therefore, there is a **less than significant impact**.
- D. The project will not expose people or structures to any new significant risks regarding flooding, landslides, or wildland fire risk. The project site is not located near a state responsibility area, nor is it located in or near a very high fire hazard severity zone and shall conform to all standard Fire Safety Regulations as determined by Amador County Fire Department and California Building Codes. Compliance with said codes shall cause for **impacts to be less than significant**.

Source: Amador County Planning, Amador County Office of Emergency Services.

| Chapter 21. MANDATORY FINDINGS OF SIGNIFICANCE | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|--------------------------|
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

A As discussed in the individual sections, there is no development proposed with the proposed rezone; therefore, the project would not degrade the quality of the environment with the implementation of measures in accordance with the County’s General Plan and Municipal Code and other applicable plans, policies, regulations, and ordinances. Subsequent project specific environmental review will be required for future discretionary development. Implementation of the standard permit conditions, and adherence to the Amador County General Plan, Municipal Code, and state and federal regulations described in these sections of the report, result in a **less than significant cumulative impact**.

B Pursuant to Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant impact on the environment where there is substantial evidence that the project has potential environmental effects “that are individually limited, but cumulatively considerable.” As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means “that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.”

As discussed in the individual sections, no development is proposed with the rezone; therefore, the project would not generate significant dust and other particulate matter emissions with the implementation of Amador Air District standard measures. Future development, i.e. commercial construction, would be required to identify and mitigate any air quality impacts from Toxic Air Contaminants (TAC) emitted during construction. Implementation of standard measures in accordance with the County’s General Plan and Municipal Code, and other applicable plans, policies, regulation, and ordinances, for future development allowed by the rezone would not result in significant air quality, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, land use, noise, population & housing, public services impacts, transportation/traffic, tribal cultural resources, or wildfire impacts, and would not contribute to cumulative impacts to these resources. The project would not impact aesthetics, agricultural and forestry resources or biological resources, hydrology and water quality, mineral resources, or recreation and therefore, it would not contribute to a significant cumulative impact on these resources resulting in a **less than significant cumulative impact**

- C Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Pursuant to this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effect particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include air quality, hazardous materials, and noise. Implementation of the standard permit conditions and adherence to the Amador County General Plan, Municipal Code, and state and federal regulations described in these sections of the report, would avoid significant impacts. No other direct or indirect adverse effects on human beings have been identified resulting in a **less than significant cumulative impact**.

SOURCE: Chapters 1 through 20 of this Initial Study.

REFERENCES Amador County General Plan; Amador County General Plan EIR; Amador Air District; Amador County Municipal Codes; Fish & Wildlife's IPAC and BIOS databases; Migratory Bird Treaty Act; California Air Resources Board; California Department of Conservation; California Department of Forestry and Fire Protection; California Geologic Survey; Alquist-Priolo Earthquake Fault Zones; State Department of Mines & Geology; Amador County GIS; Amador County Zoning Map; Amador County Municipal Codes; Amador County Soil Survey; Amador Fire Protection District; Caltrans District 10 Office of Rural Planning; Commenting Department and Agencies. All sources cited herein are available in the public domain, and are hereby incorporated by reference.



TAC Project Referral - ZC-19;10-1 Regan - Zone Change

7 messages

Ruslan Bratan <rbratan@amadorgov.org> Wed, Oct 30, 2019 at 2:52 PM
Bcc: AFPD Headquarters <afpdhdq@amadorgov.org>, "Cook, Brandt" <bcook@amadorwater.org>, Caltrans District 10 <d10.rural.igr@dot.ca.gov>, Fish and Wildlife Region 2 <R2CEQA@wildlife.ca.gov>, Chuck Beatty <CBeatty@amadorgov.org>, Darin McFarlin <darin.mcfarlin@fire.ca.gov>, Darrel Cruz <Darrel.Cruz@washoetribe.us>, David Sheppard <DSheppard@amadorgov.org>, Gary Redman <gredman@amadorgov.org>, Glenn Spitzer <gspitzer@amadorgov.org>, Jered Reinking <JReinking@amadorgov.org>, Jim McHargue <JMchHargue@amadorgov.org>, John Gedney <john@actc-amador.org>, Mike DeSpain <mike@buenavistatribe.com>, Mike Israel <misrael@amadorgov.org>, maggie@amadortransit.com, Randy Yonemura <randy_yonemura@yahoo.com>, George Allen <gallen@amadorgov.org>, tbrown@chp.ca.gov, Valerie Villa <vvilla@amadorgov.org>, Krista Ruesel <kruesel@amadorgov.org>, Mary Ann Manges <mmanges@amadorgov.org>, Todd Barr <tbarr@amadorgov.org>, Mark Hopkins <mhopkins@amadorgov.org>, tribalchairperson@ssband.org, dfonseca@ssband.org, Roseanne Chamberlain <amador.lafco@gmail.com>, marafeeney@gmail.com, katherine@mokeriver.com, ron@lgmconstruction.com, Susan Peters <speters@ci.jackson.ca.us>, agedney@cityofsuttercreek.org

Greetings,

Please see attached for the Zone Change Application for ZC-19; 10-1 from "R1," Single Family Residential to "C2," Heavy Commercial, scheduled to be reviewed for completion on November 13, 2019 by the Technical Advisory Committee, in Conference Room A at 3:00 p.m. at 810 Court St. Jackson, CA 95642.

Thank you,

Ruslan Bratan

Planner | Amador County Planning Department

810 Court Street, Jackson, CA 95642

rbratan@amadorgov.org | (209) 223-6332

 **ZC-19;10-1 Staff Referral Packet.pdf**
2938K

ron@lgmconstruction.com <ron@lgmconstruction.com> Wed, Oct 30, 2019 at 3:08 PM
To: Ruslan Bratan <rbratan@amadorgov.org>, Ron Regan <RON@lgmconstruction.com>

RonRuston,

Got it and looking forward to the meeting on 13 th at 3:00 PM

Ron Regan, President
R. T.R Investments, Inc

Get [Outlook for iOS](#)

On Wed, Oct 30, 2019 at 2:52 PM -0700, "Ruslan Bratan" <rbratan@amadorgov.org> wrote:

Greetings,

Please see attached for the Zone Change Application for ZC-19; 10-1 from "R1," Single Family Residential to "C2," Heavy Commercial, scheduled to be reviewed for completion on November 13, 2019 by the Technical Advisory Committee, in Conference Room A at 3:00 p.m. at [810 Court St. Jackson, CA 95642](#).

Thank you,

Ruslan Bratan

Planner | Amador County Planning Department

Amador LAFCO <amador.lafco@gmail.com>
To: Ruslan Bratan <rbratan@amadorgov.org>

Fri, Nov 1, 2019 at 10:03 AM

Ruslan:
thanks for this referral. I will likely have comments regarding public services, once I look at maps etc. in the office. I have to see where CSA#4 is relative to drainage for the new construction pads. It should be good, but I need to check.
Roseanne

On Wed, Oct 30, 2019 at 2:52 PM Ruslan Bratan <rbratan@amadorgov.org> wrote:

Greetings,

Please see attached for the Zone Change Application for ZC-19; 10-1 from "R1," Single Family Residential to "C2," Heavy Commercial, scheduled to be reviewed for completion on November 13, 2019 by the Technical Advisory Committee, in Conference Room A at 3:00 p.m. at [810 Court St. Jackson, CA 95642](#).

Thank you,

Ruslan Bratan

Planner | Amador County Planning Department

810 Court Street, Jackson, CA 95642

rbratan@amadorgov.org | (209) 223-6332

--

Roseanne Chamberlain
Amador LAFCO Executive Officer
(209) 418-9377

D10 Rural IGR@DOT <d10.rural.igr@dot.ca.gov>

Tue, Nov 12, 2019 at 12:35 PM

To: Ruslan Bratan <rbratan@amadorgov.org>

Cc: "Ponce, Gregoria@DOT" <gregoria.ponce@dot.ca.gov>, "Schroder, Kevin@DOT" <Kevin.Schroder@dot.ca.gov>

Hello Mr. Bratan,

Thank you for taking my call. I was going through our LD-IGR email and noticed this project going for review at the Amador County Planning Technical Advisory Committee (TAC) meeting on November 13th. As I mentioned, I wasn't sure if Caltrans has had a chance to review the documents through our Local Development Intergovernmental Review process. Could you provide me with the call in number for tomorrow meeting. In addition, if there was any previous comment letter that may have been provided to Amador County regarding this project could you email us a copy.

Thank you,

Michael Casas



District 10 – Planning Department

Office of Rural Planning

1976 E. Dr. Martin Luther King Jr. Blvd.

Stockton, CA 95205

209-948-7475

From: Ruslan Bratan <rbratan@amadorgov.org>

Sent: Wednesday, October 30, 2019 2:52 PM

Subject: TAC Project Referral - ZC-19;10-1 Regan - Zone Change

Greetings,

Please see attached for the Zone Change Application for ZC-19; 10-1 from "R1," Single Family Residential to "C2," Heavy Commercial, scheduled to be reviewed for completion on November 13, 2019 by the Technical Advisory Committee, in Conference Room A at 3:00 p.m. at [810 Court St. Jackson, CA 95642](#).

Thank you,

Ruslan Bratan

Planner | Amador County Planning Department

[810 Court Street, Jackson, CA 95642](#)

rbratan@amadorgov.org | (209) 223-6332

Ruslan Bratan <rbratan@amadorgov.org>
To: "D10 Rural IGR@DOT" <d10.rural.igr@dot.ca.gov>

Tue, Nov 12, 2019 at 3:50 PM

Michael,

In 2018, the applicant requested a "pre-application" meeting for input and guidance from the various departments. Attached is the old pre-application packet and the comment letter received from Caltrans. Also attached is a more recent 2019 pre-application packet with comments from Caltrans regarding the proposed Circle-K.

Also, the number for the conference phone is 209-223-6276. I'm not sure how well the conference phone does for receiving calls, so just to be safe do you mind giving me a phone number to best reach you?

Thanks,

Ruslan Bratan

Planner | Amador County Planning Department

[810 Court Street, Jackson, CA 95642](#)

rbratan@amadorgov.org | (209) 223-6332

On Tue, Nov 12, 2019 at 12:35 PM D10 Rural IGR@DOT <d10.rural.igr@dot.ca.gov> wrote:

Hello Mr. Bratan,

Thank you for taking my call. I was going through our LD-IGR email and noticed this project going for review at the Amador County Planning Technical Advisory Committee (TAC) meeting on November 13th. As I mentioned, I wasn't sure if Caltrans has had a chance to review the documents through our Local Development Intergovernmental Review process. Could you provide me with the call in number for tomorrow meeting. In addition, if there was any previous comment letter that may have been provided to Amador County regarding this project could you email us a copy.

Thank you,

Michael Casas



District 10 – Planning Department

Office of Rural Planning

1976 E. Dr. Martin Luther King Jr. Blvd.

Stockton, CA 95205

209-948-7475

From: Ruslan Bratan <rbratan@amadorgov.org>

Sent: Wednesday, October 30, 2019 2:52 PM

Subject: TAC Project Referral - ZC-19;10-1 Regan - Zone Change

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Thank you,

Ruslan Bratan

Planner | Amador County Planning Department

810 Court Street, Jackson, CA 95642

rbratan@amadorgov.org | (209) 223-6332

4 attachments

 **JGN.pre-application packet.pdf**
5382K

 JacksonGatePlazaN_commentltr.pdf
124K

 PreApp.Referral.Packet_CircleK.pdf
10214K

 CircleK_CommentLtrRev2.docx.pdf
125K

D10 Rural IGR@DOT <d10.rural.igr@dot.ca.gov>

Tue, Nov 12, 2019 at 4:34 PM

To: Ruslan Bratan <rbratan@amadorgov.org>, "D10 Rural IGR@DOT" <d10.rural.igr@dot.ca.gov>

Cc: "Ponce, Gregoria@DOT" <gregoria.ponce@dot.ca.gov>

Rustlan,

My desk number is 209-948-7475. I was able to find the Circle K project and in those documents there was no proposal for a Microtel Hotel or coffee restaurant as proposed in the graphics in the recent. These projects will also need to be considered using a new CEQA document. Each project will have a impact on State Route 49 which is adjacent to the parcels. Can you tell me if the meeting tomorrow will approve just the change of land use zones? Or the project that is being proposed?

Thank you,

Michael Casas



District 10 – Planning Department

Office of Rural Planning

1976 E. Dr. Martin Luther King Jr. Blvd.

Stockton, CA 95205

209-948-7475

From: Ruslan Bratan <rbratan@amadorgov.org>

Sent: Tuesday, November 12, 2019 3:50 PM

To: D10 Rural IGR@DOT <d10.rural.igr@dot.ca.gov>

Subject: Re: TAC Project Referral - ZC-19;10-1 Regan - Zone Change

Michael,

In 2018, the applicant requested a "pre-application" meeting for input and guidance from the various departments. Attached is the old pre-application packet and the comment letter received from Caltrans. Also attached is a more recent 2019 pre-application packet with comments from Caltrans regarding the proposed Circle-K.

Also, the number for the conference phone is 209-223-6276. I'm not sure how well the conference phone does for receiving calls, so just to be safe do you mind giving me a phone number to best reach you?

Thanks,

Ruslan Bratan

Planner | Amador County Planning Department

810 Court Street, Jackson, CA 95642

rbratan@amadorgov.org | (209) 223-6332

On Tue, Nov 12, 2019 at 12:35 PM D10 Rural IGR@DOT <d10.rural.igr@dot.ca.gov> wrote:

Hello Mr. Bratan,

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Office of Rural Planning

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Stockton, CA 95205

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Sent: Wednesday, October 30, 2019 2:52 PM

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Thank you,

Ruslan Bratan

Planner | Amador County Planning Department

[810 Court Street, Jackson, CA 95642](#)

rbratan@amadorgov.org | (209) 223-6332

Ruslan Bratan <rbratan@amadorgov.org>
To: "D10 Rural IGR@DOT" <d10.rural.igr@dot.ca.gov>
Cc: "Ponce, Gregoria@DOT" <gregoria.ponce@dot.ca.gov>

Tue, Nov 12, 2019 at 4:41 PM

Michael,

The application TAC will be reviewing tomorrow is just for the zone change to establish uniform zoning on two split zoned parcels. Any development proposed by the applicant is still just preliminary - other than Circle-K.

Thanks,
Ruslan Bratan

Planner | Amador County Planning Department

[810 Court Street, Jackson, CA 95642](#)

rbratan@amadorgov.org | (209) 223-6332

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Thank you,

Michael Casas



District 10 – Planning Department

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Stockton, CA 95205

209-948-7475

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Sent: Tuesday, November 12, 2019 3:50 PM
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Subject: Re: TAC Project Referral - ZC-19;10-1 Regan - Zone Change

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Ruslan Bratan

Planner | Amador County Planning Department

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rbratan@amadorgov.org | (209) 223-6332

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Thank you,

Michael Casas



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Sent: Wednesday, October 30, 2019 2:52 PM

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Thank you,

Ruslan Bratan

Planner | Amador County Planning Department

810 Court Street, Jackson, CA 95642

rbratan@amadorgov.org | (209) 223-6332

AMADOR LAFCO



LOCAL AGENCY FORMATION COMMISSION

P.O. BOX 22-1292 ♦ SACRAMENTO, CA 95822
810 COURT STREET ♦ JACKSON, CA 95642-95334 ♦ (209) 418-9377

March 4, 2019

Ruslan Bratan, Planner
Amador County Planning Department
810 Court Street
Jackson, CA 95642

RE: Zone Change ZC-19; 10-1 (RTR Investments, Inc, et al.)

Dear Mr. Bratan:

Thank you for the opportunity to review and comment on the Zone Change ZC-19; 10-1 (RTR Investments). The two parcels (APN 044-030 & APN 044-030-026) are in the unincorporated area of the county and are both contained within the boundaries of County Service Area #4. CSA #4 provides drainage services only.

Historically, there have been some question as to the correct area included in CSA#4. Please contact me if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Roseanne Chamberlain". The signature is fluid and cursive, with a long horizontal stroke at the end.

Roseanne Chamberlain
Executive Officer

FC Concerns: November 13 TAC mtg re proposed development corner of 49/Jackson Gate Rd

The application is incomplete. No indication of square footage of buildings, types of use, etc. One diagram shows certain types of businesses, but they are not described in the application

Need to incorporate residential/mixed-use development. Serious shortage of rental housing in the county and this is a good place for it. If a motel can be included (shown in packet), why not housing above the retail?

Since the county has been slow to adopt commercial design standards required by the County of Amador-Foothill Conservancy settlement, the county should require the project to follow the planning commission-approved design guidelines developed some years ago (note to SB and team -- we should start asking for this until the standards are in place, IMHO).

The preliminary studies referenced are not included in the application packet.

Is there adequate capacity in the ARSA system to accommodate the project?

Since project is new, discretionary and >5,000, will require an economic impact report per the County of Amador-Foothill Conservancy general plan settlement. In order to do that, the applicant's going to need to be specific about the types of commercial businesses that will be located on the site.

Should require landscaping and continue the oak planting along Hwy 49 as done to the north some years ago. Landscaping must follow the state's model landscaping ordinance adopted by the county.

Insufficient info in packet for county to do the CEQA initial study; applicant needs to return with more detail.

Needs traffic study.

County should request that ACTC comment on traffic impacts.

There should be sidewalks to accommodate pedestrians.

Should require dark sky-friendly lighting and other lighting requirements being incorporated into the county dark sky ordinance and in use in other counties.

See pertinent general plan text and goal/policy excerpts, below.

General plan excerpts

Land use element

"The proposed Town Centers and the Regional Service Center seek to restore and build anew the county's historic town environments, creating places where residents and visitors can walk and bike to services, stores, restaurants, parks and other public uses. Mixed, concentrated land uses also enable efficient public transit, since more uses and residences can be within a short distance of transit stops, making cars less of a necessity and providing alternatives for those unable to drive." (page LU-3)

Regional Service Center (Martell) requirements (emphasis added)

FC Concerns: November 13 TAC mtg re proposed development corner of 49/Jackson Gate Rd

"Larger-scale service centers with *combinations of residences, commercial, industrial, and public service* uses serving countywide needs and/or communities in nearby counties. There is only one RSC area in the county, located on 690 acres in the community of Martell. No more than 3,000 units and 3.5 million square feet of commercial or industrial space is permitted in the Martell RSC." (page LU-10)

Maximum 0.5 Floor-Area Ratio, 7.1- 18 units per acre

Under "Area Descriptions" (emphasis added)

"Regional Service Center

"The General Plan proposes one RSC, to be located in the community of Martell. The Martell RSC encompasses approximately 679 acres of land located near the intersection of SR 49, SR 88, and SR 104 near Westover Field. *This RSC is planned to include a mix of retail commercial uses, industrial uses, and higher-density housing, and the designation of this area as an RSC is intended to encourage more creative future development, including potential for mixed-use development.* A total of approximately 2,500,000 square feet of commercial and 1,000,000 square feet of industrial uses (compared to about 1,080,000 square feet of existing commercial and industrial uses) can be accommodated within the Martell RSC. About 678 acres are available for these uses (approximately 390 acres of which are currently vacant), developed at an overall intensity of 5,100 square feet per acre (0.12 FAR), although any individual site could develop at up to 0.5 FAR. The Martell RSC can accommodate 1,200 to 3,000 housing units over a 20-year period, making it the largest future housing location in the unincorporated county. Densities range from 7 to 18 units per acre."

"As the RSC in Martell develops, it will remain the dominant commercial center of Amador County, and will be the county's largest industrial area. A key challenge will be providing better internal circulation, *including pedestrian and automobile circulation options*, both within the "Martell triangle" (the area bordered by SR 104, SR 88, and SR 49) and to other areas outside of SR 104, SR 88, and SR 49. *Another key challenge is creating a compatible residential component, allowing residents to live close to the county's major service center while protecting the nearby Westover Field. Design guidelines and zoning specific to Martell will encourage new land uses to face the street (with parking located behind), help knit together existing uses, improve circulation (including for pedestrians and bicycles), create visual cohesiveness and identity, and encourage use of alternative transportation for local trips.*

"*New buildings in Martell may be three- to four-stories high. Mixed-use in Martell includes compatible uses both located close to one another (homes next to retail or offices, for instance), and/or in the same building (apartments or offices above shops). Zoning for Martell will include form-based characteristics (regulating form and appearance of buildings rather than use) to provide flexibility beyond existing zone districts, while preventing incompatible uses.*"

FC Concerns: November 13 TAC mtg re proposed development corner of 49/Jackson Gate Rd

Regional Service Center

Martell will continue to be the preferred location for land uses which draw people from throughout Amador County and the surrounding region. The Regional Service Center (RSC) designation has been applied to Martell to support this role.

Goal LU-11: Focus services that cater to a regional market in Martell.

Policy LU-11.1: Develop guidelines to govern future land uses within the boundaries of the Martell RSC. These guidelines will include the desired mix of industrial, commercial, residential, public facility, and other uses.

Policy LU-11.2: Develop form-based code specifications for Martell. These specifications will be used to guide development decisions to support a mix of uses and alternative modes of transportation, especially bicycle and pedestrian transportation. Promote green building standards and low impact development (LID) practices, consistent with State and federal law.



Depot Rd parcel -044-030-026-530- Rezone application

1 message

ron@lgmconstruction.com <ron@lgmconstruction.com>
To: Chuck Beatty <cbeatty@amadorgov.org>, planning@amadorgov.org
Cc: lawyer@patkeene.com

Mon, Nov 18, 2019 at 8:45 AM

Chuck,

The applicant, R.T.R. Investments, Inc and it's consultants have reviewed the concerns expressed by the Planning Department's staff as it relates to comments made at Rezone Pre-Application Meeting. Again, I apologize for my failure to attend.

Planning staff has made comments suggesting that the mix of non-discretionary and now a discretionary rezone applications could be considered a violation of CEQA review by an alleged "piecemeal" process. Also, in reviewing the Foothill Conservancy (FC) comments made reference to the application being incomplete due to lack of information on square footage and types of business. Given that County Counsel Office is being asked to review the matter, it would be appreciate if the attached letter could be passed on to them. The clarification letter will be dropped off today for the record.

FC also expressed concerns over the need for a project that is discretionary and over 5000 sq. ft. per Amador County's Settlement of a prior law suit. In reviewing the Settlement, the reference to the requirement is based upon being over 5,000 sq. ft. Could you have County Counsel clarify whether this refers to the size of building improvements on an individual parcel or the size of the parcel. R.T.R. has 3 separate parcels and the intent is to develop each parcel with possible non-discretionary boundary line adjustments. If the respective buildings are less than 5000 sq. ft. would the economic impact be required? Also, if each parcel has different commercial uses, the economic impact would probably need to be separated for each use. Again, please have County Counsel clarify this requirement.

As to Traffic Study, R.T.R. has previously provided copies of the traffic study encompassing the three parcels to Amador County Planning Department, along with a Cultural and Historical Study.

Your prompt response would be appreciated.

Ron

LGM Development
Construction
Real Estate
Finance

Ron Regan

PO Box 338 (10536 Ridgecrest Dr)


Jackson, CA 95642

209 223-3583 Fax 800-609-0972

209-263-1122 Direct

800-609-0972 Fax

ron@lgnconstruction.com

 **R.T.R Investments, Inc-Rezone clarification.pdf**
32K

R.T.R Investments, Inc.

PO Box 338 (10536 Ridgcrest Dr.)
Jackson, CA 95642
209 223-3583 Fax 800-609-0972
ron@lgmconstruction.com

RECEIVED

NOV 18 2019

**AMADOR COUNTY
PLANNING DEPARTMENT**

September 2, 2019 November 18, 2019

Chuck Beatty
Amador County Planning Dept
810 court St
Jackson, CA 95642

Re: 12454 Depot Road – AP 044-030-026-530 and a portion of 044-030-264
Rezone residential to heavy commercial

Dear Mr. Beatty,

R.T.R Investments, Inc.'s Jackson Gate North (JGN) was issued a Grading Permit No GE4341, September 13-2017, which included the area reflecting a wetland's delineation area. JGN filed with Amador County a Mitigated Negative Declaration for completion of filing wetlands. This CEQA review was required and subject to the issuance of 404 Permit by Corp of Engineers and issuance of 401 Permit. The Central Valley Regional Water Quality Board issued the approval of the "401 permit" in a letter dated September 5, 2018. The Notice of Determination was posted by Amador County Planning Department based upon the approvals. Grading and weatherization of the parcel was 95% complete in early October, 2019 with 100% completion in the mid 2020.

In reviewing the filing for the grading permit and the original filing of the Mitigated Negative Declaration for the Wetlands issue, the prior Planning Director, Susan Grijalva, brought up the zoning issue for the project. A portion of the JGN was zoned R1 and was not consistent with the General Plan's designation, along with the proposed ALUC's Airport Land Use Plan. The Rezone requirement was again acknowledged in the 9-13-2018 application for demolition permit which included the Pre-application Review for Commercial Projects, see attached.

JGN has secured "ministerial" action in securing grading permits, 404 and 401 permits, demolition permits to allow development of the project to proceed. In conjunction with these permits, a Mitigated Negative Declaration was required for the Wetlands mitigation. JGN has provided Pre-Application Documents for prior Pre-Application Meetings for the proposed 3-parcel development in November, 2018 and the Circle K parcel in August, 2019. Amador County Planning Department has confirmed no discretionary action is required for the issuance of building permit for Circle K.

The current filing for the Rezone of a portion of JGN property from residential to commercial is consistent with General Plan designation of Regional Service Center (RSC). This proposed rezone to commercial zoning is limited in scope and falls within CEQA guidelines for "urbanized infill" with less than 5 acres for this project. The applicant provided a number of documents reflecting on possible or potential uses and locations of potential commercial uses including a hotel. However, this proposed rezone is for less than acre of residential zoning surrounded by heavy commercial zoning. At this time the square footage and type commercial uses are unknown by the applicant and are speculative. Again,

R.T.R Investments, Inc.

PO Box 338 (10536 Ridgecrest Dr.)
Jackson, CA 95642
209 223-3583 Fax 800-609-0972
ron@lgmconstruction.com

under the General Plan and the proposed Airport Land Use Plan the current residential zoning is non-conforming in continuing this land use.

JGN was given notice that the permitting process and the current Rezone application could be construed to be a "piece meal" approach in the CEQA process. The "whole of an action" for a parcel within a project where approval is subject to a public agency's discretionary for the proposed rezone, albeit to attain consistency with the General Plan, needs be consistent with CEQA. It is agreed that the environment review required for rezoning of this non-conforming use is a discretionary activity under CEQA, however prior ministerial activity (grading, 404/401 and demolition permits) are "Categorical Exempt" under CEQA. Given that the current zoning is non-conforming, a ND or MND would be appropriate.

The County may find that the proposed rezone of a portion of the project is categorically exempt from CEQA review pursuant to CEQA Guidelines Section 15332, Class 32, "Infill" Development, and Section 15183 projects which are consistent with a General Plan for which an EIR was prepared reflecting the RSC land use for the area.

Here, the Project is located in an urbanized area on a site no larger than five acres, no value as a habitat for special status species, no significant effects to traffic, noise, air quality or water quality would occur. The majority of the proposed project is consistent with the General Plan and the rezone would provide consistency for the balance of the project. JGN suggest that the rezone portion of the proposed project should be exempt from CEQA pursuant to Section 15183.

Your prompt attention is appreciated.

Respectfully,



Ronald Regan, President

Cc: Pat Keene, Esq

Project Description -EXHIBIT

Nature of the Scope of Activities

The proposed project involves applying for a zone change for a portion of two parcels (044-030-024 and 026) consisting of approximately an acre. The two parcels currently have a split zoning where a portion of each of the subject properties is reflected as having both residential and commercial zoning. This split zoning is not consistent with the applicant's desire for maximum development under the General Plan's designation as a Regional Service Center (RSC). The Applicant's intent is to have commercial zoning consistent with RSC. With the proposed zone change this island of residential zoning will be in conformity with that intent.

DEPARTMENT OF TRANSPORTATION

DISTRICT 10

P.O. BOX 2048, STOCKTON, CA 95201

(1976 E. DR. MARTIN LUTHER KING JR. BLVD. 95205)

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December 16, 2019

AMA-49-PM 6.152**RTR Investments, Inc. et al.****Application for Zone Change**

Mr. Ruslan Bratan, Planner
Amador County Community Development Agency
810 Court Street
Jackson, CA 95642

Dear Mr. Bratan:

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the request from RTR Investments Inc. et al. for application referral for Zone Change from "R-1" Single Family Residential, to "C2" Heavy Commercial for a combined 0.74 combined acres to establish uniform zoning on the Jackson Gate North project site. The property is listed under assessor's parcel number 044-030-024 and 044-030-026 and is located at the intersection of State Route (SR) 49 and Depot Road in Amador County.

Caltrans has the following comments regarding the proposed Zone Change:

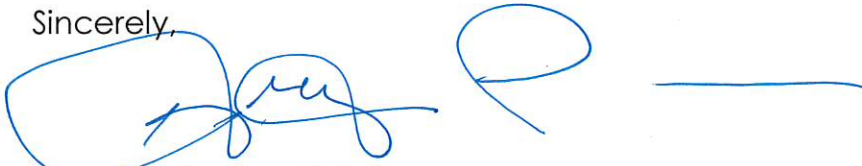
The most recently adopted airport land use compatibility plan (Plan) was amended in July, 1990. According to the California Public Utilities Code (PUC) section 21675, the Amador County Airport Land Use Commission (ALUC) must adopt an airport land use compatibility plan. If the County does not adopt an ALUCP consistent with the statute, the County subjects itself to liability and litigation. The ALUC's ALUCP shall be based on the anticipated growth of Westover Field for at least 20 years. Westover Field's current Plan is not in compliance with the statute and must be updated. In addition, PUC section 21676 requires local agencies (cities, counties, school districts) to make their general and specific plans consistent with an adopted ALUCP that reflects the anticipated growth of Westover Field for at least 20 years. Further, PUC section 21676.5 states that if the ALUC has not adopted an ALUCP consistent with the statutes, the ALUC may require all land use actions be referred to the ALUC.

Mr. Ruslan Bratan
December 16, 2019
Page 2

The ALUC is statutorily required to adopt an updated ALUCP and should not approve the proposed zone change unless the ALUC finds the proposed zone change consistent with the updated ALUCP. If the County approves the proposed zone change without an updated ALUCP or a consistency finding by the ALUC, the County will be subject to liability and litigation.

If you have any question or would like to discuss these comments, please contact Michael Casasat (209) 948-7475 (email: michael.casas@dot.ca.gov) or me at (209) 948-7325 (email: gregoria.ponce@dot.ca.gov).

Sincerely,



Gregoria Ponce, Chief
Office of Rural Planning

C: John Gedney, Amador County Transportation Commission
Jered Reinking, Amador County Dept. of Transportation and Public Works



Ruslan Bratan <rbratan@amadorgov.org>

Amador Zone Change Project

2 messages

Ruslan Bratan <rbratan@amadorgov.org>
To: robert.fiore@dot.ca.gov
Cc: Chuck Beatty <CBeatty@amadorgov.org>

Tue, Dec 3, 2019 at 2:37 PM

Good Afternoon Bob,

As discussed, can you send me a written explanation regarding the Zone Change project in Martell?

Thanks,

Ruslan Bratan

Planner | Amador County Planning Department

810 Court Street, Jackson, CA 95642

rbratan@amadorgov.org | (209) 223-6332

Fiore, Robert A@DOT <robert.fiore@dot.ca.gov>
To: Ruslan Bratan <rbratan@amadorgov.org>
Cc: Chuck Beatty <CBeatty@amadorgov.org>, "Bolyard, Ron D@DOT" <ron.bolyard@dot.ca.gov>

Wed, Dec 4, 2019 at 2:29 PM

Ruslan,

Good Afternoon. It was a pleasure speaking with you yesterday. As discussed, the most recently adopted airport land use compatibility plan (Plan) was amended in July, 1990. According to the California Public Utilities Code (PUC) section 21675, the Amador County Airport Land Use Commission (ALUC) must adopt an airport land use compatibility plan. If the County does not adopt an ALUCP consistent with the statute, the County subjects itself to liability and litigation. The ALUC's ALUCP shall be based on the anticipated growth of Westover Field for at least 20 years. Westover Field's current Plan is not in compliance with the statute and must be updated. In addition, PUC section 21676 requires local agencies (cities, counties, school districts) to make their general and specific plans consistent with an adopted ALUCP that reflects the anticipated growth of Westover Field for at least 20 years. Further, PUC section 21676.5 states that if the ALUC has not adopted an ALUCP consistent with the statutes, the ALUC may require all land use actions be referred to the ALUC.

The ALUC is statutorily required to adopt an updated ALUCP and should not approve the proposed zone change unless the ALUC finds the proposed zone change consistent with the updated ALUCP. If the County approves the proposed zone change without an updated ALUCP or a consistency finding by the ALUC, the County will be subject to liability and litigation.

It is my hope that this information is helpful to you.

Best regards,

Bob Fiore

Bob Fiore

Office of Aviation Planning

Division of Aeronautics

California Department of Transportation

[1120 N Street](#), MS-40

Sacramento, CA 95814

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S. #40

1120 N STREET

P. O. BOX 942874

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January 23, 2020

Mr. Ruslan Bratan, Planner
Amador County Planning Department
810 Court Street
Jackson, CA 95642-2132

Dear Mr. Bratan:

The California Department of Transportation (Caltrans), Division of Aeronautics (Division) appreciates the opportunity to assist the Amador County Planning Department on airport land use compatibility matters. It is our understanding that the Amador County Planning Department received an application for a zone change for portions of Amador County Assessor's Parcel Number (APN) 044-030-024 and 044-030-026 (proposed zone change site). On January 8, 2020, the Amador County Planning Department referred the application to the Division for comment. As discussed, local land use actions within a two-mile radius of an airport are subject to the California Public Utilities Code (PUC) sections 21670 through 21679.5(d). The Division's comments are provided to ensure adherence to the intent and declaration of the State of California Legislature pursuant to the California State Aeronautics Act (Act), section 21001 et. seq.

The subject APNs are approximately 1,500 to 2,000 feet south and southwest of Westover Field Runway 1. These parcels are within two nautical miles of Westover Field. In accordance with PUC sections 21670 through 21679.5(d), Amador County shall establish an airport land use commission, prepare an airport land use compatibility plan, and review local agencies land use planning actions potentially affecting public-use airports in Amador County. The Division understands that Amador County has an established airport land use commission but has not adopted an airport land use compatibility plan based on an airport master plan or airport layout plan that reflects a current 20-year growth projection of Westover Field. The most recent airport land use compatibility planning document prepared by the Amador County Airport Land Use Commission (ALUC) was amended in 1990.

The ALUC must adopt an airport land use compatibility plan pursuant to PUC sections 21670 through 21679.5(d) to be consistent with the Act. The Division has reviewed and commented on the draft Westover Field Airport Land Use Compatibility Plan (ALUCP), dated February 2018, but it is the Division's understanding that the ALUCP has not been adopted. Without an adopted ALUCP that reflects the projected 20-year growth, land use actions taken by Amador County or any local agency in Amador County could be in conflict with the Act.

In accordance with PUC section 21674.7, the Division published the most recent edition of the California Airport Land Use Planning Handbook (Handbook) in October 2011. Pursuant to this section, an adopted airport land use compatibility plan shall be guided by the Handbook. In addition, Public Resources Code (PRC) section 21096(b) states that "a lead agency shall not adopt a negative declaration for a project, within two nautical miles of a public airport (PRC section 21096(a)), unless the lead agency considers whether the project will result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area."

The Handbook is not intended to regulate local land use policy. It is a document that provides guidance for local agencies to develop airport land use compatibility policy. Absent an applicable airport land use compatibility plan, Amador County shall not adopt a negative declaration unless the lead agency considers whether the project will result in a safety hazard or noise problem. Amador County must consider safety hazards and noise problems utilizing the Handbook for reference.

According to the Handbook, the proposed zone change site would lie entirely within Safety Zone 3ⁱ. Land use types that are normally allowed in Safety Zone 3 include:

- Agriculture
- Non-group recreational activities
- Low hazard materials storage
- Warehouses
- Low-intensity light industrial
- Auto, aircraft, marine repair services
- Greenhouses
- Mini-storage

Land use types that should be limited in Safety Zone 3, based on density or intensity, include:

- Residential limited to one per two to five acres
- Office and other commercial uses with a maximum density of 100 per gross acre or 300 per single acre

Land use types that should be avoided in Safety Zone 3 include:

- Medium to high intensity commercial and other nonresidential uses
- Buildings with more than three habitable floors
- Hazardous materials storage

Land use types that should be prohibited in Safety Zone 3 include:

- Major shopping centers
- Theaters
- Meeting halls and other assembly uses
- Children's schools
- Large day care centers

ⁱ Safety Zone 3 is a compilation of Safety Compatibility Zone Examples based on aircraft accident data, Nature of Risk and Basic Compatibility Policies. Please refer to Chapters 3 and 4 of the Handbook.

- Hospitals
- Nursing homes
- Stadiums and group recreational uses

According to the draft ALUCP, people utilizing the proposed zone change site would be exposed to airport-related noise ranging between 55-60 decibels (dB) Community Noise Equivalent Level (CNEL)ⁱⁱ. Noise measurements may be necessary to minimize potential airport-related noise nuisance. The Federal Aviation Administration (FAA) advises that residential uses exposed to 65dB or higher would be incompatible if not acoustically treated. In addition, California State regulations established a CNEL of 65dB or higher as the maximum normally accepted noise level for residential and other land uses at county-designated noise problem airports. California Building Code section 1207.11 requires an acoustical analysis for proposed residential structures, other than single family residential, potentially exposed to a CNEL of 60dB. The California Governor's Office of Planning and Research General Plan Guidelines suggests that the maximum normally acceptable noise exposure for residential areas is a CNEL of 60dB. The United States Environmental Protection Agency identified 55dB or higher would cause undue interference with activity and annoyance.

According to the draft ALUCP, it is likely aircraft will fly over the proposed zone change site. Amador County may determine that a real estate disclosure notice condition of approval would be appropriate when considering the proposed zone changeⁱⁱⁱ.

The FAA regulates airspace primarily through Code of Federal Regulations, Title 14, Part 77 (14 CFR Part 77). Subpart B of 14 CFR Part 77 requires notification to the FAA for proposed construction or alteration of objects within 20,000 feet of a runway or the proposed construction or use of equipment protruding 200 feet or higher regardless of proximity to an airport. Amador County may determine that an aviation easement dedication condition of approval would be appropriate depending on specific site development of the proposed zone change site^{iv}.

The zone change would include 3.5 acres (the total acreage for the portions of the two parcels) and would change the zoning from Single Family Residential (R1) to Heavy Commercial (C2). Amador County C2 zoning district allows the following:

1. Wholesale, service, and storage uses conducted within a building
2. Retail outlets and offices incidental and accessory to above uses
3. Service stations, repair garages
4. Business offices
5. Drive-in uses, including theaters
6. Outdoor areas, nurseries, boat docks, and boat repairs

ⁱⁱ Refer to Chapters 3 and 4 of the Handbook for discussion on airport-related noise and establishing noise contours.

ⁱⁱⁱ Refer to Chapters 3 and 4 of the Handbook for discussion on aircraft overflight.

^{iv} Refer to Chapters 3 and 4 of the Handbook for discussion pertaining to hazards to flight, airspace obstructions or other flight hazards.

7. Lumber and building materials yards
8. Sale, rental, repair, and storage of new or used autos, trucks, trailers, boats, buses, construction, and farm equipment

The following allowable uses in the C2 zoning district could be inconsistent with the Handbook:

- Retail outlets and offices exceeding the intensity criteria in the Handbook
- Service stations with above ground hazardous materials
- Drive-in uses and theaters
- Certain commercial and wholesale uses exceeding the intensity criteria in the Handbook
- Residential type uses exceeding the density and noise criteria in the Handbook
- Buildings with more than three above ground habitable floors
- Structures, equipment or objects obstructing airspace or exceeding 14 CFR Part 77 criteria
- Any structure potentially exposed to noise nuisance above normally acceptable maximums

If you have questions or need further assistance, please contact me at (916) 654-5314 or via email at robert.fiore@dot.ca.gov.

Sincerely,



ROBERT FIORE
Aviation Planner

c: Amador County Airport Land Use Commission, 810 Court Street, Jackson, CA 95642-2132

- | | | |
|---|---|----------------------|
| | City of Amador City City of Sutter Creek | Initial <u>RB</u> |
| 1. Notice of Intent (NOI). | | |
| 2. GIS List. <u>300</u> ft. Plus <u>applicant, City of Jackson</u> | (Distance) (Special Instructions: e.g. to end of access road) | <u>RB</u> |
| 3. Checked <u>all</u> APN pages of those parcels from the GIS list for "NOTES" or a. "SPECIAL INSTRUCTIONS." | | <u>RB</u> |
| 4. Project Applicant and Representative(s), if applicable. | | <u>RB</u> |
| 5. Checked Project file cover for agency distribution. | | <u>RB</u> |
| 6. Checked inside file for special requests for notification. | | <u>RB</u> |
| 7. Checked old notification list for additional notification. | | <u>RB</u> |
| 8. Other - Specify: <u>State Clearinghouse.</u> | | |

AFFIDAVIT OF SERVICE BY MAIL

I am a citizen of the United States, over eighteen years of age, employed in Amador County, and not a party to the within action; my business address is 810 Court Street, City of Jackson, State of California. I hereby declare I served a copy of the attached public hearing notice regarding ZC-19; 10-1 by placing copies in 23 envelopes addressed to: (see attached list).

Said envelopes were then sealed and postage fully paid thereon and were deposited in the United States Mail on September 10, 2021 at Jackson, California.

I declare under penalty of perjury the foregoing is true and correct.

Executed at Jackson, California on September 10, 2021

Signed [Signature]

Witness Krista Ruesel

ENDORSED
FILED


SEP 10 2021

KIMBERLY L. GRADY, County Clerk
AMADOR COUNTY

By A. HANNA Deputy

**NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

- PROJECT:** ZC-19;10-1 Regan R1 to C2
- LEAD AGENCY:** Amador County Board of Supervisors
- PROJECT LOCATION:** 12461 Jackson Gate Rd and 12454 Depot Rd, Jackson, northeast of the intersection of State Highway 49 and Jackson Gate Road.
- PROJECT DESCRIPTION:** Request for a Zone Change (ZC-19;10-1) from R1, Single Family Residential, to C2, Heavy Commercial, for ±0.74 combined acres to establish uniform zoning on the Jackson Gate North project site. The request seeks to rezone ±0.37 acres of APN 044-030-024 and ±0.37 of APN 044-030-026 from the R1, Single-family Residential zoning district to the C2, Heavy Commercial zoning district
- PROJECT FINDINGS:** There is no substantial evidence that the approval of the Zone Change, will have a significant adverse effect on the physical environment.
- STATEMENT OF REASONS:** The Planning Department notes the following:
1. The project is consistent with the Amador County General Plan at this location;
 2. A review of the Zone Change request was conducted by the Technical Advisory Committee who, through their own research and the CEQA Initial Study, found this project will not have a significant effect on the environment and a Negative Declaration will be adopted and filed with the County Recorder.
- PREPARATION OF STUDY:** Information on file with the Amador County Planning Department, 810 Court Street, Jackson, CA, File No. ZC-19;10-1 Regan R1 to C2
- PUBLIC COMMENTS:** The Planning Commission will hold a public hearing on this project on October 12, 2021 at 7:00 p.m. or as soon thereafter as can be heard at the County Administration Building, 810 Court Street, Jackson CA 95642.



Ruslan Bratan, Planner II

Date: 9/10/2021

File No. _____
Posted On 09/10/2021
Posting Removed _____



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

PHONE: (209) 223-6380
FAX: (209) 257-5002
WEBSITE: www.amadorgov.org
E-MAIL: planning@amadorgov.org

COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

NOTICE OF PUBLIC HEARING

Notice is hereby given the Planning Commission of the County of Amador, State of California, has received an application for the project described in this notice.

PROJECT NAME AND DESCRIPTION: Request for a Zone Change (ZC-19;10-1) from R1, Single Family Residential, to C2, Heavy Commercial, for ±0.74 combined acres to establish uniform zoning on the Jackson Gate North project site. The request seeks to rezone ±0.37 acres of APN 044-030-024 and ±0.37 of APN 044-030-026 from the R1, Single-family Residential zoning district to the C2, Heavy Commercial zoning district

PROPERTY OWNERS: RTR Investments, Inc., et. al.

SUPERVISORIAL DISTRICT: 1

LOCATION: 12461 Jackson Gate Rd and 12454 Depot Rd, Jackson, northeast of the intersection of State Highway 49 and Jackson Gate Road.

NOTE: SEE MAP ON REVERSE. *The Staff Report will be available online (typically the Tuesday prior to the meeting) for viewing at <http://www.amadorgov.org> in the "Agendas and Minutes" section.*

ENVIRONMENTAL REVIEW PROCESS: In accordance with the California Environmental Quality Act (CEQA), the lead agency, the Amador County Planning Commission, intends to consider the adoption of a Negative Declaration, as the project is consistent with the Amador County General Plan and zoning codes. The environmental assessment and application materials appear to be complete. If, during the processing of this application, it is determined that there are state or local issues which cannot be found to be insignificant or adequately mitigated through standard conditions, it may be found by the Planning Commission or Board of Supervisors an Environmental Impact Report (EIR) shall be prepared. The Technical Advisory Committee (TAC) has reviewed this project and has found no technical objection to the approval of this project with the adoption of a Negative Declaration. The required environmental review and comment period for this project will commence on September 10, 2021 and ends on October 12, 2021.

PUBLIC HEARING: Notice is hereby given said Planning Commission will hold a public hearing on this application at the County Administration Center, Board of Supervisors Chambers, 810 Court Street, Jackson, California, on October 12, 2021 at 7:00 p.m. or as soon thereafter as can be heard. Anyone having comments on the project may attend and be heard.

THE AMADOR COUNTY PLANNING COMMISSION WILL BE CONDUCTING ITS MEETING VIA TELECONFERENCE. WHILE THIS MEETING WILL STILL BE CONDUCTED IN-PERSON AT THE ABOVE ADDRESS, WE STRONGLY ENCOURAGE THE PUBLIC TO PARTICIPATE FROM HOME BY CALLING IN USING ANY OF THE FOLLOWING NUMBERS:

+1 669 900 6833 US
+1 346 248 7799 US

+1 301 715 8592 US
+1 312 626 6799 US

+1 929 205 6099 US
+1 253 215 8782 US

Meeting ID: 537 512 8983

YOU MAY ALSO VIEW AND PARTICIPATE IN THE MEETING USING THIS LINK:

<https://us02web.zoom.us/j/5375128983>

The Chairperson will invite the public to comment via phone/online. Public comment will also be accepted by email at planning@amadorgov.org. All emails must be received prior to the start of the meeting and will be included in the record of the meeting. Emails received after those already included in the meeting materials will be printed and distributed to the Commissioners and available to the public, and shall be subject to the same rules as would otherwise govern speaker comments at the Commission meeting. Letters of comment regarding this matter received by the County prior to the publication of the Staff Report will be sent to each Planning Commissioner as part of the agenda packet (generally the

Tuesday prior to the meeting). Letters received after the Staff Report has been published will be copied and circulated to each Commissioner just prior to the public hearing. Be advised that due to time constraints, the Commissioners may not be able to give letters submitted after the Staff Report is published, as detailed a review as those received earlier. Therefore, it may be to your benefit to attend the hearing and summarize your concerns orally. Letters will not be read aloud at the public hearing. If you have any questions or desire more information, please contact this office.

In compliance with the Americans with Disabilities Act, if you are a person with a disability and require special modification or accommodation to participate in this meeting, please contact the Amador County Planning Department, at (209) 223-6380, by email to planning@amadorgov.org. Requests must be made as early as possible, and at least two business days before the start of the meeting.

NOTE: If you do not comment at the public hearing or send in written comments and later decide to challenge the nature of this proposed action in court, you may be limited to raising only those issues you raised at the public hearing or have given in written correspondence delivered to the public entity conducting the hearing at, or prior to, the Public Hearing.

AMADOR COUNTY PLANNING COMMISSION

Date of this notice: September 10, 2021

